



2023 ASSEMBLY BILL 43

February 15, 2023 - Introduced by JOINT COMMITTEE ON FINANCE, by request of Governor Tony Evers. Referred to Joint Committee on Finance. Referred to Joint Survey Committee on Tax Exemptions.

1 **AN ACT; relating to:** state finances and appropriations, constituting the
2 executive budget act of the 2023 legislature.

Analysis by the Legislative Reference Bureau

INTRODUCTION

This bill is the executive budget bill under section 16.47 (1) of the statutes. It contains the governor's recommendations for appropriations for the 2023-25 fiscal biennium.

The bill sets the appropriation levels in chapter 20 of the statutes for the 2023-25 fiscal biennium. The descriptions that follow in this analysis relate to the most significant changes in the law that are proposed in the bill.

For additional information concerning the bill, see the Department of Administration's publication *Budget in Brief* and the executive budget books, the Legislative Fiscal Bureau's summary document, and the Legislative Reference Bureau's drafting files, which contain separate drafts on each policy item.

GUIDE TO THE BILL

The budget bill is organized like other bills. First, treatments of statutes appear in ascending numerical order of the statute affected. Next, any treatments of prior session laws appear ordered by the year of original enactment and then by act number (for instance, a treatment of 2019 Wisconsin Act 15 would precede a treatment of 2021 Wisconsin Act 6). Next, any treatments of the Administrative Rules appear.

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The remaining sections of the budget bill are organized by type of provision and, within each type, alphabetically by state agency. The first two digits of the four-digit section number indicate the type of provision:

- 91XX Nonstatutory provisions.**
- 92XX Fiscal changes.**
- 93XX Initial applicability.**
- 94XX Effective dates.**

The remaining two digits indicate the state agency or subject area to which the provision relates:

- XX01 Administration.**
- XX02 Agriculture, Trade and Consumer Protection.**
- XX03 Arts Board.**
- XX04 Building Commission.**
- XX05 Child Abuse and Neglect Prevention Board.**
- XX06 Children and Families.**
- XX07 Circuit Courts.**
- XX08 Corrections.**
- XX09 Court of Appeals.**
- XX10 District Attorneys.**
- XX11 Educational Communications Board.**
- XX12 Elections Commission.**
- XX13 Employee Trust Funds.**
- XX14 Employment Relations Commission.**
- XX15 Ethics Commission.**
- XX16 Financial Institutions.**
- XX17 Governor.**
- XX18 Health and Educational Facilities Authority.**
- XX19 Health Services.**
- XX20 Higher Educational Aids Board.**
- XX21 Historical Society.**
- XX22 Housing and Economic Development Authority.**
- XX23 Insurance.**
- XX24 Investment Board.**
- XX25 Joint Committee on Finance.**
- XX26 Judicial Commission.**
- XX27 Justice.**
- XX28 Legislature.**
- XX29 Lieutenant Governor.**
- XX30 Local Government.**
- XX31 Military Affairs.**
- XX32 Natural Resources.**
- XX33 Public Defender Board.**
- XX34 Public Instruction.**

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- XX35 Public Lands, Board of Commissioners of.**
- XX36 Public Service Commission.**
- XX37 Revenue.**
- XX38 Safety and Professional Services.**
- XX39 Secretary of State.**
- XX40 State Fair Park Board.**
- XX41 Supreme Court.**
- XX42 Technical College System.**
- XX43 Tourism.**
- XX44 Transportation.**
- XX45 Treasurer.**
- XX46 University of Wisconsin Hospitals and Clinics Authority;
Medical College of Wisconsin.**
- XX47 University of Wisconsin System.**
- XX48 Veterans Affairs.**
- XX49 Wisconsin Economic Development Corporation.**
- XX50 Workforce Development.**
- XX51 Other.**

For example, for general nonstatutory provisions relating to the State Historical Society, see SECTION 9121. For any agency not assigned a two-digit identification number or any provision that does not relate to the functions of a particular agency, see number 51 (**Other**) within each type of provision. Separate section numbers and headings appear for each type of provision and for each state agency, even if there are no provisions included in that section number and heading.

Following is a list of the most commonly used abbreviations appearing in the analysis:

DATCP ... Department of Agriculture, Trade and Consumer Protection
 DCF Department of Children and Families
 DFI Department of Financial Institutions
 DHS Department of Health Services
 DMA Department of Military Affairs
 DNR Department of Natural Resources
 DOA Department of Administration
 DOC Department of Corrections
 DOJ Department of Justice
 DOR Department of Revenue
 DOT Department of Transportation
 DPI Department of Public Instruction
 DSPS Department of Safety and Professional Services
 DVA Department of Veterans Affairs
 DWD Department of Workforce Development
 ETF Department of Employee Trust Funds
 GPR General purpose revenue
 HEAB Higher Educational Aids Board

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JCF Joint Committee on Finance
 OCI Office of the Commissioner of Insurance
 PSC Public Service Commission
 TCS Technical College System
 UW University of Wisconsin
 WEDC Wisconsin Economic Development Corporation
 WHEDA Wisconsin Housing and Economic Development Authority
 WHEFA Wisconsin Health and Educational Facilities Authority

AGRICULTURE
Spending cap for the Wisconsin agricultural exports program

Under current law, the Center for International Agribusiness Marketing, operated by DATCP, promotes the export of Wisconsin agricultural and agribusiness products in foreign markets. Current law provides that the center may not expend more than \$1,000,000 in any fiscal year. This bill eliminates the \$1,000,000-per-year spending cap for the center.

Meat processing tuition and curriculum development grants

The bill requires DATCP to provide grants to universities, colleges, and technical colleges to reimburse tuition costs of students enrolled in a meat processing program and for curriculum development of those meat processing programs. Each tuition reimbursement covers up to 80 percent of the tuition cost for enrolling in a meat processing program, limited to a maximum reimbursement of \$7,500.

Food security and Wisconsin products grant program

The bill allows DATCP to provide grants to food banks, food pantries, and other nonprofit organizations to purchase Wisconsin food products.

Farm to fork program

The bill creates a farm to fork program, similar to the existing farm to school program, to connect entities, other than school districts, that have cafeterias to nearby farms to provide locally produced foods in meals and snacks, to help the public develop healthy eating habits, to provide nutritional and agricultural education, and to improve farmers' incomes and direct access to markets. Under the bill, DATCP may provide grants to entities for these purposes.

Value-added agricultural practices

The bill allows DATCP to provide education and technical assistance related to producing value-added agricultural products. Under the bill, DATCP may provide education and assistance related to organic farming practices; collaborate with organic producers, industry participants, and local organizations that coordinate organic farming; and stimulate interest and investment in organic production. The bill also allows DATCP to provide grants to organic producers, industry participants, and local organizations, which may be used to provide education and technical assistance related to organic farming, to help create organic farming plans, and to assist farmers in transitioning to organic farming. The bill also authorizes DATCP to provide grants to entities to provide education and training to farmers about best

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practices related to grazing. DATCP is also authorized under the bill to help farmers market value-added agricultural products.

Grants for hiring farm business consultants

The bill authorizes DATCP to provide grants to county agriculture agents of the UW–Extension to help farm operators hire business consultants and attorneys to examine their farm business plans and help them create farm succession plans.

Grants for food waste reduction pilot projects

The bill requires DATCP to provide grants for food waste reduction pilot projects that have an objective of preventing food waste, redirecting surplus food to hunger relief organizations, and composting food waste. Under the bill, DATCP must give preference to grant proposals that serve census tracts for which the median household income is below the statewide median household income and in which no grocery store is located.

Tribal elder food security program

The bill creates a grant program under which DATCP must provide grants to one or more nonprofit entities for the purpose of purchasing and distributing food to tribal elders and for the purpose of supporting the growth and operations of producers participating in the program. A nonprofit that receives a grant under the program must give preference to purchasing food from, and supporting the growth and operations of, indigenous-based food producers and local food producers.

The bill requires, annually, \$1,500,000 in tribal gaming receipts to be used for grants to purchase food and support distribution operations and \$500,000 in tribal gaming receipts to be used for grants to support the growth and operations of producers under the program.

Labeling wild rice as “traditionally harvested”

The bill prohibits any person from labeling wild rice as “traditionally harvested” unless the wild rice is harvested using traditional wild rice harvesting methods of American Indian tribes or bands. The bill requires DATCP to promulgate an administrative rule defining traditional wild rice harvesting methods of American Indian tribes or bands. Under the bill, DATCP must obtain the advice and recommendations of the Great Lakes Inter-Tribal Council, Inc., before promulgating an administrative rule defining a traditional method of wild rice harvesting.

Farmland preservation implementation grants

The bill authorizes DATCP to award grants to counties to implement a certified county farmland preservation plan.

County land conservation staff

Under current law, as part of the soil and water resource management program, DATCP provides grants to counties for county conservation staffing. Current law specifies the activities that county conservation staff may engage in with grants provided under this program. The bill provides that these grants may also be used to fund county conservation staff who administer or implement long-range planning and erosion control mitigation.

Under current law, grants for county conservation staffing provide full funding for a county’s first conservation staff position; 70 percent of the cost of a county’s

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second position; and 50 percent of the cost of a county's third or subsequent position. The county must provide the remaining funds for these conservation staff positions. DATCP and DNR jointly prepare an allocation plan each year, setting out the amounts to be paid to each county under the program. Current law also requires DATCP and DNR to attempt to provide an average of \$100,000 to each county for staffing grants.

Under the bill, if any money remains after meeting these goals, DATCP and DNR may provide, in their annual grant allocation plan, grants to counties for fourth and subsequent conservation staff positions, with a requirement for the county to pay an amount towards those positions as determined by DATCP and DNR; and grants to counties to assist them in meeting their funding requirements for a second or third conservation staff position.

Planning grants for establishing regional biodigesters

Under the bill, DATCP must provide planning grants for establishing regional biodigesters in this state. Biodigesters are used to break down organic material into gas, liquids, and solids.

Biodigester operator certification grants

The bill requires DATCP to provide grants to individuals seeking biodigester operator certification. The bill also allows DATCP to promulgate administrative rules establishing the application process and grant-awarding criteria for the biodigester operator certification grants.

Water stewardship certification

The bill creates a grant program under which DATCP may provide grants to reimburse the costs for agricultural producers to apply for a certification of water stewardship from the Alliance for Water Stewardship. The grants must be made directly to the producer, and may not be used to pay the costs of operational changes needed to achieve certification.

Bonding for soil and water resource management

The bill increases the general obligation bonding authority for the soil and water resource management program by \$7,000,000. The program, which is administered by DATCP, awards grants to counties to help fund their land and water conservation activities.

New appropriation for existing and new grant and loan programs

The bill combines appropriations for several existing and new DATCP grant and loan programs. Under the bill, the following programs are all funded from the same GPR appropriation: the existing meat processing facility grant program, dairy processing plant grant program, dairy producer loan and grant program, and Buy Local grant program; and the new food security and Wisconsin products grant program, Farm to Fork grant program, value-added agricultural products grant program, and the farm business consultant grant program, all of which are created under the bill. The bill also allows DATCP to use funds from this GPR appropriation for the Something Special from Wisconsin program, in addition to the program's current funding from program fees.

ASSEMBLY BILL 43**COMMERCE AND ECONOMIC DEVELOPMENT****COMMERCE*****Prohibiting discrimination in broadband and broadband subscriber rights***

The bill prohibits a broadband service provider from denying access to a group of potential residential customers because of their race or income. Under the bill, DATCP has authority to enforce the prohibition and to promulgate related administrative rules. The bill also authorizes any person affected by a broadband service provider who violates the prohibition to bring a private action.

The bill establishes various requirements for broadband service providers, including the following: 1) broadband service providers must provide service satisfying minimum standards established by PSC, and subscribers may terminate contracts if the broadband service provider fails to satisfy those standards; 2) broadband service providers must provide service as described in advertisements or representations made to subscribers; 3) broadband service providers must repair broadband service within 72 hours after a subscriber reports a broadband service interruption that is not the result of a major system-wide or large area emergency; 4) broadband service providers must give subscribers credit for interruptions of broadband service that last more than four hours in a day; and 5) broadband service providers must give subscribers at least 30 days' advance written notice before instituting a rate increase.

The bill also requires each Internet service provider in this state to register with PSC.

Eliminating minimum markup requirement for the sale of motor vehicle fuel

The bill exempts sales of motor vehicle fuel from the minimum markup requirement under the Unfair Sales Act.

Under current law, the Unfair Sales Act 1) prohibits below-cost sales of any merchandise if the sale is intended to induce the purchase of other merchandise or divert trade unfairly from a competitor; and 2) requires a "minimum markup" (a specified amount over the cost of the merchandise to the seller) to be added to sales of motor vehicle fuel, tobacco products, fermented malt beverages, liquor, or wine. The required minimum markup for motor vehicle fuel is 3, 6, or 9.18 percent of the cost of the fuel to the seller, depending on whether the fuel is sold by a retailer or a wholesaler and whether the fuel is sold from a retail station. The bill exempts sales of motor vehicle fuel from the minimum markup requirement under the Unfair Sales Act.

Changing the minimum age for cigarettes, tobacco products, and nicotine products; imposing a minimum age for vapor products

The bill changes the minimum age in Wisconsin for purchasing cigarettes, tobacco products, or nicotine products from 18 to 21 and imposes the same minimum age for purchasing vapor products.

In December 2019, enacted legislation amending the federal Food, Drug, and Cosmetic Act raised the federal minimum age for the sale of tobacco products from 18 to 21. Under current federal law, it is illegal for a retailer to sell any tobacco

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product—including cigarettes, cigars, and e-cigarettes—to anyone under the age of 21.

Under current state law, “nicotine products” are products that contain nicotine and that are not tobacco products, cigarettes, or products that have been approved by the federal Food and Drug Administration for sale as a smoking cessation product. “Tobacco products” include products such as cigars, chewing tobacco, and smoking tobacco. “Vapor products” are noncombustible products that produce a vapor or aerosol for inhalation from the application of a heating element, regardless of whether the liquid or other substance contains nicotine.

Under current state law, no person under the age of 18 may purchase, attempt to purchase, possess, or falsely represent his or her age for the purpose of receiving any cigarette, nicotine product, or tobacco product with certain limited exceptions. Current state law also prohibits any person from purchasing cigarettes, tobacco products, or nicotine products on behalf of a person who is under the age of 18 and subjects that purchaser to a penalty. A person is also prohibited under current state law from delivering a package of cigarettes unless the person making the delivery verifies that the person receiving the package is at least 18 years of age. The bill changes these ages from 18 to 21. The bill similarly prohibits the purchase of vapor products by or on behalf of a person who is under the age of 21.

Current state law prohibits a retailer, manufacturer, distributor, jobber, subjobber, or independent contractor or an employee or agent of any of these persons from selling or providing cigarettes or tobacco or nicotine products to an individual who is under the age of 18 and from providing cigarettes or tobacco or nicotine products to any person for free unless the cigarettes or products are provided in a place where persons under 18 years of age are generally not permitted to enter. Current state law also prohibits a retailer or vending machine operator from selling cigarettes or tobacco or nicotine products from a vending machine unless the retailer or vending machine operator ensures that no person under 18 years of age is present on or permitted to enter the premises where the machine is located. The bill changes these ages from 18 to 21. The bill similarly prohibits the sale or provision of vapor products to a person who is under the age of 21.

Small Business Retirement Savings Board; retirement savings program

The bill creates a Small Business Retirement Savings Board, attached to DFI, and requires the board to establish and oversee a small business retirement savings program for certain privately employed individuals who are not eligible for an employer-sponsored retirement plan. The board must contract with a vendor (investment administrator) to provide specified services in administering the program, including investment services and record-keeping services.

Under the bill, the board consists of the following seven members: the secretary of financial institutions or his or her designee; two members appointed by the governor; two members appointed, respectively, by the speaker of the assembly and president of the senate; one member appointed by the secretary of financial institutions; and one member appointed by the State of Wisconsin Investment Board. The bill requires certain members to possess specified attributes or experience, and

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all members except the secretary of financial institutions or his or her designee serve four-year terms.

Under the bill, the board must design the program to meet certain requirements. Among these, the program must allow eligible employees to contribute to their accounts through payroll deductions and require participating employers to withhold from employees' wages, through payroll deductions, employees' account contributions and remit those contributions directly to the investment administrator. A "participating employer" is a private employer that does not offer a retirement savings plan to all employees; has at least one employee who is a resident of this state; provides notice to the board of its election to participate in the program; and certifies that, on the date of this notice, it had 50 or fewer employees. An "eligible employee" is an individual who resides in this state and who is employed by a private employer that does not offer a retirement savings plan in which the individual may participate. The bill defines "account" as a retirement savings account established for an eligible employee under the program. Other requirements of the program are that the administrative costs must be low and the fee that the investment administrator may charge an eligible employee is limited to a fixed monthly fee in an amount approved by the board. The program must also allow an eligible employee who has established an account to continue the account after separating from employment with a participating employer if the account is maintained with a positive balance.

Under the bill, after electing to participate in the program, a participating employer must provide notice to each of its eligible employees of the eligible employee's right to opt out of the program. Unless the eligible employee opts out, the participating employer must enroll the eligible employee in the program and begin making payroll deductions, which amounts are remitted to the investment administrator as account contributions of the employee. Unless a different account type is offered, and the employee selects another option, these contributions are made to a Roth IRA for the employee. Unless the employee directs otherwise, during the employee's first year of enrollment in the program, the participating employer must make a payroll deduction each pay period at a rate of 5 percent of the employee's gross wages, with this rate increasing by 1 percent per year until a maximum rate of 10 percent is reached. However, the participating employer must make a good faith effort to establish the payroll deduction at a rate that will not result in the employee's total annual contributions exceeding maximum contribution limits established by the board in accordance with the federal contribution limits for Roth IRAs, although the participating employer is not responsible if excess contributions occur. Under the program, the eligible employee must have certain investment options within each account type, including a stable value or capital preservation fund and a target date index fund or age-based fund. An eligible employee's first \$1,000 of contributions must be deposited in a stable value or capital preservation fund, and thereafter, unless the employee selects a different investment option, the employee's contributions must be deposited in a target date index fund or age-based fund.

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The bill specifies that, in establishing the program, the board may create or impose any requirement or condition not inconsistent with the bill's requirements that the board considers necessary for the effective functioning and widespread utilization of the program. The bill also authorizes the board to enter into contracts for services necessary for establishing and overseeing the program, including services of financial institutions, attorneys, investment advisers, accountants, consultants, and other professionals. The board may promulgate administrative rules related to the program. DFI must provide the board with assistance necessary for the program, including staff, equipment, and office space. The board may delegate to DFI responsibility for carrying out any day-to-day board function related to the program.

Implementation by DFI of section 529A ABLE savings account program

The bill requires DFI to implement a qualified ABLE program under section 529A of the Internal Revenue Code allowing tax-exempt accounts for qualified expenses incurred by individuals with disabilities.

Under current federal law, states may create a qualified Achieving a Better Life Experience program under which an individual may establish a tax-exempt savings account to pay for qualified expenses, such as education, housing, and transportation costs, for a beneficiary who is an individual with disabilities, as defined under federal law. Although these accounts, commonly referred to as "ABLE accounts" or "section 529A accounts," cannot be established under this state's law, they can be established under another state's law, and if so established, withdrawals from these accounts for payment of qualified disability expenses for the account beneficiary are exempt from taxation in this state.

Current law also requires DFI to study and report on establishing a qualified ABLE program, including examination of the advantages and disadvantages of certain options and review and evaluation of related issues. DFI was required to report to the legislature the results of the study, including DFI's findings and recommendations, by September 1, 2022.

The bill requires DFI to implement and administer a qualified ABLE program, either directly or by entering into an agreement with another state or alliance of states to establish an ABLE program or otherwise administer ABLE program services for the residents of this state. DFI must, within approximately nine months, determine whether implementing the ABLE program directly or by entering into an agreement is the best option for this state's residents. If DFI enters into an agreement, the agreement may require the party contracting with DFI to do any of the following: 1) develop and implement an ABLE program in accordance with all requirements under federal law and modify the ABLE program as necessary for participants to qualify for federal income tax benefits; 2) contract for professional and technical assistance and advice in developing marketing plans and promotional materials to publicize the ABLE program; 3) work with organizations with expertise in supporting people with disabilities and their families in administering the agreement and ensuring accessibility of the ABLE program for people with disabilities; or 4) take any other action necessary to implement and administer the

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ABLE program. The bill also requires DFI to provide on its website information concerning ABLE accounts.

Sales by a municipality or county of wine in a public park

The bill allows a municipality or county to sell wine in its public parks without an alcohol beverage license.

Under current law, with limited exceptions, no person may sell alcohol beverages to a consumer unless the seller possesses a license or permit authorizing the sale. Under one exception, no license or permit is required for the sale, by officers or employees of a county or municipality, of fermented malt beverages (beer) in a public park operated by the county or municipality.

The bill applies this exception to wine along with beer.

Closing hours for alcohol beverage retailers during the 2024 Republican National Convention

The bill creates an exception allowing southeast Wisconsin municipalities to authorize extended closing hours for certain alcohol beverage retailers during the time that the 2024 Republican National Convention is held in Milwaukee.

Under current law, a Class “B” license authorizes the retail sale of beer for consumption on or off the licensed premises. Except when issued to a winery, a “Class B” license authorizes the retail sale of intoxicating liquor for consumption on the licensed premises and, subject to restrictions, for consumption off the licensed premises. Class “B” and “Class B” licenses are often issued together for restaurants and taverns. A “Class C” license, which may be issued only for a restaurant, authorizes the retail sale of wine for consumption on the licensed premises. With limited exceptions, a retailer operating under a Class “B,” “Class B,” or “Class C” license may not remain open between the hours of 2 a.m. and 6 a.m. on weekdays or between 2:30 a.m. and 6 a.m. on Saturday and Sunday, and a municipality may not impose different closing hours by ordinance.

The bill creates a closing hour exception that may be available for Class “B,” “Class B,” and “Class C” licensees operating in a municipality any part of which is located within Kenosha, Racine, Walworth, Rock, Milwaukee, Waukesha, Jefferson, Dane, Ozaukee, Washington, Dodge, Columbia, Sheboygan, or Fond du Lac County (southeast Wisconsin municipality). Under the bill, from July 15 to July 19, 2024, the closing hour for a Class “B,” “Class B,” or “Class C” licensed premises in a southeast Wisconsin municipality is 4 a.m. if the municipality issuing the license has adopted a resolution allowing extended closing hours and, upon application by a licensee, has authorized the extended closing hour for that licensee. The bill does not affect the hours during which a Class “B” or “Class B” licensee may make sales for off-premises consumption.

ECONOMIC DEVELOPMENT***WEDC venture capital fund of funds program***

The bill directs WEDC to establish and administer a venture capital fund of funds program to invest in venture capital funds that invest in Wisconsin businesses. The bill requires WEDC to create a fund of funds that will continuously reinvest its

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assets under the program and to create an oversight board whose duties include contracting with an investment manager for the program.

The bill directs the oversight board to establish investment policies for the program. Under the bill, the program's moneys must be committed for investment to venture capital funds no later than 60 months after the fund of funds is created and no more than \$18,750,000 may be committed to any single venture capital fund for investment. The bill requires that at least 20 percent of the investments made through the program be directed to businesses located in parts of the state that typically do not receive significant venture capital fund investment, minority-owned businesses, and women-owned businesses. The bill prohibits any investment in lobbying and law firms.

Under the bill, the investment manager must contract with each venture capital fund that receives moneys through the program. The contract must require the venture capital fund to do all of the following:

1. Make new investments in an amount equal to the moneys it receives through the program in businesses who are headquartered, and whose operations are primarily, in this state.

2. At least match the amount it receives through the program and invests in a business with an investment in that same business of moneys from sources other than the program. The investment manager must ensure that, on average, for every \$1 a venture capital fund receives through the program and invests in a business, the venture capital fund invests \$2 in that business from sources other than the program.

3. Provide to the investment manager the information necessary to complete the reports described below.

The bill requires the investment manager to annually submit to WEDC an audit of the investment manager's financial statements, the rate of return from investments made through the program, and certain information on each venture capital fund participating in the program and each business in which investments were made. WEDC must submit this information to the legislature. The bill also requires the investment manager to submit quarterly reports to the oversight board.

WEDC GPR appropriation

The bill adds \$40,000,000 to WEDC's GPR appropriation for general operations and economic development programs in fiscal year 2023-24. The bill also adjusts the calculation used to determine the amount of WEDC's GPR appropriation.

Business development tax credit changes

Under current law, the tax benefits WEDC may award to a person certified under the business development tax credit program include an amount equal to up to 50 percent of the person's training costs incurred to undertake activities to enhance an eligible employee's general knowledge, employability, and flexibility in the workplace; to develop skills unique to the person's workplace or equipment; or to develop skills that will increase the quality of the person's product. Under the bill, that criterion for awarding business development tax credits is changed to an amount equal to up to 50 percent of the person's training costs incurred to undertake activities to upgrade or improve the job-related skills of an eligible employee, train

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an eligible employee on the use of job-related new technologies, or provide job-related training to an eligible employee whose employment with the person represents the employee's first full-time job.

Also, under current law, the tax benefits WEDC may award to a person certified under the business development tax credit program include an amount determined by WEDC that is equal to a percentage of the amount of wages that the person paid to an eligible employee in the taxable year, if the position in which the eligible employee was employed was created or retained in connection with the person's location or retention of the person's corporate headquarters in this state and the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions. Under the bill, WEDC may award business development tax credits under that criterion regardless of whether the job duties associated with the eligible employee's position involve the performance of corporate headquarters functions.

Wage thresholds for business development and enterprise zone tax credits

The bill raises the minimum wage thresholds for the business development and enterprise zone tax credits for businesses that enter into contracts with WEDC after December 31, 2023. Under current law, WEDC may certify businesses that engage in qualifying activities, including full-time job creation and retention, to claim the credits. One requirement for claiming either credit is that the business enter into a contract with WEDC. In its contracts, WEDC uses a definition of "full-time employee" that means an individual who, among other things, is paid at least 150 percent of the federal minimum wage. The bill changes this minimum wage threshold to \$32,000 for the business development tax credit and to \$32,000 in a tier I county or municipality and \$42,390 in a tier II county or municipality for the enterprise zone tax credit, with all these amounts adjusted annually for inflation. Additionally, under current law, the enterprise zone tax credit is partially based on the wages paid to zone employees that are at least 150 percent of the federal minimum wage in a tier I county or municipality or \$30,000 in a tier II county or municipality. The bill changes these thresholds to \$32,000 and \$42,390, respectively, with both amounts adjusted annually for inflation.

The bill also modifies the maximum wage earnings limit for businesses that enter into contracts with WEDC after December 31, 2023. Under current law, the maximum wage earnings that may be considered per employee for the enterprise zone tax credit is \$100,000. The bill increases this amount to \$141,300, which is adjusted annually for inflation, and establishes the same dollar amount limit for the business development tax credit.

The bill also adjusts the definition of "full-time job" for purposes of the business development tax credit and "full-time employee" for purposes of the enterprise zone jobs tax credit by removing the current requirement that a worker work at least 2,080 hours per year, including paid leave and holidays, in order to be considered "full-time."

Enterprise zone designations

Under current law, WEDC may designate any number of enterprise zones for purposes of certifying taxpayers to claim tax credits for certain activities carried out

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within an enterprise zone. However, current law subjects WEDC's designation of a new enterprise zone to the approval of JCF under passive review.

The bill provides that WEDC may designate no more than 30 enterprise zones and eliminates the requirement that WEDC seek approval for a new enterprise zone from JCF under passive review.

Energy efficiency and renewable energy project expenditures for the business development tax credit

The bill adds a new category of expenditures that qualify for the business development tax credit. Under current law, WEDC may award the tax credit to a certified business on the basis of its qualifying expenses related to job creation and retention, employee training, capital investment, and corporate headquarters location or retention in this state. Under the bill, WEDC may also award the tax credit on the basis of a certified business's energy efficiency or renewable energy project expenditures. The credit is equal to up to 25 percent of the expenditures and, under the bill, WEDC must ensure that the percentage of expenditures taken into account positively correlates to the scale of the project. The bill applies to credits awarded after December 31, 2023.

Main Street Bounceback grants

The bill creates an annual GPR appropriation for WEDC to award grants to provide assistance to businesses opening a new location or expanding operations in a vacant commercial space. WEDC already administers such a program, which is nonstatutory, with federal American Rescue Plan Act funding. Under the bill, WEDC must establish eligibility requirements and other policies and procedures for grants awarded under the bill that are substantially similar to the eligibility requirements and policies and procedures in effect on June 30, 2023, for the Wisconsin Tomorrow Main Street Bounceback Grant Program administered by WEDC. Additionally, WEDC may not award a grant under the bill to a nonprofit organization.

Cooperative development funding

The bill requires WEDC to allocate at least \$500,000 from its economic development appropriations in the 2023-24 fiscal year for the purpose of assisting cooperative development activities in this state.

WEDC's unassigned fund balance

Current law requires that WEDC establish policies and procedures concerning its unassigned fund balance, which is defined as all moneys held by WEDC that WEDC is not obligated by law or by contract to expend for a particular purpose or that WEDC has not otherwise assigned to be expended for a particular purpose. Under current law, those policies and procedures must include as a target that WEDC's unassigned fund balance on June 30 of each fiscal year be an amount equal to or less than one-sixth of WEDC's total administrative expenditures for that fiscal year. The bill eliminates the requirement that WEDC's policies and procedures include that target for WEDC's unassigned fund balance.

ASSEMBLY BILL 43***Information sharing between WEDC and DOR***

The bill allows WEDC and DOR to enter into an agreement under which WEDC may obtain copies of tax returns and related documents from DOR. The bill also authorizes WEDC to examine tax returns and related documents held by DOR to the extent necessary to administer WEDC's economic development programs. Under current law, WEDC's examination authority is limited to the development zone tax credit program.

WHEFA financing of nonprofit institution working capital costs

Under current law, WHEFA may issue bonds to finance certain projects of health, educational, research, and other nonprofit institutions. The bill authorizes WHEFA to issue bonds for the purpose of financing such institutions' working capital costs.

LANDLORD-TENANT***Notification of building code violations***

Under current law, before entering into a lease with or accepting any earnest money or a security deposit from a prospective tenant, a landlord must disclose to the prospective tenant any building code or housing code violations of which the landlord has actual knowledge if the violation presents a significant threat to the prospective tenant's health or safety. The bill eliminates the condition that the landlord have actual knowledge of such a violation and that the threat to the prospective tenant's health or safety be "significant"; under the bill, the landlord must disclose to a prospective tenant a building code or housing code violation, regardless of whether the landlord has actual knowledge of the violation, if the violation presents a threat to the prospective tenant's health or safety.

Local landlord-tenant ordinances

Current law prohibits cities, villages, towns, and counties (local governments) from enacting certain ordinances relating to landlords and tenants. Local governments may not do any of the following:

1. Prohibit or limit landlords from obtaining or using certain information relating to a tenant or prospective tenant, including monthly household income, occupation, rental history, credit information, court records, and social security numbers.
2. Limit how far back in time a landlord may look at a prospective tenant's credit information, conviction record, or previous housing.
3. Prohibit or limit a landlord from entering into a rental agreement with a prospective tenant while the premises are occupied by a current tenant.
4. Prohibit or limit a landlord from showing a premises to a prospective tenant during a current tenant's tenancy.
5. Place requirements on a landlord with respect to security deposits or earnest money or inspections that are in addition to what is required under administrative rules.
6. Limit a tenant's responsibility for any damage to or neglect of the premises.

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7. Require a landlord to provide any information to tenants or to the local government any information that is not required to be provided under federal or state law.

8. Require a residential property to be inspected except under certain circumstances.

9. Impose an occupancy or transfer of tenancy fee on a rental unit.

Current law also prohibits local governments from regulating rent abatement in a way that permits abatement for conditions other than those that materially affect the health or safety of the tenant or that substantially affect the use and occupancy of the premises. The bill eliminates all of these prohibitions.

Local moratorium on evictions

Current law prohibits local governments from imposing a moratorium on landlords from pursuing evictions actions against a tenant. The bill eliminates that prohibition.

Rental property inspection requirements

The bill makes various changes to the requirements relating to inspections of rental properties. The bill eliminates existing limitations on inspection fees that municipalities and counties may charge for rental property inspections. Under the bill, a landlord must provide notice to a tenant of an impending inspection in the same manner the landlord would provide notice under current law to enter for repairs or to show the property to prospective tenants. The bill also provides that rental property inspection fees charged by a municipality or county are not subject to deduction from the municipality or county's tax levy.

TOURISM***American Indian tourism marketing***

The bill requires DOA to award an annual grant to the Great Lakes Inter-Tribal Council to provide funding for a program to promote tourism featuring American Indian heritage and culture. The bill also transfers from the Department of Tourism to DOA a contract between the Great Lakes Inter-Tribal Council and the Department of Tourism that relates to the promotion of tourism featuring American Indian heritage and culture.

Major opportunities and events

The bill authorizes the Department of Tourism to expend moneys to attract major opportunities and events to this state, including expenditures for major marketing and professional efforts. The bill requires the department to collaborate with WEDC to implement the department's duties under the bill.

Marketing clearinghouse

The bill repeals the requirement that the Department of Tourism maintain a marketing clearinghouse to provide marketing services to state agencies.

Cheese distribution

Under current law, the Department of Tourism must distribute donated, Wisconsin-made cheese at tourist information centers that the Department of Tourism operates. The bill eliminates that requirement.

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Under current law, the Council on Tourism must consider using famous current and former residents of this state in tourism marketing strategies. The bill eliminates that requirement.

WPGA Junior Foundation

Under current law, the WPGA Junior Foundation, Inc., which is a nonprofit organization dedicated to promoting the game of golf to Wisconsin junior golfers and their families, must submit to the attorney general and each house of the legislature an audited financial statement of its use of payments paid to the WPGA Junior Foundation, Inc., by the Department of Tourism to fund efforts to provide opportunities, enjoyment, and education to junior golfers in this state. The bill eliminates that reporting requirement.

Marketing efforts reporting requirement

Under current law, the Department of Tourism must annually report the activities, marketing efforts, receipts, and disbursements of the Department of Tourism for the previous fiscal year to the Senate Committee on Natural Resources and Energy and the Assembly Committee on Tourism. The bill designates that these annual reports be sent to the appropriate standing committees of the legislature.

CORRECTIONAL SYSTEM**ADULT CORRECTIONAL SYSTEM*****Earned compliance credit***

The bill creates an earned compliance credit for time spent on extended supervision or parole. Under current law, a person's extended supervision or parole may be revoked if he or she violates a condition or rule of the extended supervision or parole. If extended supervision or parole is revoked, the person is returned to prison for an amount of time up to the length of the original sentence, less any time actually served in confinement and less any credit for good behavior. Under current law, when extended supervision or parole is revoked, the time spent on extended supervision or parole is not credited as time served under the sentence.

Under the bill, an eligible inmate receives an earned compliance credit for time served on extended supervision or parole. The earned compliance credit equals the amount of time served on extended supervision or parole without violating any condition or rule of extended supervision or parole. Under the bill, a person is eligible to receive the earned compliance credit only if the person is not required to register as a sex offender and is serving a sentence for a crime that is not a specified violent crime or a specified crime against a child. Under the bill, if a person's extended supervision or parole is revoked, he or she may be incarcerated for up to the length of the original sentence, less any credit for time served in confinement, any credit for good behavior, and any earned compliance credit.

Earned release

The bill expands the earned release program. Under current law, an eligible inmate may earn early release to parole or extended supervision by successfully completing a substance use disorder treatment program. An inmate is eligible for

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earned release only if the inmate is serving time for a crime that is not a violent crime and, for an inmate who is serving a bifurcated sentence, the sentencing court determines that the inmate is eligible.

The bill expands the earned release program to include successful completion of a vocational readiness program, which includes educational, vocational, treatment, or other qualifying evidence-based training programs to reduce recidivism, in addition to successful completion of a substance use disorder treatment program. The bill also provides that DOC, not the sentencing court, determines program participation eligibility for all inmates.

Notice to crime victims upon parole or release to extended supervision

Under current law, before a prisoner is released on parole or extended supervision, the parole commission or DOC must notify certain individuals of the pending release, including the victim of the crime or, if the victim died as a result of the crime, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian. The bill provides that, if the victim died as a result of the crime, the parole commission or DOC must also notify any member of the victim's family who was younger than 18 years old at the time the crime was committed but is now 18 years old or older.

Treatment of pregnant and postpartum person in prison and jail

The bill limits the use of physical restraints on pregnant and postpartum persons who are in the custody of a correctional facility. Under the bill, a pregnant person may not be restrained unless the restraints are reasonably necessary for the legitimate safety and security needs of the person, correctional staff, other inmates, or the public, and any restraints used must be the least restrictive possible under the circumstances. In addition, the bill requires that each woman in the custody of a correctional facility be offered testing for pregnancy, and, if pregnant, be offered testing for sexually transmitted infections. The bill also requires the correctional facility where the pregnant or postpartum person is being confined to provide information related to pregnancy, labor, and the postpartum period, and to provide access to certain health services related to pregnancy, labor, and the postpartum period.

Reimbursement for law enforcement investigative services

Under current law, DOC must reimburse counties for certain expenses related to an action or proceeding involving a prisoner in a state prison or a juvenile in a juvenile correctional facility in the county. The bill adds that DOC must reimburse any county, city, village, or town that provides law enforcement investigative services for an incident involving a prisoner in a state prison or a juvenile in a juvenile correctional facility.

Transfer of security operations at Wisconsin Resource Center

The bill transfers security operations at the Wisconsin Resource Center from DOC to DHS. The transfer includes the transfer of assets, liabilities, position authorizations and the incumbent employees holding those positions, tangible personal property, contracts, and any currently pending matters.

ASSEMBLY BILL 43**JUVENILE CORRECTIONAL SYSTEM*****Age of juvenile court jurisdiction***

Under current law, a person 17 years of age or older who is alleged to have violated a criminal law is subject to the procedures specified in the Criminal Procedure Code and, on conviction, is subject to sentencing under the Criminal Code, which may include a sentence of imprisonment in the Wisconsin state prisons. Currently, subject to certain exceptions, a person under 17 years of age who is alleged to have violated a criminal law is subject to the procedures specified in the Juvenile Justice Code and, on being adjudicated delinquent, is subject to an array of dispositions under that code, including placement in a juvenile correctional facility. The bill raises from 17 to 18 the age at which a person who is alleged to have violated a criminal law is subject to the procedures specified in the Criminal Procedure Code and, on conviction, to sentencing under the Criminal Code.

Similarly, under current law, a person 17 years of age or older who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court, while a person under 17 years of age who is alleged to have violated a civil law or municipal ordinance, subject to certain exceptions, is subject to the jurisdiction and procedures of the court assigned to exercise jurisdiction under the Juvenile Justice Code. The bill raises from 17 to 18 the age at which a person who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court.

Seventeen-year-old juvenile justice aids

The bill creates a sum sufficient appropriation under DCF for youth-aids-related purposes but only to reimburse counties, beginning on January 1, 2024, for costs associated with juveniles who were alleged to have violated a state or federal criminal law or any civil law or municipal ordinance at age 17.

Juvenile Justice Reform Review Committee

The bill creates a Juvenile Justice Reform Review Committee in DCF, with members appointed by the governor. Under the bill, the committee is charged with studying and providing recommendations to DCF and DOC on how to do all of the following:

1. Increase the minimum age of delinquency.
2. Eliminate original adult court jurisdiction over juveniles.
3. Modify the waiver procedure for adult court jurisdiction over juveniles and incorporate offenses currently subject to original adult court jurisdiction into the waiver procedure.
4. Eliminate the serious juvenile offender program and create extended juvenile court jurisdiction with a blended juvenile and adult sentence structure for certain juvenile offenders.
5. Prohibit placement of a juvenile in a juvenile detention facility for a status offense and limit sanctions and short-term holds in a juvenile detention facility to cases in which there is a public safety risk.
6. Sunset long-term post-disposition programs at juvenile detention facilities.

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7. Create a sentence adjustment procedure for youthful offenders.

8. Conform with the U.S. Constitution the statutes that mandate imposing sentences of life imprisonment without parole or extended supervision to minors.

Under the bill, the committee terminates on September 16, 2024, and DCF and DOC must submit in their 2025-27 biennial budget requests a request to implement the committee's recommendations.

Daily rates for juvenile correctional services

The bill increases the per person daily rate paid by counties to DOC for services provided to juveniles who are placed in a Type 1 juvenile correctional facility from \$1,178 in fiscal year 2022-23 to \$1,246 in fiscal year 2023-24 and \$1,268 in fiscal year 2024-25.

COURTS AND PROCEDURE**PUBLIC DEFENDERS AND DISTRICT ATTORNEYS*****Private bar reimbursement rate***

Under current law, the state public defender (SPD) provides legal representation for indigent persons in criminal, delinquency, and certain related cases. The SPD assigns cases either to staff attorneys or to local private attorneys. Generally, a private attorney who is assigned a case by the SPD is paid \$70 per hour for time spent related to the case and \$25 per hour for time spent in travel related to a case. The bill increases the rate the private attorney is paid for cases assigned on or after July 1, 2023. Under the bill, a private attorney is paid \$100 per hour for time spent related to a case, excluding travel, and \$50 per hour for time spent in travel related to a case.

Annual caseload standards exemption

Under current law, the SPD may exempt up to 10 full-time assistant SPDs in the trials subunit from annual caseload standards based on their need to perform other assigned duties. Under the bill, beginning on July 1, 2023, the SPD may exempt up to 25 such assistant SPDs from annual caseload standards based on their need to perform other assigned duties.

Increase in deputy district attorney allocation

The bill increases the number of deputy district attorneys that may be appointed in a prosecutorial unit with a population of 200,000 or more but less than 750,000 from three deputy district attorneys to four deputy district attorneys.

CIRCUIT COURTS***Statutory addition of new circuit court branches***

The bill adds to the statutory list of judicial circuit branches to reflect the circuit court branches authorized under 2019 Wisconsin Act 184 to be added by the director of state courts, with four designated to begin operation in August 2022 and four designated to begin operation in August 2023.

Under current law, the statutes contain a list dividing, by administrative district and judicial circuit, how many branches each circuit has. Act 184 authorized the director of state courts to add four additional circuit court branches to begin operation on August 1, 2022, and four additional circuit court branches to begin

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operation on August 1, 2023. Act 184 further authorized the director of state courts to allocate each new branch to any county that the director of state courts determined to be in need of an additional circuit court branch and that established, or will have established, by May 31 of the year the court would begin operation, the appropriate infrastructure to support an additional circuit court branch. Act 184 further authorized the director of state courts to require any county, as a condition for receiving a circuit court branch allocation, to have established or to apply for a grant to establish a drug court. The director of state courts allocated new circuit court branches to Adams, Eau Claire, Vilas, and Waushara Counties, which were designated to begin operation on August 1, 2022. The director of state courts has also allocated new circuit court branches to Clark, Manitowoc, Sawyer, and Wood Counties, and these are designated to begin operation on August 1, 2023.

Reimbursements for pretrial risk assessments

The bill requires the director of state courts to reimburse counties for circuit court costs related to implementing the use of pretrial risk assessments. The director of state courts must make the payments from a new biennial general program operations appropriation created in the bill.

Certificates of qualification for employment

The bill eliminates the \$20 application fee for an individual convicted of a crime to apply for a certificate of qualification for employment. Under current law, certain nonviolent offenders who have been released from confinement may apply to the Council on Offender Employment for a certificate, and the council generally must approve an offender's application if the council finds that the offender is not likely to pose a risk to public safety, that the certificate will substantially assist the offender in obtaining employment or occupational licensing or certification, and that the offender is less likely to commit an additional criminal offense if the offender obtains a certificate. Under current law, a certificate provides relief to an offender from ineligibility for or disadvantage related to employment, occupational licensing, or occupational certification that results from the offender's criminal record. A certificate also incentivizes an employer to hire an offender by providing the employer with limited immunity from civil liability related to acts or omissions of the offender.

GENERAL COURTS AND PROCEDURE***Extreme risk protection injunctions***

Under current law, a person is prohibited from possessing a firearm, and must surrender all firearms, if the person is subject to a domestic abuse injunction, a child abuse injunction, or, in certain cases, a harassment or an individuals-at-risk injunction. If a person surrenders a firearm because the person is subject to one of those injunctions, the firearm may not be returned to the person until a court determines that the injunction has been vacated or has expired and that the person is not otherwise prohibited from possessing a firearm. A person who is prohibited from possessing a firearm under such an injunction is guilty of a Class G felony for violating the prohibition.

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The bill creates an extreme risk protection temporary restraining order and injunction to prohibit a person from possessing a firearm. Under the bill, either a law enforcement officer or a family or household member of the person may file a petition with a court to request an extreme risk protection injunction. The petition must allege facts that show that the person is substantially likely to injure himself or herself or another if the person possesses a firearm.

Under the bill, the petitioner may request the court to consider first granting a temporary restraining order (TRO). If the petitioner requests a TRO, the petitioner must include evidence that there is an immediate and present danger that the person may injure himself or herself or another if the person possesses a firearm and that waiting for the injunction hearing increases the immediate and present danger.

If the petitioner requests a TRO, the court must hear the petition in an expedited manner. The judge must issue a TRO if, after questioning the petitioner and witnesses or relying on affidavits, the judge determines that it is substantially likely that the petition for an injunction will be granted and the judge finds good cause to believe there is an immediate and present danger that the person will injure himself or herself or another if the person has a firearm and that waiting for the injunction hearing may increase the immediate and present danger. If the judge issues a TRO, the TRO is in effect until the injunction hearing, which must occur within 14 days. The TRO must require a law enforcement officer to personally serve the person with the order and to require the person to immediately surrender all firearms in his or her possession. If a law enforcement officer is unable to personally serve the person, then the TRO requires the person to surrender within 24 hours all firearms to a law enforcement officer or a firearms dealer and to provide the court a receipt indicating the surrender occurred.

At the injunction hearing, the court may grant an extreme risk protection injunction ordering the person to refrain from possessing a firearm if the court finds by clear and convincing evidence that the person is substantially likely to injure himself or herself or another if the person possesses a firearm. If the person was not subject to a TRO, the court also must order the person to surrender all firearms he or she possesses. An extreme risk protection injunction is effective for up to one year and may be renewed. A person who is subject to an extreme risk protection injunction may petition to vacate the injunction.

A person who possesses a firearm while subject to an extreme risk protection TRO or injunction is guilty of a Class G felony. If a person surrenders a firearm because the person is subject to an extreme risk protection TRO or injunction, the firearm may not be returned to the person until a court determines that the TRO has expired or the injunction has been vacated or has expired and that the person is not otherwise prohibited from possessing a firearm.

Finally, a person who files a petition for an extreme risk protection injunction, knowing the information in the petition to be false, is guilty of the crime of false swearing, a Class H felony.

Qui tam actions for false claims

The bill restores a private individual's authority to bring a qui tam claim against a person who makes a false or fraudulent claim for Medical Assistance,

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which was eliminated in 2015 Wisconsin Act 55, and further expands qui tam actions to include any false or fraudulent claims to a state agency. A qui tam claim is a claim initiated by a private individual on his or her own behalf and on behalf of the state against a person who makes a false claim relating to Medical Assistance or other moneys from a state agency. The bill provides that a private individual may be awarded up to 30 percent of the amount of moneys recovered as a result of a qui tam claim, depending upon the extent of the individual's contribution to the prosecution of the action. The individual may also be entitled to reasonable expenses incurred in bringing the action, as well as attorney fees. The bill includes additional changes not included in the prior law to incorporate provisions enacted in the federal Deficit Reduction Act of 2005 and conform state law to the federal False Claims Act, including expanding provisions to facilitate qui tam actions and modifying the bases for liability to parallel the liability provisions under the federal False Claims Act.

In addition to qui tam claims, DOJ has independent authority to bring a claim against a person for making a false claim for Medical Assistance. The bill modifies provisions relating to DOJ's authority to parallel the liability and penalty standards relating to qui tam claims and to parallel the forfeiture amounts provided under the federal False Claims Act.

DOT data sharing

Under current law, DOT annually transmits to the director of state courts a list of persons residing in the state that includes certain information about those persons. Each year, the director of state courts uses that information, along with other information available to the director of state courts, to compile a master list of potential jurors for use by the state circuit courts. The bill requires DOT to also send that list to the clerks of court for the federal district courts within this state.

County law libraries

The bill creates an appropriation account to receive any amounts from counties for providing materials or other services under contracts for county law libraries.

CRIMES***Expungement***

Under current law, a court may order a person's criminal record expunged of a crime if all of the following apply:

1. The maximum term of imprisonment for the crime is six years or less (Class H felony and below).
2. The person committed the crime before the age of 25.
3. The person had not been previously convicted of a felony.
4. The crime was not a violent felony.

Current law specifies that the expungement order must be made only at sentencing and then the record is expunged when the person completes his or her sentence. If the court does not order a criminal record expunged at sentencing, current law generally does not provide for another means to expunge the criminal record.

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The bill makes several changes to the expungement process. The bill removes the condition that the person committed the crime before the age of 25. (The bill retains the requirements that the crime be no greater than a Class H felony, the person had no previous felony convictions, and the crime was not a violent felony.) The bill makes certain crimes ineligible for expungement, such as traffic crimes, the crime of violating a domestic abuse restraining order or injunction, criminal trespass, and criminal damage to a business. The bill also allows the sentencing court to order that a person's record not be eligible for expungement.

The bill continues to allow the court to order at sentencing that the record be expunged when the person completes his or her sentence. The bill also provides that, if the court did not make an order at sentencing, the person may file a petition with the sentencing court after he or she completes his or her sentence. Upon receipt of the petition, the court must review the petition and then may order the record expunged or may deny the petition. If the court denies the petition, the person may not file another petition for two years. The person must pay a \$100 fee to the county for a second petition, and no person may file more than two petitions per crime. The bill limits a person to one expungement. The changes described in this paragraph retroactively apply to persons who were convicted of a crime before the bill takes effect.

The bill provides that, if a record is expunged of a crime, that crime is not considered a conviction for employment purposes and specifies that employment discrimination because of a conviction record includes requesting a person to supply information regarding a crime if the record has been expunged of the crime. Finally, the bill provides that it is not employment discrimination because of conviction record for the Law Enforcement Standards Board to consider a conviction that has been expunged with respect to applying any standard or requirement for the certification, decertification, or required training of law enforcement officers, tribal law enforcement officers, jail officers, and juvenile detention officers.

Immunity for certain controlled substances offenses

Current law grants immunity from prosecution for possessing a controlled substance to a person, called an aider, who summons or provides emergency medical assistance to another person because the aider believes the other person is suffering from an overdose or other adverse reaction to a controlled substance. Under 2017 Wisconsin Act 33, an aider was also immune from having probation, parole, or extended supervision revoked for possessing a controlled substance under the same circumstances. Act 33 also granted the aided person immunity from having probation, parole, or extended supervision revoked for possessing a controlled substance when an aider seeks assistance for the aided person. The immunity applied only if the aided person completes a treatment program as part of his or her probation, parole, or extended supervision. Act 33 also provided that a prosecutor must offer an aided person who is subject to prosecution for possessing a controlled substance a deferred prosecution agreement if the aided person completes a treatment program.

The expanded immunities under Act 33 were temporary, and expired on August 1, 2020. The bill permanently restores these expanded immunities from Act 33.

ASSEMBLY BILL 43***Alternatives to prosecution for disorderly conduct***

The bill requires a prosecutor to offer to certain disorderly conduct defendants a deferred prosecution agreement or an agreement in which the defendant stipulates to his or her guilt of a noncriminal ordinance violation. Under the bill, a prosecutor must offer alternatives to prosecution to a person who has committed a disorderly conduct violation if it is the person's first disorderly conduct violation, the person has not committed a similar violation previously, and the person has not committed a felony in the previous three years. Under the bill, if the person is offered a deferred prosecution agreement, he or she must be required to pay restitution, if applicable.

EDUCATION**PRIMARY AND SECONDARY EDUCATION: GENERAL SCHOOL AIDS AND REVENUE LIMITS*****School district revenue limits; per pupil increase***

Current law generally limits the total amount of revenue per pupil that a school district may receive from general school aids and property taxes in a school year to the amount of revenue allowed per pupil in the previous school year plus a per pupil adjustment, if any, as provided by law. Current law does not provide a per pupil adjustment in the 2021-22 school year and any school year thereafter.

For purposes of calculating school district revenue limits, the bill provides a per pupil increase of \$350 for the 2023-24 school year and \$650 for the 2024-25 school year. Under the bill, in the 2025-26 school year and thereafter, the per pupil adjustment is the per pupil increase for the previous school year as adjusted for any increase in the consumer price index.

Low revenue ceiling; per pupil amount and restrictions

Current law provides a minimum per pupil revenue limit for school districts, known as the revenue ceiling. Under current law, the per pupil revenue ceiling is \$10,000 in the 2020-21 school year and each school year thereafter. The bill increases the per pupil revenue ceiling to \$10,450 for the 2023-24 school year and to \$11,200 for the 2024-25 school year and, beginning in the 2025-26 school year, annually adjusts the revenue ceiling for any increase in the consumer price index.

Current law also provides that during the three school years following a school year in which an operating referendum fails in a school district, the school district's revenue ceiling is the revenue ceiling that applied in the school year during which the referendum was held. The bill eliminates the provision under which a school district's revenue ceiling is the revenue ceiling from a previous school year because an operating referendum failed in the school district.

Counting pupils enrolled in four-year-old kindergarten

The bill changes how a pupil enrolled in a four-year-old kindergarten is counted by a school district for purposes of state aid and revenue limits. Under current law, beginning with state aid paid in the 2024-25 school year and revenue limits calculated for the 2024-25 school year, a pupil enrolled in a four-year-old kindergarten program is counted as 0.5 pupil unless the program provides at least 87.5 additional hours of outreach activities, in which case the pupil is counted as 0.6 pupil. Under the bill, if the four-year-old kindergarten program requires full-day

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attendance by pupils for five days a week, a pupil enrolled in the program is counted as one pupil.

High poverty aid

Under current law, if at least 50 percent of a school district's enrollment is eligible for a free or reduced-price lunch under the federal school lunch program, the school district is eligible for a prorated share of the amount appropriated as high poverty aid. For school districts other than a first class city school district (currently only Milwaukee Public Schools), high poverty aid is considered state aid for purposes of revenue limits. For MPS, high poverty aid must be used to reduce the school property tax levied for the purpose of offsetting the aid reduction attributable to the Milwaukee Parental Choice Program. The bill eliminates high poverty aid beginning in the 2023-24 school year.

PRIMARY AND SECONDARY EDUCATION: CATEGORICAL AIDS***Per pupil aid***

Under current law, per pupil aid is a categorical aid paid to school districts. Per pupil aid is funded from a sum sufficient appropriation and is not considered for purposes of revenue limits. Under current law, the amount of per pupil aid paid to a school district is calculated using a three-year average of the number of pupils enrolled in the school district and a per pupil amount set by law. Under current law, in the 2022-23 school year and each school year thereafter, the per pupil amount is \$742. Under the bill, the per pupil amount is \$766 in the 2023-24 school year and \$811 in the 2024-25 school year and each year thereafter.

Funding for special education and school age parents programs

The bill changes the rate at which the state reimburses school boards, operators of independent charter schools, cooperative educational service agencies (CESAs), and county children with disabilities education boards (CCDEBs) for costs incurred to provide special education and related services to children with disabilities and for school age parents programs (eligible costs). Under current law, the state reimburses the full cost of special education for children in hospitals and convalescent homes for orthopedically disabled children. After those costs are paid, the state reimburses remaining eligible costs from the amount remaining in the appropriation account at a rate that distributes the full amount appropriated. DPI estimates that, in the 2022-23 school year, the reimbursement rate is 31.7 percent.

The bill changes the appropriation to a sum sufficient and provides that, beginning in the 2023-24 school year, after full payment of hospital and convalescent home costs, the remaining costs are reimbursed at 60 percent of eligible costs.

Currently, DPI provides 1) special education aid to school districts, independent charter schools, CESAs, and CCDEBs; 2) aid to school districts, CESAs, and CCDEBs for providing physical or mental health treatment services to private school and tribal school pupils; and 3) aid for school age parents programs to school districts only.

High-cost special education aid

The bill changes the rate at which the state reimburses school boards, operators of independent charter schools, CESAs, and CCDEBs for nonadministrative costs in

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excess of \$30,000 incurred for providing special education and related costs to a child (aidable costs). Under current law, 90 percent of aidable costs are paid from a sum certain appropriation. If the amount of the appropriation is insufficient to pay the full 90 percent of aidable costs, DPI prorates payments among eligible applicants. For the 2022-23 school year, DPI estimates that the reimbursement rate is 39.5 percent of aidable costs under this aid program.

The bill changes the appropriation to a sum sufficient appropriation and provides that aidable costs are reimbursed at the following rates:

1. In the 2023-24 school year, 45 percent of aidable costs.
2. In the 2024-25 school year and in each school year thereafter, 60 percent of aidable costs.

Bilingual-bicultural education aids

The bill increases the reimbursement rate for a bilingual-bicultural education program to 15 percent of qualifying costs in the 2023-24 school year and 20 percent of qualifying costs in the 2024-25 school year and each school year thereafter.

Under current law, a bilingual-bicultural education program is a program designed to improve the comprehension and the speaking, reading, and writing ability of a limited-English proficient (LEP) pupil in the English language. A school district is required to establish a bilingual-bicultural education program if it has a certain amount of LEP pupils from the same language group within an individual school in the district, described below. If DPI determines that a school district's bilingual-bicultural education program meets all statutory requirements, DPI reimburses the school district a percentage of qualifying costs of the bilingual-bicultural education program. Under current law, the percentage that is reimbursed is calculated by dividing the amount allocated in the biennial budget act among all qualifying school districts. DPI estimates that qualifying school districts received reimbursement for bilingual-bicultural education programs in the amount of 7.7 percent of qualifying costs for the 2021-22 school year.

Aid for English language acquisition

The bill creates a new categorical aid for school districts and independent charter schools to offset the costs of educating LEP pupils.

Under current law, a school board is required to provide a bilingual-bicultural education program to LEP pupils who attend a school in the school district if the school meets any of the following thresholds:

1. Within a language group, 10 or more LEP pupils are enrolled in kindergarten to grade 3.
2. Within a language group, 20 or more LEP pupils are enrolled in grades 4 to 8.
3. Within a language group, 20 or more LEP pupils are enrolled in grades 9 to 12.

All school boards are required to educate all LEP pupils, but only school boards that are required to provide bilingual-bicultural education programs are eligible under current law for categorical aid targeted toward educating LEP pupils. Under current law, in each school year, DPI distributes \$250,000 among eligible school districts whose enrollments in the previous school year were at least 15 percent LEP

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pupils, and DPI distributes the amount remaining in the appropriation account to eligible school districts on the basis of the school districts' expenditures on the required bilingual-bicultural education programs during the prior school year.

Under the bill, beginning in the 2024-25 school year, DPI must annually pay each school district and each operator of an independent charter school an amount equal to \$500 times the number of LEP pupils enrolled in the school district or at the charter school in the previous school year. Under the bill, DPI must pay a school district or independent charter school that had at least one but no more than 20 LEP pupils in the previous school year \$10,000. This new categorical aid is in addition to aid already paid under current law and is not conditioned on whether the school board or independent charter school is required to provide a bilingual-bicultural education program.

Pupil transportation aid

Under current law, a school district or an operator of a charter school that provides transportation to and from a school receives a state aid payment for transportation. The amount of the aid payment depends on the number of pupils transported and the distance of each pupil's residence from the school. The bill increases aid payments for pupils who reside more than 12 miles from the school from \$375 per pupil to \$400 per pupil, beginning in the 2023-24 school year.

High cost transportation aid; stop-gap payments

Under current law, a school district is eligible for high cost transportation aid if 1) the school district has a pupil population density of 50 or fewer pupils per square mile and 2) the school district's per pupil transportation cost exceeds 140 percent of the statewide average per pupil transportation cost. Current law also provides aid, known as a "stop-gap payment," to any school district that qualified for high cost transportation aid in the immediately preceding school year but is ineligible to receive aid in the current school year. The stop-gap payment is equal to 50 percent of the amount the school district received in the preceding school year. Current law specifies that no more than a total of \$200,000 may be paid in stop-gap payments in any fiscal year. The bill removes the \$200,000 limitation on high cost transportation aid stop-gap payments. The bill also specifies that, if the amount appropriated for all high cost transportation aid payments, including stop-gap payments, in any fiscal year is insufficient, all high cost transportation aid payments must be prorated.

Sparsity aid; stop-gap payments

Under current law, a school district is eligible for sparsity aid if the number of pupils per square mile in the school district is less than 10 and the school district's membership in the previous school year did not exceed 1,000 pupils. The amount of aid is \$400 per pupil if the school district's membership in the previous school year did not exceed 745 pupils and \$100 per pupil if the school district's membership in the previous school year was between 745 and 1,000 pupils. Current law also provides a reduced payment, known as a stop-gap payment, to a school district that was eligible to receive sparsity aid in the previous school year but is not eligible to receive sparsity aid in the current school year because it no longer satisfies the pupils-per-square-mile requirement. The amount of the stop-gap payment is 50

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percent of the amount of sparsity aid the school district received in the previous school year.

Under the bill, beginning in the 2023-24 school year, a school district is eligible for a sparsity aid stop-gap payment if the school district is ineligible for sparsity aid in the current school year because it no longer satisfies the pupils-per-square-mile requirement or the membership requirement.

School mental health and pupil wellness; categorical aid

The bill changes the types of expenditures that are eligible for reimbursement under the state categorical aid program related to pupil mental health.

Under current law, DPI must make payments to school districts, independent charter schools, and private schools participating in parental choice programs (local education agency) that increased the amount they spent to employ, hire, or retain social workers. Under current law, DPI first pays each eligible local education agency 50 percent of the amount by which the eligible local education agency increased its expenditures for social workers in the preceding school year over the amount it expended in the school year immediately preceding the preceding school year. If, after making those payments, there is money remaining in the appropriation account for that aid program, DPI makes additional payments to eligible local education agencies. The amount of those additional payments is determined based on the amount remaining in the appropriation account and the amount spent by eligible local education agencies to employ, hire, and retain social workers during the previous school year.

The bill expands eligibility for the payments under the aid program to include spending on school counselors, school social workers, school psychologists, and school nurses (pupil services professionals). The bill also eliminates the two-tier reimbursement structure of the aid program and eliminates the requirement that a local education agency is eligible for the aid only if the local education agency increased its spending. Under the bill, any local education agency that made expenditures to employ, hire, or retain pupil services professionals during the previous school year is eligible for reimbursement under the aid program.

Aid for comprehensive school mental health services

Under current law, DPI administers a \$10,000,000 annual competitive grant program to school districts and independent charter schools for the purpose of collaborating with community mental health agencies to provide mental health services to pupils. The bill eliminates this grant program and replaces it with new categorical aid for comprehensive school mental health services to school districts and independent charter schools.

Under the bill, beginning in the 2023-24 school year, DPI must annually reimburse a school board or the operator of an independent charter school for costs incurred for mental health services during in-school or out-of-school time, up to \$100,000 plus \$100 per pupil who was enrolled in the school district or independent charter school in the prior year. If the amount appropriated for this purpose is insufficient, DPI must prorate the reimbursements.

ASSEMBLY BILL 43***Supplemental nutrition aid***

The bill creates supplemental nutrition aid, a categorical aid to reimburse educational agencies for school meals provided to pupils who satisfy the income criteria for a reduced-price lunch under the federal school lunch program and pupils who do not satisfy the income criteria for a free or reduced-price lunch under the federal school lunch program. An educational agency is eligible for supplemental nutrition aid if the educational agency does not charge pupils for school meals for which the educational agency receives reimbursement from the federal government. Under the bill, the amount of aid is equal to the sum of 1) the number of school meals provided in the previous school year to pupils who satisfy the income criteria for a reduced-price lunch multiplied by the difference between the free-meal reimbursement amount and the reduced-price-meal reimbursement amount and 2) the number of school meals provided in the previous year to pupils who do not satisfy the income criteria for a free or reduced-price lunch multiplied by the difference between the free-meal reimbursement amount and the reimbursement amount for a paid school meal. Supplemental nutrition aid is first paid to educational agencies in the 2024-25 school year for school meals provided during the 2023-24 school year. Under the bill, supplemental nutrition aid is funded by a sum sufficient appropriation, which ensures that educational agencies receive the full amount of aid to which they are entitled.

The bill defines a “school meal” as a school lunch or snack under the federal school lunch program and a breakfast under the federal school breakfast program and an “educational agency” as a school board, an operator of an independent charter school, the director of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the director of the Wisconsin Center for the Blind and Visually Impaired, an operator of a residential care center for children and youth, a tribal school, or a private school.

School breakfast program

The bill expands eligibility for reimbursement under the school breakfast program to include operators of independent charter schools, the director of the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, the director of the Wisconsin Center for the Blind and Visually Impaired, and operators of residential care centers for children and youth. The bill also prohibits DPI from making a reimbursement for a breakfast served at a school in the previous school year if that school ceased operations during the prior school year. This prohibition does not apply to reimbursements to a school district.

Locally sourced food incentive payments

The bill requires DPI to reimburse a school food authority 10 cents for each school meal it provided in the previous school year that contained locally sourced food. Under the bill, a “school food authority” is an educational entity that participates in the federal school lunch program and a “school meal” is a lunch or snack provided under the federal school lunch program or a breakfast provided under the federal school breakfast program. Finally, the bill defines “locally sourced food” as food that is raised, produced, aggregated, sorted, processed, and distributed within this state.

ASSEMBLY BILL 43***Driver education; state aid***

The bill creates a new aid program for driver schools and for school boards, independent charter schools, and CESAs that offer a driver education program to pupils who meet the income eligibility standard for a free or reduced-price lunch in the federal school lunch program. To be eligible for this aid, a driver school, school board, independent charter school, or CESA must demonstrate to DPI that it waived its program participation fees for eligible pupils. Under the bill, DPI pays the driver school, school board, operator of the independent charter school, or CESA an amount equal to its program participation fee multiplied by the number of eligible pupils who completed the driver education program in the previous school year.

Computer science course requirement and grants

The bill requires school boards, independent charter schools, and private schools participating in a parental choice program to make available to pupils in grades 9 to 12 at least one computer science course, which must include concepts in computer programming or coding.

The bill also requires DPI to annually award grants to school districts for the purpose of expanding computer science educational opportunities in all grade levels in the school district.

Financial literacy curriculum grants

The bill requires DPI to award grants to school boards and independent charter schools for the purpose of developing, implementing, or improving financial literacy curricula. The bill further requires DPI to prioritize grants that support innovative financial literacy curricula. Current law requires school boards to adopt academic standards for financial literacy and incorporate financial literacy instruction into the curriculum in grades kindergarten to 12.

PRIMARY AND SECONDARY EDUCATION: CHOICE, CHARTER, AND OPEN ENROLLMENT***Parental choice program caps***

The bill caps the total number of pupils who may participate in the Milwaukee Parental Choice Program, the Racine Parental Choice Program, or the statewide parental choice program (parental choice program) at the number of pupils who attended a private school under the parental choice program in the 2023-24 school year. Under the bill, beginning in the 2024-25 school year, if the number of applications to participate in a parental choice program exceeds the program cap, DPI must determine which applications to accept on a random basis, subject to certain admission preferences that exist under current law.

Under current law, pupils may submit applications to attend a private school under the statewide parental choice program for the following school year from the first weekday in February to the third Thursday in April, and a private school that receives applications must, no later than the first weekday in May immediately following the application period, report the number of applicants to DPI so that DPI may determine whether a pupil participation limitation has been exceeded. The bill provides that, beginning with applications for the 2024-25 school year, DPI must establish one or more application periods during which pupils may submit applications to attend a private school under the MPCP or RPCP. The bill provides

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that a private school that receives applications during an application period must, no later than 10 days after the application period ends, report the number of applicants to DPI so that DPI may determine whether a program cap has been exceeded. The bill does not change the application period for the statewide parental choice program and requires DPI to use the information required to be reported under current law to determine whether the program cap for the statewide parental choice program has been exceeded.

The bill also requires DPI to establish a waiting list for a parental choice program if the program cap for the parental choice program has been exceeded.

Special Needs Scholarship Program cap

Under current law, a child with a disability who meets certain eligibility criteria may receive a scholarship to attend a private school participating in the Special Needs Scholarship Program (SNSP). The bill caps the total number of children who may receive an SNSP scholarship at the number of children who received an SNSP scholarship in the 2023-24 school year. Under the bill, beginning in the 2024-25 school year, if the number of applications for SNSP scholarships exceeds the program cap, DPI must determine which applications to accept on a random basis, subject to certain admission preferences set forth in the bill.

Under current law, a child may apply for an SNSP scholarship at any time during a school year and may begin attending the school at any time during the school year. The bill provides that, beginning with applications for the 2024-25 school year, children may submit applications for SNSP scholarships for the school year from the first weekday in April to the third Thursday in June of the prior school year, and a private school that receives applications for SNSP scholarships must, no later than the first weekday in May immediately following the application period, report the number of applicants to DPI so that DPI may determine whether the program cap has been exceeded.

The bill also requires DPI to establish a waiting list if the program cap for the SNSP has been exceeded.

Per pupil payment and transfer amount based on actual costs; SNSP and full-time open enrollment program

Under current law, the per pupil payment amount for a child participating in the SNSP and the transfer amount for a child with a disability in the full-time open enrollment program (OEP) is one of the following:

1. A per pupil amount set by law. The SNSP per pupil payment amount and transfer amount for a child with a disability in the OEP for the 2022-23 school year is \$13,076.

2. An alternative amount based on the actual costs to educate the pupil in the previous school year, as reported by the private school or nonresident school district, whichever is applicable. For example, under this option, the amount paid to a private school in the SNSP or nonresident school district in the 2022-23 school year is based on the actual costs to educate the pupil in the 2021-22 school year, as reported by the private school or nonresident school district.

The bill repeals the alternative SNSP per pupil payment amount and OEP transfer amount based on the actual costs to educate the pupil and the processes for

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setting these alternative amounts. Under the bill, the SNSP per pupil payment amount and the OEP transfer amount for children with disabilities is the same for all pupils and is set by law. In the 2022-23 school year, the amount set by law is \$13,076.

Payment indexing: parental choice programs, the SNSP, independent charter schools, full-time open enrollment program, and whole grade sharing agreements

Under current law, the per pupil payment amounts under parental choice programs and the SNSP, the per pupil payment amount to independent charter schools, the transfer amounts under the full-time OEP, and the required transfer amount for a child with a disability in a whole grade sharing agreement (collectively, per pupil payments) are adjusted annually. The annual adjustment for per pupil payments is an amount equal to the sum of any per member revenue limit increase that applies to school districts in that school year and any per member increase in categorical aids between the current school year and the previous school year. Under the bill, beginning in the 2023-24 school year, the annual adjustment for per pupil payments is the sum of the per member revenue limit increase that applies to school districts in that school year, if any, and the increase in the per member amount of per pupil aid paid to school districts between the previous school year and the current school year, if any.

Teacher licensure in parental choice programs and in the SNSP

With certain exceptions, the bill requires that, beginning on July 1, 2026, teachers at private schools participating in a parental choice program or in the SNSP must hold a license or permit issued by DPI. Under current law, teachers at choice schools must have at least a bachelor's degree from a nationally or regionally accredited institution of higher education, but they are not required to be licensed by DPI. There are no current law requirements regarding who may teach at SNSP schools.

The bill provides an exception for a teacher who teaches only courses in rabbinical studies. In addition, the bill provides a grace period for a teacher who has been teaching for at least the five consecutive years immediately preceding July 1, 2026, which allows the teacher to apply for a temporary, nonrenewable waiver of the licensure requirement. An applicant for a waiver must submit a plan for becoming licensed as required under the bill.

SNSP; accreditation or participation in another choice program

The bill provides that, with certain exceptions explained below, a private school may participate in the SNSP only if 1) the private school is accredited by August 1 of the school year in which the private school participates or 2) the private school participates in a parental choice program. Under current law, a private school may participate in the SNSP if the private school is accredited or if the private school's educational program meets certain criteria.

The bill provides that, if a private school is participating in the SNSP in the 2023-24 school year and is not accredited by August 1, 2023, the private school must 1) obtain preaccreditation by August 1, 2024; 2) apply for accreditation by December 31, 2024; and 3) obtain accreditation by December 31, 2027.

ASSEMBLY BILL 43***SNSP; religious opt out***

The bill provides that a private school participating in the SNSP must allow a child attending the private school under the SNSP to refrain from participating in any religious activity if the child's parent submits to the child's teacher or the private school's principal a written request that the child be exempt from such activities.

PRIMARY AND SECONDARY EDUCATION: ADMINISTRATIVE AND OTHER FUNDING***Early literacy and reading improvement***

The bill requires DPI to establish a literacy coaching program to improve literacy outcomes statewide. The literacy coaching program must include two types of literacy coaches. The first type of literacy coach supports the implementation of evidence-based literacy instructional practices in grades kindergarten to 12 in school districts and independent charter schools (literacy instructional practices coach). Specifically, a literacy instructional practices coach collaborates with a participating school district or independent charter school to establish goals for literacy outcomes for specific grade levels and literacy areas and provide ongoing support to meet the identified goals. The second type of literacy coach focuses on early literacy instructional transitions by providing in-person trainings for four-year-old kindergarten to first grade teachers (early literacy transition coach). The purpose of these trainings is to evaluate existing early literacy curricula and goals and to assist school districts and independent charter schools to create local, standards-aligned, and developmentally appropriate curricula and instruction for four-year-old kindergarten to first grade pupils.

The bill requires each urban school district, which is defined as a school district in which at least 16,000 pupils were enrolled in the previous school year, to participate in both types of coaching provided under the literacy coaching program. Other school districts and independent charter schools may choose to participate in one or both types of coaching provided under the literacy coaching program. Under the bill, DPI must make a payment to a school district or independent charter school that participates in the literacy coaching program. For coaching provided by a literacy instructional practices coach, the bill requires a payment of \$7,000, and for participating in training provided by an early literacy transition coach, the bill requires a payment of \$6,000.

The bill requires DPI to contract with a certain number of individuals to serve as literacy coaches and to assign those individuals to geographic regions of this state. Specifically, the bill requires DPI to assign one literacy instructional practices coach and one early literacy transition coach to each urban school district and one literacy instructional practices coach and one early literacy transition coach for each 40,000 pupils enrolled in school districts and independent charter schools located in a CESA region. Based on this formula, DPI estimates that it will be required to contract for 28 literacy instructional practices coaches and 28 early literacy transition coaches.

Grow Your Own programs

The bill creates a new grant program that is administered by DPI and available to school districts and operators of independent charter schools to reimburse the cost of Grow Your Own programs. Under the bill, Grow Your Own programs include high

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school clubs that encourage careers in teaching, payment of costs associated with current staff acquiring education needed for licensure, support for career pathways using dual enrollment, support for partnerships focused on attracting or developing new teachers, or incentives for paraprofessionals to gain licensure. The bill appropriates funding for this purpose in fiscal year 2024-25.

Stipends for student teachers and cooperating teachers

The bill provides stipends, through DPI, to student teachers who are completing a teacher preparatory program approved by the superintendent of public instruction and to teachers who oversee a student teacher in their classrooms. The stipends are \$2,500 per student teacher per semester and \$1,000 per cooperating teacher per semester. Under the bill, DPI begins paying these stipends in the 2024-25 school year.

Teacher improvement program stipends

Under current law, DPI operates a teacher improvement program to provide prospective teachers with one-semester internships under the supervision of licensed teachers, in-service activities, and professional staff development research projects.

Under the bill, DPI provides stipends to individuals who are participating in the teacher improvement program. The stipends are \$9,600 per individual per semester, and begin in the 2024-25 school year.

Bullying prevention grants

Under current law, the state superintendent of public instruction must award grants to nonprofit organizations to provide training and an online bullying prevention curriculum for pupils in grades kindergarten to eight. The bill expands the purpose of these grants to provide training and an online bullying prevention curriculum for pupils in grades kindergarten to 12.

Peer-to-peer suicide prevention grants

Under current law, DPI administers a competitive grant program to award grants to public, private, and tribal high schools for the purpose of supporting peer-to-peer suicide prevention programs. Under current law, the maximum annual peer-to-peer suicide prevention grant amount is \$1,000. The bill increases the maximum annual peer-to-peer suicide prevention grant amount to \$6,000.

Mental health training programs

Under current law, DPI must establish a mental health training program under which it provides training to school district and independent charter school staff on three specific evidence-based strategies related to addressing mental health issues in schools. The three specific evidence-based strategies are 1) The Screening, Brief Intervention, and Referral to Treatment program, 2) Trauma Sensitive Schools, and 3) Youth Mental Health First Aid.

The bill expands the mental health training program to include training on any evidence-based strategy related to addressing mental health issues and suicide prevention in schools and converts the list of evidence-based strategies under current law to a nonexclusive list of strategies. Additionally, the bill requires that DPI provide the training to out-of-school-time program employees.

ASSEMBLY BILL 43***Out-of-school-time program grants***

The bill creates a grant program under which DPI must award grants to school boards and organizations to support high-quality after-school programs and other out-of-school-time programs that provide services to school-age children.

Seal of biliteracy

The bill requires DPI to annually award grants to school boards and independent charter schools to reimburse them for the costs of the assessments necessary for pupils to earn a state seal of biliteracy and costs to train instructional staff to conduct these assessments. The bill also provides express authority for DPI to establish a state seal of biliteracy for high school pupils who demonstrate through various assessments advanced achievement in bilingualism, biliteracy, and sociocultural competence. Currently, 14 school districts participate in a state seal of biliteracy program administered by DPI.

Grants to replace race-based nicknames, logos, mascots, or team names associated with American Indians

The bill authorizes DPI to award a grant to a school board that terminates the use of a race-based nickname, logo, mascot, or team name that is associated with a federally recognized American Indian tribe or American Indians in general. Under the bill, a school board is eligible for a grant whether or not the school board decides to terminate the use of a race-based nickname, logo, mascot, or team name voluntarily, in response to an objection to its use, or in compliance with an order issued by the Division of Hearings and Appeals. The bill specifies that the amount of the grant may not exceed the greater of \$50,000 or the actual cost incurred by the school board to replace the race-based nickname, logo, mascot, or team name. Under the bill, these grants are funded from Indian gaming receipts.

Grants for milk coolers and dispensers

The bill creates a grant program for purchasing milk coolers and milk dispensers that cost less than \$5,000 per unit. Under the bill, DPI must award a grant for this purpose to educational entities that participate in the National School Lunch program, including school districts, independent charter schools, private schools, the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, and the Wisconsin Center for the Blind and Visually Impaired.

Milwaukee mathematics partnership grant

Under the bill, beginning in the 2024-25 school year, DPI must award a grant to the school board of a first class city school district (currently, only Milwaukee Public Schools) to develop and implement a plan to improve mathematics instruction in the school district if the school board provides matching funds equal to at least 20 percent of the grant. The bill requires the school board to work with UW-Milwaukee to develop and implement the plan.

GED test fee payments

The bill requires DPI to pay the \$30 testing service fee for an eligible individual who takes a content area test given under the general educational development test (commonly called the GED test). The GED test consists of four separate content area tests that cover mathematical reasoning, reasoning through language arts, social

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studies, and science. Under the bill, DPI must pay for an eligible individual to take all four content area tests once in each calendar year.

In order to be eligible for the payment, an individual must satisfy DPI's requirements to receive a Certificate of General Educational Development or a High School Equivalency Diploma. Among other things, DPI requires that the individual meet certain residency and minimum age requirements and attend a counseling session. The individual also must obtain a passing score on a GED practice test for the content area (commonly called a GED Ready practice test).

Mentor Greater Milwaukee, Inc.

The bill requires DPI to award grants to Mentor Greater Milwaukee, Inc., to expand access to quality youth mentoring in Milwaukee County.

The Literacy Lab

The bill requires the state superintendent of public instruction to annually distribute an amount appropriated to DPI to The Literacy Lab to provide an evidence-based literacy intervention program in public schools located in Milwaukee and Racine.

Reach Out and Read Wisconsin

The bill requires the state superintendent of public instruction to annually distribute an amount appropriated to DPI to Reach Out and Read, Inc., for the early literacy program operated by its affiliate Reach Out and Read Wisconsin. The mission of Reach Out and Read, Inc., is to give young children a foundation for success by incorporating books into pediatric care and encouraging families to read aloud together.

Graduation Alliance

The bill requires the state superintendent of public instruction to annually distribute an amount appropriated to DPI to Graduation Alliance, Inc., to support pupils and their families through an academic coaching program known as Engage Wisconsin. Currently, DPI partners with Graduation Alliance, Inc., to provide Engage Wisconsin to pupils and their families.

Recollection Wisconsin

The bill appropriates money from the universal service fund to provide funding to Wisconsin Library Services, Inc., commonly known as WiLS, to support the digitization of historic materials in public libraries throughout this state. The bill also requires DPI to distribute annually the amount appropriated for this purpose to WiLS. The collaborative administered by WiLS to digitize and make available historic materials throughout the state is known as Recollection Wisconsin.

Provision of opioid antagonist in public schools and independent charters

Under current law, school boards and governing bodies of private schools are required to supply a standard first aid kit for use in an emergency. Also under current law, certain school personnel, including employees and volunteers of public and private schools, are permitted to administer an opioid antagonist on a person who appears to be undergoing an opioid-related drug overdose.

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The bill adds that school boards and operators of independent charter schools are required to ensure that each school maintain a usable supply of an opioid antagonist on-site, in a place that is accessible at all times.

Prohibiting vaping on school property

The bill prohibits individuals from vaping on school premises. Under the bill, “school premises” is defined as any real property owned by, rented by, or under the control of a school board, operator or governing board of an independent charter school, or governing body of a private school. “School premises” includes outdoor spaces such as playgrounds and athletic fields. The bill defines vaping as inhaling or exhaling vapor from a vapor product, regardless of whether the liquid or other substance being heated to produce the vapor contains nicotine. Under current law, a school board, operator or governing board of an independent charter school, or governing body of a private school may prohibit vaping on school premises under its respective control.

Fees for licensure of school and public library personnel; appropriation changes

Under current law, 90 percent of the fees collected by DPI for licensure of school and public library personnel and for school districts’ participation in DPI’s teacher improvement program are credited to an annual sum certain appropriation. The remaining 10 percent of these fees are deposited into the general fund under current law. The bill changes this annual sum certain appropriation to a continuing appropriation and requires that 100 percent of the total fees collected by DPI be credited to the appropriation. An annual sum certain appropriation is expendable only up to the amount shown in the schedule and only for the fiscal year for which it is made. A continuing appropriation is expendable until fully depleted or repealed.

Under current law and the bill, the purposes of the appropriation are for 1) DPI’s administrative costs related to licensure of school and public library personnel; 2) if DPI exercises its authority to provide information and analysis of the professional school personnel supply in this state, the costs of providing that information and analysis; and 3) DPI’s teacher improvement program.

HIGHER EDUCATION***Grants for technical college district boards to provide workforce advancement training for businesses***

The bill requires the TCS Board to award grants to technical college district boards for the provision of customized instruction and training opportunities for businesses to meet current workforce demands in various industries.

Technical college district revenue limits

The bill increases the limit on certain revenue, primarily derived from the property tax levy, that technical college districts may generate.

Under current law, with certain exceptions, a technical college district board may not increase its revenue each school year by more than the greater of 1) 0 percent or 2) the percentage change in the district’s equalized value due to new construction, less improvements removed, between the previous year and the current year. The amount of this limit is called the valuation factor. A district board’s revenue is the

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sum of its tax levy for operations and the amount of aid it receives for property tax relief and tax-exempt personal property.

The bill increases item 1 of the valuation factor from 0 percent to 2 percent, allowing an increase of a district board's revenue by 2 percent over the previous year regardless of any change in the district's equalized value due to net new construction.

Funding for a farm and industry short course at UW-River Falls

The bill creates a biennial appropriation for general program operations of a farm and industry short course at UW-River Falls.

UW System direct admission program

The bill requires the Board of Regents of the UW System to establish a direct admission program that provides Wisconsin high school graduates with conditional or guaranteed admission to a UW System institution based on established eligibility criteria.

Grants for technical college district boards for the creation of open educational resources

The bill requires the TCS Board to award grants to technical college district boards for the creation of open educational resources that will allow the public and technical colleges across the TCS to access technical college course materials.

Funding for equipment, supplies, and personnel training at a regional Madison Area Technical College EMT training center

The bill requires the TCS Board to award a grant of \$2,500,000 in fiscal year 2023-24 to Madison Area Technical College for equipment, supplies, and emergency medical technician, advanced emergency medical technician, and paramedic personnel training at an emergency medical technician regional training center located in Baraboo.

Paid family and medical leave; paid sick leave for temporary employees

The bill requires the Board of Regents to develop a plan for a program for paid family and medical leave of 12 weeks annually for UW System employees and a plan for a program for paid sick leave for temporary UW System employees. The bill requires the board to submit these plans to the administrator of the Division of Personnel Management in DOA with its compensation plan changes for the 2023-25 biennium.

Nonresident tuition exemptions for UW and technical college students

The bill creates a nonresident tuition exemption for certain UW System and technical college students.

Under current law, a person generally must be a resident of this state for at least 12 months prior to registering at a UW System institution in order to be exempt from paying nonresident tuition. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates.

Also under current law, the TCS Board establishes program fees that the technical college districts must charge students. With exceptions, the fees for nonresidents are 150 percent of the fees for residents. The TCS Board must establish procedures to determine the residence of students attending technical colleges, but current law specifies that certain students must be considered residents of this state.

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The bill creates a nonresident tuition exemption for an individual who is not a citizen of the United States and who 1) graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; and 3) enrolls in a UW System institution and provides the institution with proof stating that he or she has filed or will file an application for lawful permanent resident status with U.S. Citizenship and Immigration Services as soon as the individual is eligible to do so. The bill also provides that an individual who meets these criteria is considered a resident of this state for purposes of admission to and payment of fees at a technical college.

The bill also creates a nonresident tuition exemption for certain tribal members or children or grandchildren of tribal members. Under the bill, a student enrolled in a UW System institution or technical college qualifies for resident tuition or fee rates if 1) the student, or the student's parent or grandparent, is a member of a federally recognized American Indian tribe or band in Wisconsin or is a member of a federally recognized tribe in Minnesota, Illinois, Iowa, or Michigan; and 2) the student has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan, or in any combination of these states, for at least 12 months prior to enrolling in a UW System institution or technical college.

Wisconsin grant program

The bill makes various changes to the Wisconsin grant program.

Under current law, HEAB administers the Wisconsin grant program, which provides grants to resident undergraduate students enrolled at least half time in UW System schools, technical colleges, private nonprofit colleges, and tribal colleges. HEAB limits its award of these grants to 10 semesters or the equivalent. For students enrolled in UW System schools, technical colleges, and tribal colleges, HEAB must award Wisconsin grants based on a formula that accounts for expected parental and student contributions and is consistent with generally accepted definitions and nationally approved needs analysis methodology. For students enrolled in private nonprofit colleges, the amount of the grant that HEAB awards is based on a mathematical calculation specified by statute. All Wisconsin grants are subject to a maximum grant amount.

The bill makes the following changes to the Wisconsin grant program:

1. The bill extends and clarifies the limit on the total number of semesters for which a UW System, technical college, or tribal college student may receive a Wisconsin grant. The bill limits these grants to 12 semesters of full-time enrollment or the equivalent. If a student receiving the grant is enrolled less than full-time, only the fraction of the student's enrollment, in proportion to full-time enrollment, is counted toward this 12-semester limit.

2. The bill changes the enrollment requirement for a Wisconsin grant from at least half-time to at least quarter-time for students enrolled in technical colleges.

3. The bill raises the maximum amount that may be awarded through a Wisconsin grant during one academic year for UW System students. The bill raises the maximum amount of a Wisconsin grant for students enrolled in a UW System

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institution or college campus from \$3,150 in an academic year to an amount not to exceed half of the in-state, undergraduate tuition and fees charged at UW-Madison for an academic year.

4. The bill modifies the method that HEAB uses to determine the amount of a Wisconsin grant awarded to a student enrolled in a private nonprofit college. The bill eliminates the statutory mathematical calculation used to determine the amount of such a grant and replaces this calculation with the same standard used for the award of grants to students enrolled in UW System schools, technical colleges, and tribal colleges.

5. The bill changes the meaning of the phrase “expected family contribution,” as discussed below.

Updating terminology used in calculation of student financial aid

The bill changes the meaning of the phrase “expected family contribution” in higher education statutes.

Under current state and federal law, the phrase “expected family contribution” describes a metric used in determining the amount of financial aid a college student may receive. The federal FAFSA Simplification Act of 2019 changed the name of “expected family contribution” to “student aid index,” and accompanied the name change with a change in how the federal government calculates the metric. Similar to the “expected family contribution,” the student aid index will “reflect an evaluation of a student’s approximate financial resources to contribute toward the student’s postsecondary education for the academic year.” The terminology change is set to go into effect on July 1, 2024, and will apply starting with the 2024-25 financial aid award year.

The bill changes the definition of “expected family contribution” to incorporate the changes to the federal terminology once the FAFSA Simplification Act of 2019 is implemented.

Health care provider loan assistance program

The bill makes four new categories of health care providers eligible for the health care provider loan assistance program and provides additional funding for loans to these health care providers.

Under current law, the Board of Regents administers the HCPLA program under which it may repay, on behalf of a health care provider, up to \$25,000 in loans for education related to the health care provider’s field of practice. The repayment occurs over three years, with 40 percent of the loan or \$10,000, whichever is less, repaid in each of the first two years of participation in the program and the final 20 percent or \$5,000, whichever is less, repaid in the third year. A health care provider is defined as a dental hygienist, physician assistant, nurse-midwife, or nurse practitioner. The Board of Regents must enter into a written agreement with the health care provider in which the health care provider agrees to practice at least 32 clinic hours per week for three years in one or more eligible practice areas in this state or in a rural area. An “eligible practice area” is defined as a free or charitable clinic, a primary care shortage area, a mental health shortage area, an American Indian reservation or trust lands of an American Indian tribe, or, for a dental hygienist, a dental health shortage area or a free or charitable clinic. Money for loan

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repayments is derived from several sources, and loan repayments are subject to availability of funds. If insufficient funds are available to repay the loans of all eligible applicants, the Board of Regents must establish priorities among the eligible applicants based on specified considerations, including factors related to the degree of the health care need and shortage in the area. However, some funding for loan repayments is available only for health care providers who practice in rural areas.

The bill adds medical assistants, dental assistants, dental auxiliaries, and dental therapists to the health care providers who are eligible for loan repayment under the HCPLA program. These health care providers are eligible under the current terms of the program, except medical assistants. Medical assistants are eligible for loan repayment of up to \$12,500 in total, with repayments of 40 percent of the loan or \$5,000, whichever is less, in each of the first two years and 20 percent or \$2,500, whichever is less, in the third year. For purposes of an eligible practice area, dental assistants, dental auxiliaries, and dental therapists are treated similarly to the way dental hygienists are treated under current law. The bill creates a new appropriation from the general fund to provide additional funding for loans to medical assistants, dental assistants, dental auxiliaries, and dental therapists.

UW foster youth support programs

The bill provides funding to establish or maintain support programs at UW System institutions for students who formerly resided in a foster home or group home. Support programs may offer these students scholarships, jobs, emergency funds, basic supplies, mentorships, career planning, and other forms of support.

Grant to support a center at Mid-State Technical College

The bill requires the TCS Board to award a grant of \$250,000 in each fiscal year to Mid-State Technical College for an Advanced Manufacturing Engineering Technology and Apprenticeship Center to train and maintain a workforce to meet the needs of the state's paper, pulp, and converting mills. Grants may be used for the center's maintenance of capital equipment and supplies, information technology equipment, equipment for student learning infrastructure and student learning support, and the center's ongoing operations.

Grants to reimburse technical colleges for health care-related dual enrollment courses

Under current law, technical colleges may offer dual enrollment programs or courses designed to provide high school students the opportunity to earn credits in both technical college and high school. The bill requires the TCS Board to award grants to technical colleges to reimburse the technical colleges for expenses related to providing to high school students dual enrollment courses related to health care.

Medical College of Wisconsin

The bill provides funding, through a new appropriation, to the Medical College of Wisconsin, Inc., (MCW) for a psychiatry and behavioral health residency program to support resident recruitment and training.

The bill also provides funding to MCW to make violence prevention grants supporting activities that enhance the safety and well-being of children, youth, and families throughout this state.

ASSEMBLY BILL 43***Support services for veteran students enrolled in the UW System***

The bill creates a continuing appropriation to provide support services to students who are veterans at UW System institutions.

Institute for Sustainable Technology at UW-Stevens Point

The bill requires the Board of Regents to provide funding to the Wisconsin Institute for Sustainable Technology at UW-Stevens Point to broaden the institute's support for, and further technical contributions to, this state's forest and paper industries and for the institute's ongoing operations.

Funding for financial education provided through the UW System

The bill creates a continuing appropriation for the UW System to provide funding for a Financial Futures Incentive Program in UW-Madison's Division of Extension (UW Extension) that makes financial education and coaching available to Wisconsin residents.

Funding for a rural Wisconsin entrepreneurship initiative

The bill creates a continuing appropriation for the UW System to provide funding for a rural Wisconsin entrepreneurship initiative in the UW Extension that provides business development assistance, rural entrepreneurship ecosystems, and access to finance for rural entrepreneurs in this state.

UniverCity Alliance program

The bill creates an appropriation funding the UniverCity Alliance program within the UW-Madison. The UniverCity Alliance program connects in partnership communities, towns, cities, and counties with UW-Madison education, service, and research activities in order to address the communities' biggest local challenges.

UW Missing-in-Action Recovery and Identification Project

Under the bill, the Board of Regents must provide funding to the UW Missing-in-Action Recovery and Identification Project (MIA Recovery Project) for missions to recover and identify Wisconsin veterans who are missing in action. At the conclusion of the mission for which funding is provided, the MIA Recovery Project must submit to the Board of Regents, JCF, each legislative standing committee dealing with veterans matters, the governor, DVA, and DMA a report on the mission's findings and an accounting of expenditures for the mission. The Board of Regents must provide the funding through a new UW System appropriation.

Administration of the Wisconsin National Guard tuition grants

Under current law, an eligible Wisconsin National Guard member may apply to receive a tuition grant that covers 100 percent of the tuition charged by a qualifying school. The national guard member must submit an application for the tuition grant no later than 90 days after completion of a course, and DMA must pay to an eligible individual moneys from the grant no later than than 30 days after DMA receives certification from a qualifying school that the individual has met eligibility requirements. DMA has a sum sufficient appropriation from which it funds the tuition grants. The bill gives DMA the authority to use the appropriation from which it funds the tuition grants to also fund the administrative costs associated with the payment of the tuition grants.

ASSEMBLY BILL 43***Transferring risk management positions from the UW System to DOA***

The bill transfers, from the UW System to DOA, 5.0 full-time equivalent positions and the employees holding those positions who perform duties in the UW Office of Risk Management.

Grants to students with visual or hearing impairment and talent incentive grants

Under current law, HEAB administers programs to award grants to postsecondary students with visual or hearing impairments and to award talent incentive grants.

The bill makes clarifying changes relating to these grants that do not substantively affect HEAB's administration of these grant programs.

OTHER EDUCATIONAL AND CULTURAL AGENCIES***Library intern stipend payments***

The bill requires the Division for Libraries and Technology in DPI to provide stipend payments to students who are pursuing a degree in library science and are placed as an intern in a public library. The stipend payments are \$2,500 per student per semester, and begin in the 2024-25 school year.

ELECTIONS***Automatic voter registration***

The bill requires the Elections Commission to use all feasible means to facilitate the registration of all individuals eligible to vote in this state and to maintain the registration of all eligible voters for so long as they remain eligible. Under the bill, the Elections Commission must attempt to facilitate the initial registration of all eligible voters as soon as practicable. To facilitate that initial registration, the bill directs the commission and DOT to enter into an agreement so that DOT may transfer specified personally identifying information in DOT's records to the commission. The bill requires the commission to maintain the confidentiality of any information it obtains under the agreement and allows a driver's license or identification card applicant to "opt out" of DOT's transfer of this information to the commission.

Once the commission obtains all the information required under current law to complete an eligible voter's registration, the commission adds the voter's name to the statewide registration list. The bill also permits an individual whose name is added to the registration list or who wishes to permanently exclude his or her name from the list to file a request to have his or her name deleted or excluded from the list or to revoke a deletion or exclusion request previously made. In addition, the bill directs the commission to notify an individual by first class postcard whenever the commission removes his or her name from the registration list or changes his or her status on the list from eligible to ineligible.

The bill also directs the commission to report to the legislature and the governor, no later than July 1, 2025, its progress in initially registering eligible voters under the bill. The report must contain an assessment of the feasibility and desirability of integration of registration information with information maintained

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by DHS, DCF, DWD, DOR, DSPS, and DNR; the UW System; and the TCS Board, as well as with the technical colleges in each technical college district.

Under current law, a qualified voter with a current and valid driver's license or identification card issued by DOT may register to vote electronically on a secure website maintained by the commission. To register electronically under current law, a qualified voter must also authorize DOT to forward a copy of his or her electronic signature to the commission. The authorization affirms that all information provided by the voter is correct and has the same effect as a written signature on a paper copy of the registration form. Finally, current law requires the commission and DOT to enter into an agreement that permits the commission to verify the necessary registration information instantly by accessing DOT's electronic files.

Early canvassing of absentee ballots

Under current law, absentee ballots may not be canvassed until election day. The bill authorizes a municipal clerk or municipal board of election commissioners to begin the canvassing of absentee ballots on the day before an election, subject to the following requirements:

1. The municipality must use automatic tabulating equipment to process absentee ballots.

2. Prior to the early canvassing of absentee ballots, the municipal clerk or municipal board of election commissioners must notify the Elections Commission in writing and must consult with the Elections Commission concerning administration of early canvassing of absentee ballots.

3. Early canvassing of absentee ballots under the bill may be conducted only between 7 a.m. and 8 p.m. on the day before the election, and ballots may not be tallied until after polls close on election day.

4. Members of the public must have the same right of access to a place where absentee ballots are being canvassed as early as is provided under current law for canvassing absentee ballots on election day.

5. When not in use, automatic tabulating equipment used for canvassing absentee ballots and the areas where the programmed media and the absentee ballots are housed must be secured with tamper-evident security seals in a double-lock location such as a locked cabinet inside a locked office.

6. Subject to criminal penalty, no person may act in any manner that would give him or her the ability to know or to provide information on the accumulating or final results from the ballots canvassed early under the bill before the close of the polls on election day.

7. Certain notices must be provided before each election at which the municipality intends to canvass absentee ballots on the day before the election.

Residency requirement for voting

Under current law, with limited exceptions, an otherwise eligible voter must be a resident of this state and of the municipality and ward, if any, where the voter is voting for 28 days before an election in order to vote in the election in that municipality and ward. The bill shortens that residency requirement from 28 days to 10 days.

ASSEMBLY BILL 43***Voting absentee in person***

Current law allows an individual to complete an absentee ballot in person no earlier than 14 days preceding the election and no later than the Sunday preceding the election. The bill eliminates the 14-day restriction on how soon a person may complete an absentee ballot in person.

Voter bill of rights

The bill creates a voter bill of rights that municipal clerks and boards of election commissioners must post at each polling place. The bill of rights informs voters that they have the right to do all of the following:

1. Vote if registered and eligible to vote.
2. Inspect a sample ballot before voting.
3. Cast a ballot if in line when the polling place closes or, if voting by in-person absentee ballot on the last day for which such voting is allowed, when the municipal clerk's office closes.
4. Cast a secret ballot.
5. Get help casting a ballot if disabled.
6. Get help voting in a language other than English as provided by law.
7. Get a new ballot, up to three ballots in all, if the voter makes a mistake on the ballot.
8. Cast a provisional ballot as provided by law.
9. Have the voter's ballot counted accurately.
10. Vote free from coercion or intimidation.
11. Report any illegal or fraudulent election activity.

Office of Election Transparency and Compliance

The bill creates under the Elections Commission the Office of Election Transparency and Compliance. The office is under the direction and supervision of a director appointed in the classified service by the commission administrator.

The bill requires the office, as directed by the commission by resolution, to provide assistance and research to the commission concerning sworn complaints of election law violations, including violations by election officials. The bill further requires the office to provide assistance and research to the commission with respect to the following, as directed by the commission administrator:

1. Procedures at polling places.
2. Election processes.
3. Audits of election systems and equipment, including with respect to accessibility requirements for individuals with disabilities.
4. Responding to public records requests.
5. Responding to legislative inquiries and requests for assistance.
6. Responding to inquiries from the public.

Voter registration in high schools

Prior to 2011 Wisconsin Act 240, state law required that all public high schools be used for voter registration for enrolled students and members of the high school staff. Prior law also authorized voter registration to take place at a private high

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school or a tribal school that operates high school grades if requested by the principal. The bill reinstates those provisions.

Under the bill, the municipal clerk must notify the school board of each school district in which the municipality is located that high schools will be used for voter registration. The school board and the clerk then appoint at least one qualified voter at each high school to be a special school registration deputy. The bill allows students and staff to register at the school on any day that classes are regularly held. The deputies promptly forward the registration forms to the clerk and the clerk adds qualified voters to the registration list. The clerk may reject a registration form, but the clerk must notify the registrant and inform the registrant of the reason for being rejected. Under the bill, a form completed by an individual who will be 18 years of age before the next election and who is otherwise qualified to vote must be filed in such a way so that the individual is automatically registered to vote when the individual is 18.

Finally, the bill allows a principal of a private high school or tribal school that operates high school grades to request that the municipal clerk appoint a qualified voter at the school to be a special school registration deputy. Under the bill, the clerk must appoint a special school registration deputy if the clerk determines that the private high school or tribal school has a substantial number of students residing in the municipality.

Proof of identification for voting

Current law allows an individual to use as voter identification an unexpired identification card issued by a technical college, college, or university in this state if the card meets certain criteria. The card must have an expiration date that is no later than two years after the date it was issued, and the individual must establish proof of enrollment. The U.S. Court of Appeals for the 7th Circuit held that the requirement to present both an unexpired identification card and proof of enrollment had no rational basis and was therefore unconstitutional. See, *Luft v. Evers*, 963 F.3d 665 (2020). The bill allows a student to use an expired student identification card under certain circumstances. Under the bill, a student does not need to present proof of enrollment if using an unexpired identification card, but must provide proof of enrollment if using an expired identification card. In addition, the bill requires each technical college in this state and each UW System institution to issue student identification cards that meet the criteria to be used as voter identification no later than August 1, 2023.

Current law also allows an individual to use as voter identification an identification card issued by DOT. DOT may issue a receipt as a temporary identification card to use for voting and other purposes to an individual who is waiting for the permanent card. The receipt expires in 60 days. The bill extends the expiration date to 180 days.

Special elections to fill vacancies in the office of U.S. senator and representative in congress

Under current law, a vacancy in the office of U.S. senator or representative in Congress occurring prior to the second Tuesday in April in the year of the general election must be filled at a special primary and special election. A vacancy occurring

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in one of these offices between the second Tuesday in April and the second Tuesday in May in the year of the general election is filled at the partisan primary and general election.

Current law provides that a special primary be held four weeks before the day of the special election. However, if the election is held on the same day as the spring election, the special primary is held concurrently with the spring primary. Under current law, with regard to an election for a national office, the period between a special primary and special election or between the spring primary and spring election does not provide sufficient time to canvass and certify the primary results and prepare ballots to send to overseas voters as required by federal law.

Under the bill, a vacancy in the office of U.S. senator or representative in Congress is filled in one of the following manners:

1. At a special election to be held on the third Tuesday in May following the first day of the vacancy with a special primary to be held concurrently with the spring primary on the third Tuesday in February.

2. At a special election to be held on the second Tuesday in August following the first day of the vacancy with a special primary to be held on the third Tuesday in May.

3. At a special election to be held on the Tuesday after the first Monday in November following the first day of the vacancy with a special primary to be held on the second Tuesday in August.

However, under the bill, a November special election is not held in any year in which the general election is held for that office; instead, the vacancy is filled at the partisan primary and general election.

Reimbursement of counties and municipalities for certain election costs

The bill requires the Elections Commission to reimburse counties and municipalities for certain costs incurred in the administration of special primaries and special elections for state or national office. A cost is eligible for reimbursement only if certain conditions are met, including that the commission determines the cost is reasonable and the rate paid by the county or municipality for the cost does not exceed the rate customarily paid for similar costs at a primary or election that is not a special primary or election. Under the bill, only the following costs may be reimbursed:

1. Rental payments for polling places.
2. Election day wages paid to election officials working at the polls.
3. Costs for the publication of required election notices.
4. Printing and postage costs for absentee ballots and envelopes.
5. Costs for the design and printing of ballots and poll books.
6. Purchase of ballot bags or containers, including ties or seals for chain of custody purposes.
7. Costs to program electronic voting machines.
8. Purchase of memory devices for electronic voting machines.
9. Wages paid to conduct a county canvass.
10. Data entry costs for the statewide voter registration system.

ASSEMBLY BILL 43***Grants for the purchase of election supplies and equipment***

The bill authorizes the Elections Commission to award grants to counties and municipalities for the purchase of election supplies and equipment, including electronic poll books.

Appropriation for clerk training

Current law appropriates money annually from the general fund to the Elections Commission for training county and municipal clerks concerning voter identification requirements. The bill expands this appropriation to authorize expenditures for training county and municipal clerks for the administration of elections generally.

Recount fees

Current law requires the Elections Commission to reimburse the counties for the actual costs of conducting a recount. The reimbursement comes from the fees that the commission collects from the person that filed the recount petition. The bill changes the appropriation for reimbursing the counties from an annual appropriation to a continuing appropriation.

EMINENT DOMAIN***Condemnation authority for nonmotorized paths***

The bill allows certain entities, such as a county board, village board, or DOT, to use the power of condemnation to acquire land or interests in land for the purpose of establishing or extending recreational trails, bicycle ways or lanes, or pedestrian ways. Current law prohibits the exercise of condemnation power to acquire land or interests in land for those purposes.

EMPLOYMENT**EMPLOYMENT REGULATION*****Minimum wage increase***

The bill annually raises the minimum wage to be paid to most employees, from the effective date of the bill through January 1, 2027. After that date, the bill requires DWD to determine the percentage difference between the consumer price index for the preceding 12-month period and the consumer price index for the 12 months before the preceding 12-month period, adjust the minimum wages then in effect by that percentage difference, and publish that amount in the Wisconsin Administrative Register and on the DWD website.

The bill requires the secretary of workforce development to establish a committee to study options to achieve a \$15 per hour minimum wage and other options to increase compensation for workers in this state. Under the bill, the committee consists of nine members, with five appointed by the governor, and one each appointed by the speaker of the assembly, the assembly minority leader, the senate majority leader, and the senate minority leader. The committee is required to submit a report containing its recommendations for options to achieve a \$15 per hour minimum wage and other options to increase compensation to the governor and the appropriate standing committees of the legislature no later than October 1, 2024.

ASSEMBLY BILL 43***Collective bargaining for state and local employees; employee rights***

Under current law, state and local governments are prohibited from collectively bargaining with employees except as expressly provided in the statutes. Current law allows certain protective occupation participants under the Wisconsin Retirement System, known as public safety employees, and certain municipal transit employees to collectively bargain over wages, hours, and conditions of employment. Under current law, other state and municipal employees may collectively bargain only over a percentage increase in base wages that does not exceed the percentage increase in the consumer price index. In addition, under current law, the Employment Relations Commission assigns employees to collective bargaining units, but current law requires that public safety employees and municipal transit employees be placed in separate collective bargaining units.

The bill adds frontline workers to the groups that may collectively bargain over wages, hours, and conditions of employment. In the bill, "frontline workers" are state or municipal employees with regular job duties that include interacting with members of the public or with large populations of people or that directly involve the maintenance of public works. Under the bill, the Wisconsin Employment Relations Commission (WERC) determines which state and municipal employees meet the criteria. Also, the bill allows WERC to place in the same collective bargaining unit both frontline workers and employees who are not frontline workers. If WERC places employees of both types in a collective bargaining unit, the entire collective bargaining unit is treated as if all members are frontline workers and all members may collectively bargain over wages, hours, and conditions of employment.

Under current law, state or municipal employees in a collective bargaining unit elect their representative. The representative for a unit containing public safety employees or transit employees requires the support of the majority of the employees who are voting in the election, and the representative for a unit containing other employees requires the support of the majority of all of the employees who are in the collective bargaining unit. Under the bill, the representative for any collective bargaining unit containing any state or municipal employees requires the support of the majority of the employees who are voting in the election regardless of the number of employees who are in the collective bargaining unit.

Under current law, WERC must conduct an annual election to certify each representative of a collective bargaining unit representing state or municipal employees who are not public safety employees or transit employees. At the election, if a representative fails to receive at least 51 percent of the votes of all of the members of the collective bargaining unit, the representative is decertified and the employees are unrepresented. The bill eliminates this annual recertification process.

The bill requires state and municipal employers to consult about wages, hours, and conditions of employment with their employees who are not public safety employees, transit employees, or frontline workers. The employers must consult either when policy changes that affect wages, hours, or conditions are proposed or implemented or, in the absence of policy changes, at least quarterly.

The bill adds that employees of authorities, such as the UW Hospitals and Clinics Authority, WHEDA, and WEDC, may collectively bargain as state employees.

ASSEMBLY BILL 43***Eliminating the right-to-work law***

Current law prohibits a person from requiring, as a condition of obtaining or continuing employment, an individual to refrain or resign from membership in a labor organization, to become or remain a member of a labor organization, to pay dues or other charges to a labor organization, or to pay any other person an amount that is in place of dues or charges required of members of a labor organization. The bill repeals these prohibitions and the associated misdemeanor offense.

The bill also explicitly provides that, when an all-union agreement is in effect, it is not an unfair labor practice to encourage or discourage membership in a labor organization or to deduct labor organization dues or assessments from an employee's earnings. The bill sets conditions under which an employer may enter into an all-union agreement. The bill also sets conditions for the continuation or termination of all-union agreements, including that, if WERC determines there is reasonable ground to believe employees in an all-union agreement have changed their attitude about the agreement, WERC is required to conduct a referendum to determine whether the employees wish to continue the agreement. WERC is required to terminate an all-union agreement if it finds the union unreasonably refused to admit an employee into the union.

Prevailing wage

The bill requires that laborers, workers, mechanics, and truck drivers employed on the site of certain projects of public works be paid the prevailing wage and not be required or allowed to work a greater number of hours per day and per week than the prevailing hours of labor unless they are paid overtime for all hours worked in excess of the prevailing hours of labor. Projects subject to the bill include state and local projects of public works, including state highway projects, with exceptions including projects below certain cost thresholds, minor service or maintenance work, and certain residential projects. Under the bill, "prevailing wage rate" is defined as the hourly basic rate of pay, plus the hourly contribution for bona fide economic benefits, paid for a majority of the hours worked in a trade or occupation in the area in which the project is located, except that, if there is no rate at which a majority of those hours is paid, "prevailing wage rate" means the average hourly basic rate of pay, plus the average hourly contribution for bona fide economic benefits, paid for the highest-paid 51 percent of hours worked in a trade or occupation in the area. "Prevailing hours of labor" is defined as 10 hours per day and 40 hours per week, excluding weekends and holidays. The bill requires DWD to conduct investigations and hold public hearings as necessary to define the trades or occupations that are commonly employed on projects that are subject to the prevailing wage law and to inform itself of the prevailing wage rates in all areas of the state for those trades or occupations, in order to determine the prevailing wage rate for each trade or occupation. The bill contains certain other provisions regarding the calculation of prevailing wage rates by DWD, including provisions allowing persons to request recalculations or reviews of the prevailing wage rates determined by DWD.

The bill requires contracts and notices for bids for projects subject to the bill to include and incorporate provisions ensuring compliance with the requirements. The

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bill also establishes a requirement that state agencies and local governments post prevailing wage rates and hours of labor in areas readily accessible to persons employed on the project or in sites regularly used for posting notices.

The bill makes a contractor that fails to pay the prevailing wage rate or overtime pay to an employee as required under the prevailing wage law liable to the affected employee for not only the amount of unpaid wages and overtime pay, but also for liquidated damages in an amount equal to 100 percent of the unpaid wages and overtime pay.

Finally, the bill includes, for both state and local projects of public works, provisions regarding coverage, compliance, enforcement, and penalties, including 1) requirements for affidavits to be filed by contractors affirming compliance with the prevailing wage law; 2) record retention requirements for contractors regarding wages paid to workers and provisions allowing for the inspection of those records by DWD; 3) liability and penalty provisions for certain violations, including criminal penalties; and 4) provisions prohibiting contracts from being awarded to persons who have failed to comply with the prevailing wage law.

Family and medical leave expansion

Under the current family and medical leave law, an employer that employs at least 50 individuals on a permanent basis must permit an employee who has been employed by the employer for more than 52 consecutive weeks and who has worked for the employer for at least 1,000 hours during the preceding 52 weeks to take family leave to care for the employee's child, spouse, domestic partner, or parent who has a serious health condition. Employers covered under the law must also permit an employee covered under the law to take up to two weeks of medical leave in a 12-month period when that employee has a serious health condition. An employee may file a complaint with DWD regarding an alleged violation of the family and medical leave law within 30 days after either the violation occurs or the employee should reasonably have known that the violation occurred, whichever is later.

The bill makes the following changes to the family and medical leave law:

1. Requires employers covered under the law to permit employees covered under the law to take family leave to provide for a grandparent, grandchild, or sibling who has a serious health condition.

2. Decreases the number of hours an employee is required to work before qualifying for family and medical leave to 680 hours during the preceding 52 weeks.

3. Increases the amount of weeks an employee is able to take in family and medical leave for any eligible reason to 12 weeks.

4. Extends the time period in which an employee may file a complaint with DWD to 300 days after either the violation occurs or the employee should reasonably have known that the violation occurred, whichever is later.

5. Removes the age restriction from the definition of "child" for various purposes under the family and medical leave law.

6. Requires employers to permit employees to take family leave in the instance of an unforeseen or unexpected gap in childcare for an employee's child, grandchild, or sibling or because of a qualifying exigency as to be determined by DWD related

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to covered active duty, as defined in the bill, or notification of an impending call or order to covered active duty of an employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling who is a member of the U.S. armed forces.

7. Requires employers to permit employees to take family leave to address issues related to the employee or the employee's child, spouse, domestic partner, parent, grandparent, grandchild, or sibling being the victim of domestic abuse, sexual abuse, or stalking.

8. Requires employers to permit employees to take family leave to care for a child, spouse, domestic partner, parent, grandparent, grandchild, or sibling of an employee who is in medical isolation and requires employers to permit employees to take medical leave when an employee is in medical isolation. The bill defines "medical isolation" to include when a local health officer or DHS advises that an individual isolate or quarantine; when a health care professional, a local health officer, or DHS advises that an individual seclude himself or herself when awaiting the results of a diagnostic test for a communicable disease or when the individual is infected with a communicable disease; and when an individual's employer advises that the individual not come to the workplace due to a concern that the individual may have been exposed to or infected with a communicable disease.

Family and medical leave benefits insurance program

The bill creates a family and medical leave benefits insurance program, to be administered by DWD, under which a covered individual who is on certain family or medical leave is eligible, beginning on January 1, 2025, to receive up to 12 weeks of family or medical leave insurance benefits as specified in the bill from the family and medical leave benefits insurance trust fund created under the bill. For purposes of the bill, the following definitions apply:

1. A "covered individual" is an individual who worked for the same employer for at least 680 hours in the calendar year prior to the year in which the covered individual claims family or medical leave insurance benefits (application year) or a self-employed individual who elects coverage under the program.

2. "Family leave" means leave from employment, self-employment, or availability for employment for the birth or adoptive placement of a new child; to care for a family member who has a serious health condition or is in medical isolation; for covered active duty; or to address issues related to being the victim of domestic abuse, sexual abuse, or stalking.

3. "Medical leave" means leave from employment, self-employment, or availability for employment when a covered individual is in medical isolation or has a serious health condition that makes the employee unable to perform his or her employment duties.

Under the bill, the amount of family or medical leave insurance benefits for a week for which those benefits are payable is as follows:

1. For the amount of the covered individual's average weekly earnings that are less than 50 percent of the state annual median wage in the calendar year before the individual's application year, 90 percent of that individual's average weekly earnings.

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2. For the amount of the covered individual's average weekly earnings that are more than 50 percent of the state annual median wage in the calendar year before the individual's application year, 50 percent of that individual's average weekly earnings.

Beginning on January 1, 2025, the bill generally requires each individual employed in this state by an employer that regularly employs at least 50 individuals, including an individual employed by the state, and any self-employed individual who elects coverage under the family and medical leave benefits insurance program to contribute to the trust fund a percentage of his or her wages from employment or income from self-employment. Under the bill, each employer must contribute the same amount as an employee. The bill requires DWD to collect those contributions in the same manner as DWD collects contributions to the unemployment reserve fund under current law.

The bill, however, provides that an employer that provides paid family and medical leave benefits that are identical to or more generous than those provided under the program may request an exemption from participation in the program. The bill requires DWD to promulgate administrative rules to provide exemptions from participation in the program.

The bill further does the following:

1. Requires DWD to promulgate administrative rules providing for a right to a hearing in cases of disputes involving an individual's eligibility for benefits or status as a covered individual under the program.

2. Requires DWD to promulgate administrative rules providing for a right to a hearing in cases involving the liability of employers for contributions under the program.

3. Allows DWD to seek repayment of family or medical leave insurance benefits that are paid erroneously or as a result of willful misrepresentation. The bill allows DWD to establish other procedures for recovering overpayments and allows DWD to utilize procedures under the unemployment insurance law.

Solicitation of compensation information

The bill prohibits certain employer conduct related to compensation information of current and prospective employees. The bill prohibits an employer from doing any of the following with respect to a prospective employee:

1. Relying on or soliciting information about the prospective employee's current or prior compensation. Under current law, an employer may solicit information about a prospective employee's current or prior compensation. The bill repeals that provision.

2. Requiring that the prospective employee's current or prior compensation meet certain criteria in order for the prospective employee to be considered for employment.

3. Refusing to hire the prospective employee for exercising his or her rights relating to compensation information.

The bill also prohibits an employer from discharging or discriminating against a current employee for disclosing the details of the employee's compensation, discussing the compensation of other employees, asking other employees for details

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regarding their compensation, or taking certain actions to enforce an employee's rights under the bill.

The bill requires employers to post notices, where notices to employees are customarily posted and on any electronic job posting, regarding employees' and prospective employees' rights under the bill and provides a penalty for an employer's failure to do so.

State and local employment regulations; repeal preemption of local employment regulations

The bill repeals certain preemptions and prohibitions of local governments and the state from enacting or enforcing ordinances related to various employment matters. See *Local Government*.

Worker classification notice and information

Current law requires DWD to perform certain duties related to worker classification, including for purposes of promoting and achieving compliance by employers with state employment laws. The bill requires DWD to design and make available to employers a notice regarding worker classification laws, requirements for employers and employees, and penalties for noncompliance. Under the bill, all employers in this state must post the notice in a conspicuous place where notices to employees are customarily posted. Finally, the bill provides a penalty of not more than \$100 for an employer who does not post the notice as required.

The bill also requires DFI to provide informational materials and resources on worker misclassification to each person who files with DFI documents forming a business corporation, nonstock corporation, limited liability company, limited liability partnership, or limited partnership.

WORKER'S COMPENSATION***Expansion of PTSD coverage for first responders***

The bill makes changes to the conditions of liability for worker's compensation benefits for emergency medical responders, emergency medical services practitioners, volunteer fire fighters, correctional officers, emergency dispatchers, coroners and coroner staff members, and medical examiners and medical examiner staff members who are diagnosed with post-traumatic stress disorder (PTSD).

Under current law, if a law enforcement officer or full-time fire fighter is diagnosed with PTSD by a licensed psychiatrist or psychologist and the mental injury that resulted in that diagnosis is not accompanied by a physical injury, that law enforcement officer or fire fighter can bring a claim for worker's compensation benefits if the conditions of liability are proven by the preponderance of the evidence and the mental injury is not the result of a good faith employment action by the person's employer. Also under current law, liability for such treatment for a mental injury is limited to no more than 32 weeks after the injury is first reported.

Under current law, an injured emergency medical responder, emergency medical services practitioner, volunteer fire fighter, correctional officer, emergency dispatcher, coroner, coroner staff member, medical examiner, or medical examiner staff member who does not have an accompanying physical injury must demonstrate a diagnosis based on unusual stress of greater dimensions than the day-to-day

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emotional strain and tension experienced by all employees as required under *School District No. 1 v. DILHR*, 62 Wis. 2d 370, 215 N.W.2d 373 (1974) in order to receive worker's compensation benefits for PTSD. Under the bill, such an injured emergency medical responder, emergency medical services practitioner, volunteer fire fighter, correctional officer, emergency dispatcher, coroner, coroner staff member, medical examiner, or medical examiner staff member is not required to demonstrate a diagnosis based on that standard, and instead must demonstrate a diagnosis based on the same standard as law enforcement officers and fire fighters. Finally, under the bill, an emergency medical responder, emergency medical services practitioner, volunteer fire fighter, correctional officer, emergency dispatcher, coroner, coroner staff member, medical examiner, or medical examiner staff member is restricted to compensation for a mental injury that is not accompanied by a physical injury and that results in a diagnosis of PTSD three times in his or her lifetime irrespective of a change of employer or employment in the same manner as law enforcement officers and fire fighters.

Penalties for uninsured employers

Under current law, an employer who requires an employee to pay for any part of worker's compensation insurance or who fails to provide mandatory worker's compensation insurance coverage is subject to a forfeiture. If the employer violates those requirements, for the first 10 days, the penalty under current law is not less than \$100 and not more than \$1,000 for such a violation. If the employer violates those requirements for more than 10 days, the penalty under current law is not less than \$10 and not more than \$100 for each day of such a violation.

Under the bill, the forfeitures for an employer who requires an employee to pay for worker's compensation coverage or fails to provide the coverage (violation) are as follows:

1. For a first violation, \$1,000 per violation or the amount of the insurance premium that would have been payable, whichever is greater.
2. For a second violation, \$2,000 per violation or two times the amount of the insurance premium that would have been payable, whichever is greater.
3. For a third violation, \$3,000 per violation or three times the amount of the insurance premium that would have been payable, whichever is greater.
4. For a fourth or subsequent violation, \$4,000 per violation or four times the amount of the insurance premium that would have been payable, whichever is greater.

Under current law, if an employer who is required to provide worker's compensation insurance coverage provides false information about the coverage to his or her employees or contractors who request information about the coverage, or fails to notify a person who contracts with the employer that the coverage has been canceled in relation to the contract, the employer is subject to a forfeiture of not less than \$100 and not more than \$1,000 for each such violation.

Under the bill, the penalty for a first or second such violation remains as specified under current law, the penalty for a third violation is \$3,000, and the penalty for a fourth or subsequent violation is \$4,000.

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Currently, an uninsured employer must pay to DWD an amount that is equal to the greater of the following: 1) twice the amount that the uninsured employer would have paid for worker's compensation coverage during periods in which the employer was uninsured in the preceding three years or 2) \$750 or, if certain conditions apply, \$100 per day.

The bill provides that the amounts an uninsured employer must pay to DWD for a determination of a failure to carry worker's compensation insurance are as follows:

1. For a first or second determination, the amounts specified in current law.
2. For a third determination, the greater of the following: a) three times the amount that the uninsured employer would have paid for worker's compensation coverage during periods in which the employer was uninsured in the preceding three years or b) \$3,000.
3. For a fourth or subsequent determination, the greater of the following: a) four times the amount that the uninsured employer would have paid for worker's compensation coverage during periods in which the employer was uninsured in the preceding three years or b) \$4,000.

False or fraudulent worker's compensation insurance applications

Current law specifies criminal penalties for various types of insurance fraud, which are punishable as either a Class A misdemeanor or a Class I felony, depending on the value of the claim or benefit. The bill adds to the list of criminally punishable insurance fraud the following: 1) the presentation of false or fraudulent applications for worker's compensation insurance coverage and 2) the presentation of applications for worker's compensation insurance coverage that falsely or fraudulently misclassify employees in order to lower premiums.

Also, under current law, if an insurer or self-insured employer has evidence that a worker's compensation claim is false or fraudulent, the insurer or self-insured employer must generally report the claim to DWD. If, on the basis of the investigation, DWD has a reasonable basis to believe that criminal insurance fraud has occurred, DWD must refer the matter to the district attorney for prosecution. DWD may request assistance from DOJ to investigate false or fraudulent activity related to a worker's compensation claim. If, on the basis of that investigation, DWD has a reasonable basis to believe that theft, forgery, fraud, or any other criminal violation has occurred, DWD must refer the matter to the district attorney or DOJ for prosecution. The bill extends these requirements to insurers that have evidence that an application for worker's compensation insurance coverage is fraudulent or that an employer has committed fraud by misclassifying employees to lower the employer's worker's compensation insurance premiums.

UNEMPLOYMENT INSURANCE***Worker misclassification penalties***

Current law requires DWD to assess an administrative penalty against an employer engaged in construction projects or in the painting or drywall finishing of buildings or other structures who knowingly and intentionally provides false information to DWD for the purpose of misclassifying or attempting to misclassify an individual who is an employee of the employer as a nonemployee under the

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unemployment insurance (UI) law. The penalty under current law is \$500 for each employee who is misclassified, not to exceed \$7,500 per incident. In addition, current law provides for criminal fines of up to \$25,000 for employers who, after having previously been assessed such an administrative penalty, commit another violation. Current law additionally requires DWD to assess an administrative penalty against such an employer who, through coercion, requires an employee to adopt the status of a nonemployee; the penalty amount is \$1,000 for each employee so coerced, but not to exceed \$10,000 per calendar year. Penalties are deposited into the unemployment program integrity fund.

The bill does the following: 1) removes the \$7,500 and \$10,000 limitations on the administrative penalties and provides that the penalties double for each act occurring after the date of the first determination of a violation; 2) removes the limitations on the types of employers to whom the prohibitions apply, making them applicable to any type of employer; and 3) specifies that DWD may make referrals for criminal prosecution for alleged criminal misclassification violations regardless of whether an employer has been subject to any other penalty or assessment under the UI law.

Social security disability insurance payments

Under current law, in any week in any month that a claimant is issued a benefit under the federal Social Security Disability Insurance program (SSDI payment), that claimant is ineligible for UI benefits. The bill repeals that prohibition and instead requires DWD to reduce a claimant's benefit payments by the amount of SSDI payments. The bill requires DWD to allocate a monthly SSDI payment by allocating to each week the fraction of the payment attributable to that week.

JOBS AND JOB TRAINING***Worker advancement initiative***

The bill requires DWD to establish and maintain a worker advancement initiative, through which DWD offers subsidized employment and skills training with local employers, targeted to individuals in sectors of the workforce that have not recovered from the loss of employees due to the COVID-19 pandemic. This program includes targeted subprograms related to the following: 1) health-care workforce opportunities; 2) training opportunities for jobs that require a commercial driver license; and 3) reengaging out-of-work, barriered, and underserved individuals through system transformation, through which DWD must find methods to more effectively reach and serve population groups that are underserved and disconnected from the labor force.

Grants to local workforce development boards

The bill creates a grant program administered by DWD to provide grants to local workforce development boards for youth services and training. Under the program, DWD must provide grants for tutoring, mentoring, supportive services, paid and unpaid work experiences, preapprenticeship programs, internships, on-the-job training, occupational skills training, leadership development opportunities, counseling, financial literacy education, entrepreneurial skills

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training, and education regarding labor market information, employment information, and postsecondary education and training preparation.

The bill also creates a new continuing GPR appropriation to DWD for the purpose of providing grants under the local workforce development board youth services and training grant program.

Workforce innovation grant program

The bill requires DWD to establish and operate a program to provide grants to regional organizations to design and implement plans to address their region's workforce challenges that arose during or were exacerbated by the COVID-19 pandemic.

Green jobs training program grants

The bill creates a green jobs training program to be administered by DWD. Under the program, DWD is required to award grants to public and private organizations for the development and implementation of green jobs training programs. The bill defines "green jobs" as jobs that produce goods or provide services that benefit the environment or conserve natural resources. The bill also allows DWD to require a public or private organization, as a condition of receiving a grant, to provide matching funds at a percentage to be determined by DWD.

Clean energy training and reemployment

The bill requires DWD to establish and administer a clean energy training and reemployment program to connect workers with employers and use other apprenticeship and technical college programs to deliver training for clean energy jobs.

DISCRIMINATION***Fair employment; civil actions***

Under current fair employment law, an individual who alleges that an employer has violated employment discrimination, unfair honesty testing, or unfair genetic testing laws may file a complaint with DWD seeking action that will effectuate the purpose of the fair employment law, including reinstating the individual, providing back pay, and paying costs and attorney fees.

The bill allows DWD or an individual who is alleged or was found to have been discriminated against or subjected to unfair honesty or genetic testing to bring an action in circuit court to recover compensatory and punitive damages caused by the act of discrimination, unfair honesty testing, or unfair genetic testing, in addition to or in lieu of filing an administrative complaint. The action in circuit court must be commenced within 300 days after the alleged discrimination, unfair honesty testing, or unfair genetic testing occurred. The bill does not allow such an action for damages to be brought against a local governmental unit or against an employer that employs fewer than 15 individuals.

Under the bill, if the circuit court finds that a defendant has committed employment discrimination, unfair honesty testing, or unfair genetic testing, the circuit court may award back pay and any other relief that could have been awarded in an administrative proceeding. In addition, the circuit court must order the defendant to pay to the individual found to have been discriminated against or found

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to have received unfair genetic testing or unfair honesty testing compensatory and punitive damages in the amount that the circuit court finds appropriate, except that the total amount of damage awarded for future economic losses and for pain and suffering, emotional distress, mental anguish, loss of enjoyment of life, and other noneconomic losses and punitive damages is subject to the following limitations:

1. If the defendant employs 100 or fewer employees, no more than \$50,000.
2. If the defendant employs more than 100 but fewer than 201 employees, no more than \$100,000.
3. If the defendant employs more than 200 but fewer than 501 employees, no more than \$200,000.
4. If the defendant employs more than 500 employees, no more than \$300,000.

The bill requires DWD to annually revise these amounts on the basis of the change in the consumer price index in the previous year, if any positive change has occurred.

Fair employment; discrimination based on conviction record

The bill provides that it is employment discrimination because of conviction record under the fair employment law for a prospective employer to request conviction information from a job applicant before the applicant has been selected for an interview.

The bill, however, does not prohibit an employer from notifying job applicants that an individual with a particular conviction record may be disqualified by law or the employer's policies from employment in particular positions.

Fair employment; discrimination based on gender expression and gender identity

Current fair employment law prohibits discrimination in employment on the basis of a person's sex or sexual orientation. The bill also so prohibits discrimination on the basis of an individual's gender identity or gender expression. "Gender expression" is defined in the bill as an individual's actual or perceived gender-related appearance, behavior, or expression, regardless of whether these traits are stereotypically associated with the individual's assigned sex at birth. "Gender identity" is defined in the bill as an individual's internal understanding of the individual's gender, or the individual's perceived gender identity.

ADMINISTRATION AND FINANCE***Worker's compensation uninsured employers fund***

Under current law, the uninsured employers fund (UEF) is used to pay worker's compensation benefits on claims filed by employees who are injured while working for uninsured employers in this state. The money for the UEF comes from, among various sources, penalties assessed against uninsured employers. The bill changes the appropriation for the UEF from a sum sufficient appropriation to a continuing appropriation.

Reimbursements for supplemental worker's compensation benefits

Under current law, insurers are required to pay supplemental benefits to certain employees who were permanently disabled by an injury that is compensable under the worker's compensation law. DWD is authorized to collect up to \$5,000,000

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from insurers that provide worker's compensation insurance to provide those supplemental benefits. This money must be used exclusively to provide reimbursements to insurers that pay those supplemental benefits and that request reimbursements.

The bill creates a new, separate appropriation in the worker's compensation operations fund to provide these reimbursements. The bill does not increase revenue to DWD or collections from insurers.

Migrant labor fees

Under current law, migrant labor contractor and camp fees are deposited in the state general fund and not credited to a specific appropriation. The bill instead requires that the fees be credited to the DWD auxiliary services appropriation and authorizes that appropriation to be used for administrative costs related to the migrant labor program administered by DWD.

Migrant labor law enforcement

The bill creates a new annual GPR appropriation to DWD for the purpose of enforcement of laws related to wages, hours, and working conditions of migrant workers, the certification, maintenance, and inspection of migrant labor camps, and the recruitment and hiring of migrant workers.

ENVIRONMENT**WATER QUALITY*****PFAS standards***

The bill requires DNR to establish and enforce various standards for perfluoroalkyl and polyfluoroalkyl substances (PFAS). The PFAS group of substances includes several thousand chemicals; two of the most well known are perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS).

The bill requires DNR to establish, by rule, acceptable levels and standards, monitoring requirements, and required response actions for any PFAS in drinking water, groundwater, surface water, air, solid waste, beds of navigable waters, and soil and sediment, if DNR determines that the substance may be harmful to human health or the environment. These rules must cover, at a minimum, PFOA and PFOS, as well as perfluorohexane sulfonic acid (PFHxS), perfluorononanoic acid (PFNA), and perfluorobutane sulfonic acid (PFBS).

The bill also requires DNR to establish air emission standards for PFAS to provide adequate protection for public health and welfare, taking into account energy, economic, and environmental impacts and other costs related to the emission source.

Under current law, DNR maintains a list of substances that have a reasonable probability of entering the groundwater resources of the state and that are shown to involve public health concerns. Under the bill, DNR is required to add to this list PFOA, PFOS, PFHxS, PFNA, PFBS, and all other PFAS that have a reasonable probability of entering the groundwater resources of the state and that are shown to involve public health concerns. Under current law, DHS recommends enforcement standards for substances on this list, which DNR then proposes as DNR rules in its rule-making process. Until DNR establishes such rules, the bill requires DNR to

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apply any DHS-recommended groundwater enforcement standard for any PFAS as an interim standard for groundwater and as an interim maximum containment level for drinking water.

The bill also provides that DNR may, if it determines doing so is necessary to protect human health or the environment, require a person who possesses or controls PFAS to provide proof of financial responsibility for remediation and long-term care to address contamination by a potential discharge of PFAS or environmental pollution that may be caused by a discharge of PFAS.

In addition, the bill requires DNR to set criteria for certifying laboratories to test for PFAS, and to certify laboratories that meet these criteria. Before these criteria are set, the bill allows DNR to require testing for PFAS to be done according to nationally recognized standards.

Finally, the bill requires a person who generates solid or hazardous waste at a site or facility under investigation by DNR to provide DNR with access to information relating to any transportation to or treatment, storage, or disposal at another site, facility, or location.

PFAS municipal grant program

The bill creates a municipal grant program, administered by DNR, to address PFAS. Under the program, DNR must provide grants to cities, towns, villages, counties, tribal governments, utility districts, lake protections districts, sewerage districts, and municipal airports (municipalities). DNR may award a grant only if the applicant tested or trained with a PFAS-containing fire fighting foam in accordance with applicable state and federal law, or a third party tested or trained with PFAS-containing fire fighting foam within the boundaries of the municipality; the applicant applied biosolids to land under a water pollution permit issued by DNR; or PFAS are impacting the applicant's drinking water supply or surface water or groundwater within the municipality and the responsible party is unknown or is unwilling or unable to take the necessary response actions.

Under the bill, grants provided under this program may be used to investigate potential PFAS impacts in order to reduce or eliminate environmental contamination; treat or dispose of PFAS-containing fire fighting foam containers; sample a private water supply within three miles of a site or facility known to contain PFAS or to have caused a PFAS discharge; provide a temporary emergency water supply, a water treatment system, or bulk water to replace water contaminated with PFAS; conduct emergency, interim, or remedial actions to mitigate, treat, dispose of, or remove PFAS contamination; remove or treat PFAS in public water systems in areas where PFAS levels exceed the maximum contaminant level for PFAS in drinking water or an enforcement standard for PFAS groundwater or in areas where the state has issued a health advisory for PFAS; or sample and test water in schools and daycares for PFAS contamination.

An applicant that receives a grant under this program must contribute matching funds equal to at least 20 percent of the amount of the grant. The applicant must apply for a grant on a form prescribed by DNR and must include any information that DNR finds is necessary to determine the eligibility of the project, identify the funding requested, determine the priority of the project, and calculate

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the amount of a grant. In awarding grants under this program, DNR must consider the applicant's demonstrated commitment to performing and completing eligible activities, including the applicant's financial commitment and ability to successfully administer grants; the degree to which the project will have a positive impact on public health and the environment; and any other criteria that DNR finds necessary to prioritize the funds available for awarding grants.

PFAS-containing fire fighting foam appropriation

Current law establishes a continuing appropriation from the environmental fund for the collection of PFAS-containing fire fighting foam. The bill allows this appropriation to also be used to provide assistance to local fire departments in replacing PFAS-containing fire fighting foam with PFAS-free fire fighting foam.

Lead service line replacement

The bill creates a continuing appropriation from the general fund to the environmental improvement program for projects involving forgivable loans to private users of public water systems to replace lead service lines.

Under current law, DOA and DNR administer the safe drinking water loan program (SDWLP), which provides financial assistance from the environmental improvement program to local governmental units and to the private owners of community water systems that serve local governmental units for projects for the planning, designing, construction, or modification of public water systems. DNR establishes a funding list for SDWLP projects and DOA allocates funding for those projects.

Well compensation grant program

The bill makes changes to the well compensation grant program currently administered by DNR.

Under current law, an individual owner or renter of a contaminated private well may apply for a grant from DNR to cover a portion of the costs to treat the water, reconstruct the well, construct a new well, connect to a public water supply, or fill and seal the well. To be eligible for a grant, the well owner's or renter's annual family income may not exceed \$65,000. A grant awarded under the program may not cover any portion of a project's eligible costs in excess of \$16,000 and, of those costs, may not exceed 75 percent of a project's eligible costs, meaning that a grant may not exceed \$12,000. In addition, if the well owner's or renter's annual family income exceeds \$45,000, the amount of the award is reduced by 30 percent of the amount by which the annual family income exceeds \$45,000.

The bill increases the family income limit to \$100,000. In addition, under the bill, a well owner or renter whose family income is below the state's median income may receive a grant of up to 100 percent of a project's eligible costs, not to exceed \$16,000. The bill also eliminates the requirement to reduce an award by 30 percent if the well owner's or renter's family income exceeds \$45,000.

The bill also expands the grant program to allow an owner or renter of a transient noncommunity water supply to apply for a grant. A "transient noncommunity water supply" is defined in the bill as a water system that serves at

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least 25 persons at least 60 days of the year but that does not regularly serve at least 25 of the same persons over six months per year.

Under current law, a well that is contaminated only by nitrates is eligible for a grant only if the well is a water supply for livestock, is used at least three months in each year, and contains nitrates in excess of 40 parts per million. The bill eliminates these restrictions for claims based on nitrates, and instead allows grants to be issued for wells based on contamination by at least 10 parts per million of nitrate nitrogen. The bill also allows grants to be issued for wells contaminated by at least 10 parts per billion of arsenic, or by a perfluoroalkyl or polyfluoroalkyl substance in an amount that exceeds any applicable health advisory or standard for that substance.

Under current law, DNR must issue grants in the order in which completed claims are received. Under the bill, if there are insufficient funds to pay claims, DNR may, for claims based on nitrate contamination, prioritize claims that are based on higher levels of nitrate contamination.

Requiring notification of water-related permit violations

Under the bill, if DNR finds that the holder of a Wisconsin Pollutant Discharge Elimination System (WPDES) permit has violated a limitation under the permit that is based on a groundwater standard, DNR must notify the county health department and county land and conservation department in the county in which the permit holder is located and the county health department and county land and conservation department in any adjacent county that DNR determines may be negatively affected by the violation. The bill requires DNR to provide these notices within seven business days after confirming that a violation has occurred. The bill also allows DNR to establish, by rule, procedures for providing the required notice. Finally, the bill requires DNR to create and maintain a notification system for notifying county health departments, county land and conservation departments, and interested parties of the violations but requires that the notification system ensure that county health departments and county land and conservation departments are notified of a violation at least 24 hours before anyone else is notified.

Concentrated animal feeding operations

Under current law, a person who operates a concentrated animal feeding operation (CAFO) must have a WPDES permit from DNR. A CAFO is a livestock operation that contains at least 1,000 animal units, that discharges pollutants into a navigable water, or that contaminates a well. Current law requires a CAFO operator with a WPDES permit to pay an annual fee of \$345 to DNR. The bill increases the amount of this annual fee to \$545.

Well construction notification fee

Under current law, no person may construct a high capacity well, which is a well with a capacity of more than 100,000 gallons per day, without prior approval of DNR and payment of a \$500 fee. Prior to construction of a well that is not a high capacity well, the owner of the property where the well is to be constructed must notify DNR and pay a fee of \$50. The bill increases the notification fee to \$70.

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Under current law, DNR regulates groundwater withdrawal. Administrative rules promulgated by DNR establish requirements for the construction of wells and provide that a person may request a variance from those rules if strict compliance with the requirements is not feasible. DNR may determine whether a variance is justified and may condition the issuance of a variance on additional construction features to safeguard groundwater. The bill requires DNR to collect a \$100 fee from a person requesting a well construction variance.

Ballast water discharge

Under current law, DNR may issue a general permit authorizing a vessel that is 79 feet or greater in length to discharge ballast water into the waters of this state. DNR may charge an application fee of \$1,200 and a \$345 annual fee for the permit. DNR must use collected fees to administer the permit program.

The bill repeals these provisions and provides that the owner or operator of any commercial vessel subject to the requirements of the federal Vessel Incidental Discharge Act that has operated outside this state must pay DNR \$650 per arrival to a port of this state. Under the bill, the owner or operator of a commercial vessel subject to these requirements, including a vessel engaged in coastwise trade, may not be required to pay more than \$3,250 in fees per calendar year. DNR must use collected fees for management, administration, inspection, monitoring, and enforcement activities relating to incidental discharges, including ballast water discharges.

Under current law, an employee or agent of DNR may board and inspect any vessel that is subject to requirements relating to environmental protection requirements for tank vessels or open burning on commercial vessels to determine compliance with those requirements.

The bill provides that DNR may enter into a memorandum of agreement with the U.S. Coast Guard authorizing an employee or agent of DNR to board and inspect any vessel that is subject to the requirements under the bill to determine compliance with the federal Vessel Incidental Discharge Act.

HAZARDOUS SUBSTANCES AND ENVIRONMENTAL CLEANUP***Dry cleaner response program and revitalize Wisconsin program***

The bill eliminates the existing dry cleaner environmental response program and its associated fund and council and creates the revitalize Wisconsin program, which is administered by DNR.

The revitalize Wisconsin program created under the bill provides aid, in the form of grants or direct services to local governments, dry cleaners, and private parties, to address the discharge of a hazardous substance or the existence of environmental pollution on the government's or person's property. Aid may be provided for sites for which the site's owner or operator applied for assistance under the dry cleaner environmental response program before its repeal; brownfields; sites that are exempt from the state's hazardous substance remediation laws (often called the "spill law"); and sites that are subject to the spill law but that are owned by private parties. The bill defines "private party" to include a bank, trust company,

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savings bank, or credit union; a developer; a nongovernmental organization; and an innocent landowner. The bill defines an “innocent landowner” as a property owner that either 1) acquired the property prior to November 1, 2006, has continuously owned the property since the date of acquisition, and can demonstrate, through documentation, that the discharge or environmental pollution being addressed was caused by another person and that the property owner did not know and had no reason to know of the discharge or pollution when the owner acquired the property; or 2) acquired the property on or after November 1, 2006, meets all of the previously stated requirements, and can demonstrate, through documentation, that the property owner conducted all appropriate inquiries in compliance with the federal All Appropriate Inquiries rule under 40 CFR part 312 prior to acquiring the property.

The bill provides that DNR may not award aid to an applicant under the revitalize Wisconsin program if the applicant caused the discharge or environmental pollution unless the applicant is a dry cleaner that applied for assistance under the dry cleaner environmental response program before its repeal. The bill also provides that DNR may require an applicant to provide a match, either in cash or in-kind, for any aid that is awarded under the program.

Activities for which aid may be provided under the program include removing hazardous substances from contaminated media such as surface waters, groundwater, or soil; investigating and assessing the discharge or environmental pollution; removing abandoned containers; asbestos abatement; and restoring or replacing a private potable water supply.

The bill also allows DNR to inspect any document in the possession of an applicant or any other person if the document is relevant to an application for financial assistance under the program.

Ban on coal tar-based sealants

The bill prohibits the sale of coal tar-based sealant products and high PAH sealant products (products with more than 0.1 percent polycyclic aromatic hydrocarbons by weight) beginning January 1, 2024, and prohibits the use of such products beginning July 1, 2024. A person who violates these prohibitions is subject to the same penalty that applies under current law to other general environmental provisions, which is a forfeiture of between \$10 and \$5,000 for each violation.

MINING***Nonmetallic mining appropriation***

Under current law, fees relating to nonmetallic mining are deposited into the segregated environmental fund, to be used for environmental management activities. The bill instead directs that all moneys received from nonmetallic mining fees are to be used for the administration and enforcement of the state’s nonmetallic mining regulations.

GENERAL ENVIRONMENT***Municipal flood control aid***

The bill requires DNR to award, from the amounts appropriated to DNR to provide assistance for municipal flood control, \$1,000,000 in grants in each fiscal

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year of the 2023-25 fiscal biennium for the preparation of flood insurance studies and other flood mapping projects.

Stormwater appropriation

Under current law, a person may need to obtain a permit from DNR to discharge storm water. Current law appropriates money annually from the general fund for the administration of the storm water discharge permit program. Storm water permit fees collected by DNR are credited to the storm water permit appropriation.

The bill changes the storm water permit appropriation from an annual appropriation to a continuing appropriation. An annual appropriation is expendable only up to the amount shown in the schedule and only for the fiscal year for which made. A continuing appropriation is expendable until fully depleted or repealed.

Bonding for urban storm water, flood control, and riparian restoration

Under current law, the state may contract up to \$61,600,000 in public debt to provide financial assistance for projects that manage urban storm water and runoff and for flood control and riparian restoration projects. The bill increases the bonding authority for these projects by \$11,000,000.

Environmental improvement fund revenue bonding limit

Current law authorizes the issuance of revenue bonds for the clean water fund program and the safe drinking water loan program under the environmental improvement fund, but limits the principal amount of those revenue bonds to \$2,551,400,000. The bill increases that limit by \$372,000,000, to \$2,923,400,000.

Bonding for nonpoint source water pollution abatement

Under current law, the state may contract up to \$57,050,000 in public debt to provide financial assistance for projects that control pollution that comes from diffuse sources rather than a single concentrated discharge source in areas that qualify as high priority due to water quality problems. The bill increases the bonding authority for these projects by \$10,000,000.

Bonding for Great Lakes contaminated sediment removal

Under current law, the state may contract up to \$40,000,000 in public debt to provide financial assistance for projects to remove contaminated sediment from Lake Michigan or Lake Superior, or a tributary of Lake Michigan or Lake Superior, if DNR has identified the body of water as being impaired by the sediment. The bill increases the bonding authority for sediment removal projects by \$15,000,000.

Water resources account lapse

The bill lapses, to the conservation fund in fiscal year 2023-24, \$350,000 from the DNR appropriation for river management activities for habitat and recreational projects and for environmental and resource management studies on the Mississippi and lower St. Croix Rivers.

HEALTH AND HUMAN SERVICES**PUBLIC ASSISTANCE*****Temporary Assistance for Needy Families***

Under current law, DCF allocates specific amounts of federal moneys, including child care development funds and moneys received under the Temporary Assistance

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for Needy Families (TANF) block grant program for various public assistance programs. Under the bill, TANF funding allocations are changed in the following ways, as compared to the funding allocation in the 2021-23 fiscal biennium:

1. For Wisconsin Works benefits, total funding is decreased by 10 percent.
2. For the Families and Schools Together program, total funding is maintained at \$250,000, but an additional \$250,000 is available if the grant recipient provides matching funds.
3. For homeless case management services grants, total funding is doubled.
4. For state administration of public assistance programs and overpayment collections, total funding is increased by 12 percent.
5. For grants to Wisconsin Trust Account Foundation, Inc., for distribution to programs that provide civil legal services to low-income families, total funding is doubled.
6. For the Transform Milwaukee and Transitional Jobs programs, total funding is increased by 18 percent.
7. For Jobs for America's Graduates, total funding is doubled.
8. For child care state administration and licensing activities, total funding is increased by 10 percent.
9. For child care quality improvement activities, total funding is tripled.
10. For payments to support the dependent children of recipients of supplemental security income, total funding is decreased by 32 percent.
11. For kinship care payments, total funding is increased by 62 percent.
12. For safety and out-of-home placement services, total funding is decreased by 39 percent.
13. For grants to the Boys and Girls Clubs of America, total funding is increased by a multiple of 12.
14. For the earned income tax credit supplement, total funding is increased by 69 percent.
15. The funding for the offender reentry demonstration project is eliminated, and the deadline for the project evaluation is extended to June 30, 2024. This was a five-year project ending in fiscal year 2022-23.
16. For all other programs under TANF, funding is continued with a funding change of less than 5 percent.

The bill adds a new TANF allocation item for the child support debt reduction program.

The bill also specifies that, with respect to a TANF-funded contract for services, "allocate" means to designate an amount of money equal to the amount under the contract that DCF is obligated to pay.

Civil legal services grants

Under current law, DCF provides funding to the Wisconsin Trust Account Foundation, Inc. (the foundation), to provide civil legal services to TANF-eligible individuals in two ways:

1. DCF provides up to \$100,000 in each fiscal year in matching funds to the foundation for the provision of civil legal services to eligible individuals. This grant does not specify what types of civil legal services may be provided.

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2. DCF provides a \$500,000 grant in each fiscal year to the foundation to provide grants to programs, up to \$75,000 each, that provide certain legal services to eligible individuals. The legal services provided through this grant are limited to legal services in civil matters related to domestic abuse or sexual abuse or to restraining orders or injunctions for individuals at risk.

The bill removes the grant that requires matching funds and increases to \$1,000,000 per fiscal year the grant to provide certain legal services to eligible individuals. Under the bill, the foundation may additionally use this funding to provide to eligible individuals civil legal services related to eviction. The bill removes the \$75,000 cap on grants provided by the foundation to individual programs.

Transform Milwaukee Jobs and Transitional Jobs programs

Under current law, DCF administers a temporary wage subsidy program for individuals who meet all of the following qualifications: 1) are at least 18 years old and, if over 25 years old, are the parent or primary relative caregiver of a child under the age of 18; 2) have a household income below 150 percent of the poverty line; 3) have been unemployed for at least four weeks; 4) are ineligible to receive unemployment insurance benefits; 5) are not participating in a Wisconsin Works employment position; and 6) satisfy applicable substance abuse screening, testing, and treatment requirements.

The bill modifies the qualifications for participating in the program by removing the requirement that the individual has been unemployed for at least four weeks, and by specifying that anyone who is not receiving unemployment insurance benefits, regardless of his or her eligibility to receive those benefits, may participate.

Child care quality improvement program

The bill authorizes DCF to establish a program for making monthly payments and monthly per-child payments to certified child care providers, licensed child care centers, and child care programs established or contracted for by a school board. This new payment program is in addition to the current law system for providing child care payments under Wisconsin Shares. The bill allows DCF to promulgate administrative rules to implement the program, including rules that establish eligibility requirements and payment amounts and that set requirements for how recipients may use the payments. The bill funds the program through a new appropriation and by allocating federal moneys, including child care development funds and moneys received under the TANF block grant program.

Wisconsin Shares is a part of the Wisconsin Works program under current law, which DCF administers and which provides work experience and benefits for low-income custodial parents who are at least 18 years old. Under current law, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, who needs child care services to participate in various education or work activities, and who satisfies other eligibility criteria may receive a child care subsidy for child care services under Wisconsin Shares.

Under current law, DCF sets the maximum payment rates for child care providers who provide services under Wisconsin Shares and may modify an individual child care provider's payment rate on the basis of the child care provider's quality rating under the Young Star system.

ASSEMBLY BILL 43***Child support debt reduction***

The bill creates a new program administered by DCF to provide debt reduction for overdue child support. Under the bill, if a noncustodial parent completes an eligible employment program as determined by DCF, and the custodial parent agrees to a reduction, the noncustodial parent is eligible for child support debt reduction in the amount of \$1,500. Under the bill, a parent may not qualify for the debt reduction more than once in any 12-month period.

Assistance for survivors of domestic abuse

Under the bill, DCF may allocate up to \$14,000,000 per fiscal year to establish and administer the Living Independently through Financial Empowerment program. Under that program, DCF may provide short-term assistance to individuals who are survivors of domestic abuse. The bill allows DCF to contract with Wisconsin Works agencies to administer the program.

Early childhood education center

The bill requires DCF to provide \$1,680,000 to Wellpoint Care Network to establish an early childhood education center in the city of Milwaukee.

Boys and Girls Clubs of Wisconsin

The bill appropriates funding annually to the Boys and Girls Clubs of Wisconsin, in addition to TANF funding for that purpose.

Healthy eating incentives program

Subject to certain conditions, the bill requires DHS to establish and implement a statewide healthy eating incentives Double Up Food Bucks pilot program under the Gus Schumacher Nutrition Incentive Program, which is a federal grant program administered by the National Institute of Food and Agriculture of the U.S. Department of Agriculture. Under the program, DHS matches amounts spent by FoodShare recipients under the program on fruits and vegetables from participating retailers. For every dollar a FoodShare recipient spends on fruits and vegetables at a participating retailer, the recipient gets an additional dollar to spend on fruits and vegetables. FoodShare, also known as the food stamp program and the federal Supplemental Nutrition Assistance Program, provides a monetary benefit to individuals who have limited financial resources for the purpose of purchasing food products. DHS administers the FoodShare program. Under the bill, DHS must, on a schedule it determines appropriate, seek any necessary federal approval and sufficient funding, including from the Gus Schumacher Nutrition Incentive Program, to support the program. If the U.S. Department of Agriculture does not approve the program, or if DHS is unable to obtain sufficient funding to support the program, DHS may not implement the program.

Eliminating FSET drug testing requirement

2015 Wisconsin Act 55 required DHS to promulgate administrative rules to develop and implement a drug screening, testing, and treatment policy, which DHS promulgated as ch. DHS 38, Wis. Adm. Code. 2017 Wisconsin Act 370 incorporated into statutes ch. DHS 38, relating to drug screening, testing, and treatment for recipients of the FoodShare employment and training program, known as FSET. The bill eliminates the requirement to implement a drug screening, testing, and

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treatment policy and removes from the statutes the language incorporated by Act 370.

FSET requirement

Current law requires DHS to require all able-bodied adults, with some limited exceptions, who seek benefits from the FoodShare program to participate in FSET, unless they are already employed. The bill eliminates that requirement for able-bodied adults with dependents while retaining the requirement for able-bodied adults without dependents.

Eliminating FSET pay-for-performance requirement

Current law requires DHS to create and implement a payment system based on performance for entities that perform administrative functions for FSET. DHS is required to base the pay-for-performance system on performance outcomes specified in current law. The bill eliminates the requirement for DHS to create a pay-for-performance system for FSET vendors.

EBT equipment grants

The bill requires DHS to provide electronic benefit transfer and credit and debit card processing equipment and services to farmers' markets and farmers who sell directly to consumers as a payment processing program. The bill specifies that the electronic benefit transfer processing equipment and services must include equipment and services for the FoodShare program. Under the bill, the vendor that processes the electronic benefit transfer and credit and debit card transactions must also process any local purchasing incentives.

MEDICAL ASSISTANCE***Medicaid expansion; elimination of childless adults demonstration project***

BadgerCare Plus and BadgerCare Plus Core are programs under the Medical Assistance (MA) program, which provides health services to individuals who have limited financial resources. The federal Patient Protection and Affordable Care Act (ACA) allows a state to receive an enhanced federal medical assistance percentage payment for providing benefits to certain individuals through a state's medical assistance program. The bill changes the family income eligibility level to up to 133 percent of the federal poverty line for parents and caretaker relatives under BadgerCare Plus and for childless adults currently covered under BadgerCare Plus Core and who are incorporated into BadgerCare Plus in the bill. The bill requires DHS to comply with all federal requirements and to request any amendment to the state MA plan, waiver of Medicaid law, or other federal approval necessary to qualify for the highest available enhanced federal medical assistance percentage for childless adults under the BadgerCare Plus program.

Under current law, certain parents and caretaker relatives with incomes of not more than 100 percent of the federal poverty line, before a 5 percent income disregard is applied, are eligible for BadgerCare Plus benefits. Under current law, childless adults who 1) are under age 65; 2) have family incomes that do not exceed 100 percent of the federal poverty line, before a 5 percent income disregard is applied; and 3) are not otherwise eligible for MA, including BadgerCare Plus, are eligible for benefits

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under BadgerCare Plus Core. The bill eliminates the childless adults demonstration project, known as BadgerCare Plus Core, as a separate program on July 1, 2023.

2017 Wisconsin Act 370 requires by statute that DHS implement the BadgerCare Reform waiver as it relates to childless adults as approved by the federal Department of Health and Human Services effective October 31, 2018. The 2015-17 and 2017-19 biennial budget acts required DHS to submit a waiver request to the federal Department of Health and Human Services authorizing DHS to take certain actions, including imposing premiums on, requiring a health risk assessment of, and limiting the time of eligibility for recipients of BadgerCare Plus under the childless adults demonstration project waiver. Act 370 required DHS to implement the childless adults BadgerCare Reform waiver by no later than November 1, 2019. If JCF determines that DHS has not complied with the implementation deadline, has not made sufficient progress in implementing the BadgerCare Reform waiver, or has not complied with other requirements relating to approved waiver implementation, Act 370 allows JCF to reduce from moneys allocated for state operations or administrative functions DHS's appropriation or expenditure authority, whichever is applicable, or change the authorized level of full-time equivalent positions for DHS related to the MA program. The bill eliminates the statutory implementation requirement for the BadgerCare Reform waiver, including the deadline and penalties, eliminates the statutory requirement for DHS to seek the waiver, and allows DHS to modify or withdraw the waiver.

Eliminating legislative review of Medicaid state plan amendments

The MA program is the state's Medicaid program and is jointly funded by the state and federal governments through a detailed agreement known as the state plan. Under current law created by 2017 Wisconsin Act 370, DHS is required to submit to JCF under its passive review process any proposed MA state plan amendment and any proposed change to a reimbursement rate for or supplemental payment to an MA provider that has an expected fiscal effect of \$7,500,000 or more from all revenue sources over a 12-month period. The bill eliminates this requirement to submit for JCF review MA state plan amendments, changes to reimbursement rates, or supplemental payments.

Eliminating legislative oversight over federal law waivers

Current law, as created by 2017 Wisconsin Act 370, prohibits DHS from submitting a request to a federal agency for a waiver or renewal, modification, withdrawal, suspension, or termination of a waiver of federal law or rules or for authorization to implement a pilot program or demonstration project unless legislation has been enacted specifically directing the submission of the request. For any legislation that requires submission of a request that has not yet been submitted, current law created by Act 370 requires DHS to submit an implementation plan to JCF and submit its final proposed request to JCF for approval. Current law also requires DHS to take certain actions and submit monthly progress reports to JCF once a request has been submitted to the federal agency. When the federal agency has approved the request in whole or in part and the request has not been fully implemented, DHS must submit its final implementation plan to JCF for approval. Under current law created by Act 370, JCF may reduce from moneys allocated for

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state operations or administrative functions DHS's appropriation or expenditure authority or change the authorized level of full-time equivalent positions for DHS related to the program for which the request is required to be submitted if JCF determines that DHS has not made sufficient progress or is not acting in accordance with the enacted legislation requiring the submission of the request. The bill eliminates the requirement that legislation be enacted in order for DHS to submit a request for a waiver or renewal, modification, withdrawal, suspension, or termination of a waiver of federal law or rules or for authorization to implement a pilot program or demonstration project. The bill also eliminates the legislative review procedure for requests for waivers, pilot programs, or demonstration projects as required under current law created by Act 370.

Postpartum MA coverage

The bill requires DHS to seek approval from the federal Department of Health and Human Services to extend MA benefits to women who are eligible for those benefits when pregnant until the last day of the month in which the 365th day after the last day of the pregnancy falls. 2021 Wisconsin Act 58, the 2021-23 biennial budget act, directed DHS to apply for any amendment to the state plan or any waiver of federal law necessary to extend the time that women who are eligible for MA when pregnant continue to be eligible under MA from the last day of the month in which the 60th day after the last day of the pregnancy falls to the last day of the month in which the 90th day after the last day of the pregnancy falls. On June 3, 2022, DHS submitted a demonstration waiver to the federal Department of Health and Human Services pursuant to section 1115 of the federal Social Security Act to implement Act 58 that is currently pending approval.

Coverage of doula services under MA

The bill requires DHS to request any necessary waiver or amendment to the state MA plan to allow MA reimbursement for doula services and, if any necessary waiver or amendment is approved, directs DHS to reimburse certified doulas for doula services provided to MA recipients. Doula services consist of childbirth education and support services, including emotional and physical support provided during pregnancy, labor, birth, and the postpartum period.

Payment for school medical services

Under current law, if a school district or a cooperative educational service agency (CESA) elects to provide school medical services and meets certain requirements, DHS is required to reimburse the school district or CESA for 60 percent of the federal share of allowable charges for the school medical services that they provide. If the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing elects to provide school medical services and meets certain other requirements, DHS is also required to reimburse DPI for 60 percent of the federal share of allowable charges for the school medical services that the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing provide. Further, under current law, DHS is required to reimburse school districts, CESAs, and DPI, on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and

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Hard of Hearing, for 90 percent of the federal share of allowable school medical services administrative costs.

The bill increases the amount that DHS is required to reimburse a school district, CESA, and DPI, on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, for provided school medical services to 100 percent of the federal share of allowable charges for the school medical services. The bill also increases the amount that DHS is required to reimburse a school district, CESA, and DPI, on behalf of the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of Hearing, to 100 percent of the federal share of allowable school medical services administrative costs.

Community-based psychosocial services

Currently, community-based psychosocial services provided to MA recipients are reimbursed only when the federal government agrees to provide its financial participation for the services, when the recipient's needs require more than outpatient level services but less than provided by a community support program, when the recipient's county has made the services available, when the provider is certified by DHS under its rules, and when any other requirements established by DHS by rule are met. The bill allows DHS to also provide community-based psychosocial services to MA recipients and provide reimbursement for those services through providers other than those made available by a county. Reimbursement to providers that are not county-based must be both the federal and nonfederal share based on a fee schedule that is determined by DHS. Under the bill, for a county that elects to provide community-based psychosocial services to MA recipients, DHS must reimburse the county only for the amount of the allowable charges for those services under the MA program that is provided by the federal government. For a county that elects to provide the services through the MA program on a regional basis according to requirements established by DHS, however, DHS must reimburse the county for the federal and nonfederal amount of allowable charges under the MA program.

Certified peer specialist services

The bill requires DHS to provide as a benefit and reimburse services provided by certified peer specialists under the MA program. The bill also adds services provided by certified peer specialists to a DHS program to coordinate and continue care following a substance use overdose. A "certified peer specialist," as defined in the bill, is an individual who has experience in the mental health and substance use services system, who is trained to provide support to others, and who has received peer specialist or parent peer specialist certification.

The bill requires DHS to reimburse under the MA program a certified peer specialist service that meets all of the following criteria: 1) the recipient of the certified peer specialist service is in treatment for or recovery from mental illness or a substance use disorder; 2) the certified peer specialist provides the service under the supervision of a competent mental health professional and in coordination and accordance with the recipient's individual treatment plan and treatment goals; and 3) the certified peer specialist completes the training requirements specified by DHS.

ASSEMBLY BILL 43***Determination of eligibility for MA or subsidized health insurance coverage by indicating interest on an individual income tax return***

The bill requires DOR to include questions on an individual income tax return to determine whether the taxpayer or any member of the taxpayer's household does not have health care coverage under a health insurance policy or health plan. If the taxpayer indicates that the taxpayer or any member of the taxpayer's household does not have health care coverage, DOR shall, at the taxpayer's request, forward the taxpayer's response to DHS to have DHS evaluate whether the taxpayer or a member of the taxpayer's household is eligible to enroll in the MA program or whether the taxpayer or a member of the taxpayer's household is eligible for subsidized health insurance coverage through a health insurance marketplace for qualified health plans under the ACA. The bill specifies that DHS may not use any information provided to determine that the individual is ineligible to enroll in the MA program.

MA program coverage for detoxification and stabilization services

The bill requires DHS to provide reimbursement for detoxification and stabilization services under the MA program. The bill requires DHS to submit to the federal government any request for federal approval necessary to provide the reimbursement for detoxification and stabilization services under the MA program, and makes reimbursement contingent upon any needed federal approval. The bill defines "detoxification and stabilization services" as adult residential integrated behavioral health stabilization service, residential withdrawal management service, or residential intoxication monitoring service.

Services that contribute to determinants of health

The bill includes nonmedical services, as determined by DHS, that contribute to the determinants of health as a benefit under the MA program. The bill requires DHS to seek any necessary state plan amendment or request any waiver of federal Medicaid law to provide the services but does not require DHS to provide the services as an MA benefit if the federal Department of Health and Human Services does not provide federal financial participation for the services.

Primary care reimbursement under MA

The bill requires DHS to increase the rates paid in the MA program for primary care services. The increase is \$21,110,400 in fiscal year 2023-24 and \$43,040,400 in fiscal year 2024-25 as the state share of the increase, and, in addition, DHS must provide the matching federal share of payments. The bill provides, however, that the increases may apply only if DHS expands eligibility under the MA program pursuant to the ACA.

MA program coverage of acupuncture services

The bill includes acupuncture that is provided by a certified acupuncturist as a reimbursable benefit under the MA program. The bill requires DHS to submit to the federal government any request for federal approval necessary to provide the reimbursement for an acupuncture benefit under the MA program.

Community dental health coordinators

The bill requires DHS to award grants to support community dental health coordinators. Community dental health coordinators are individuals who help

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facilitate oral health care for families and individuals, particularly in underserved communities.

Community support program

Currently, mental health and psychosocial rehabilitative services provided by a community support program are a benefit provided by the MA program. Under current law, for these services, a county pays the nonfederal share of the MA reimbursement and DHS reimburses the service provider for the federal share of the MA reimbursement. Under the bill, DHS reimburses the service provider for both the federal and nonfederal share of the allowable charges for mental health and psychosocial rehabilitative services provided by a community support program.

Pediatric inpatient supplement

The bill establishes in statute reference to supplemental funding totaling \$2,000,000 to be distributed by DHS to certain acute care hospitals located in Wisconsin that have a total of more than 12,000 inpatient days in the hospital's acute care pediatric units and intensive care pediatric units, not including neonatal intensive care units. In addition, under the bill, DHS may distribute additional funding of \$10,000,000 in each fiscal year to hospitals that are free-standing pediatric teaching hospitals located in this state that have a Medicaid inpatient utilization rate greater than 45 percent.

Coverage of substance abuse treatment room and board under MA

The bill directs DHS to pay allowable charges on behalf of MA recipients for room and board for residential substance use disorder treatment.

Hospital assessment

Currently, each hospital, including each critical access hospital, must pay an assessment for the privilege of doing business in this state. The percentage of gross patient revenues that each hospital must pay is adjusted so that the total amount of assessments collected for all hospitals that are not critical access hospitals totals \$414,507,300 in each fiscal year. The same percentage of gross patient revenues is also assessed on critical access hospitals, though the amount is collected separately from and deposited into a separate fund from that of other hospitals. Current law requires DHS to use a portion of this total to pay for services provided by hospitals under the MA program, including the federal and state share of MA, in a total amount that equals the amount collected from hospitals divided by 61.68 percent. Similarly, current law requires DHS to use a portion of the amount collected from critical access hospitals to make payments to critical access hospitals for MA services in a total amount that equals the amount collected from critical access hospitals divided by 61.68 percent. The bill decreases the 61.68 percent to 44.21 percent, thus increasing the amount of payments that must be made to critical access hospitals and other hospitals under the MA program.

MA hospital reimbursement

The bill requires DHS to increase the reimbursement rates paid to hospitals under the MA program in fiscal years 2023-24 and 2024-25 if the state implements the Medicaid expansion under the ACA. DHS must limit the payments made with these increases to the upper payment limit set forth under federal law. The increase

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is \$7,605,400 in fiscal year 2023-24 and \$15,506,100 in fiscal year 2024-25 as the state share of the increase, and in addition, DHS must provide the matching federal share of payments.

Health information exchange pay-for-performance system

The bill requires DHS to develop and implement for non-hospital providers in the MA program, including physicians, clinics, health departments, home health agencies, and post-acute care facilities, a payment system based on performance to incentivize participation in the health information exchange as specified in the bill.

Children's long-term support waiver program

The bill requires DHS to ensure that any eligible child who applies for the disabled children's long-term support waiver program receives services under that program. The disabled children's long-term support waiver program provides services to children who have developmental, physical, or severe emotional disabilities and who are living at home or in another community-based setting.

Graduate medical education grants

The bill extends from three years to five years the maximum term for grants awarded by DHS to assist rural hospitals and groups of rural hospitals in procuring infrastructure and increasing case volume to develop accredited graduate medical training programs. The bill also increases the maximum amounts that DHS may award each fiscal year in grants to hospitals to support existing graduate medical training programs. Under current law, DHS may not distribute more than \$225,000 to a particular hospital or more than \$75,000 to fund an individual position in an existing graduate medical training program during a given fiscal year. The bill increases those limits to \$450,000 and \$150,000 per fiscal year, respectively.

CHILDREN***Tribal administration of subsidized guardianships***

Under current law, a county department of human services or social services (county department) or DCF in a county having a population of 750,000 or more must provide monthly subsidized guardianship payments to the guardian of a child who has been adjudged to be in need of protection or services (CHIPS) if certain conditions have been met, including the conditions that 1) the child, if 14 years of age or over, has been consulted regarding the guardianship arrangement; 2) the guardian has a strong commitment to caring for the child permanently; 3) the guardian is licensed as the child's foster parent, which licensing includes an inspection of the guardian's home under administrative rules promulgated by DCF; 4) the guardian and all adult residents of the guardian's home have passed a criminal background investigation; and 5) prior to being named as guardian of the child, the guardian entered into a subsidized guardianship agreement with the county department or DCF. Under current law, a county department is reimbursed by DCF for the subsidized guardianship payments it makes, including guardianships of children ordered by tribal courts under a law substantially similar to the state's guardianship law (tribal guardianship law).

The bill allows DCF to enter into an agreement with the governing body of an Indian tribe to allow that governing body to administer subsidized guardianships

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ordered by a tribal court under a tribal guardianship law. Under such an agreement, the Indian tribe must comply with all requirements for administering subsidized guardianship that apply to counties and DCF, including eligibility. Under the bill, DCF reimburses Indian tribes for subsidized guardianship payments in the same way that it reimburses county departments under current law. The bill also specifies that a county department may provide subsidized guardianship payments for guardianships of children ordered by a tribal court if the county department has entered into an agreement with an Indian tribe to do so.

Kinship care eligibility expansion and placement options

Under current law, a juvenile court may place a child in certain placements that provide out-of-home care under the Children's Code and the Juvenile Justice Code. Under current law, those placements include specific types of licensed facilities, a licensed foster home, or the home of a relative other than a parent. Under current law, a relative other than a parent does not typically need to acquire a license in order to receive a relative child. The bill allows a juvenile court to similarly place a child with unlicensed individuals who qualify as "like-kin" under the Children's Code and the Juvenile Justice Code.

The bill defines "like-kin" for the purposes of such a placement to be a person who has a significant relationship with a child or the child's family if that person 1) prior to the child's placement with the person, had an existing relationship with the child or child's family that is similar to a familial relationship; 2) during the child's placement with the person, developed a relationship with the child or child's family that is similar to a familial relationship; or 3) for an Indian child, is identified by the child's tribe as kin or like-kin according to tribal tradition, custom or resolution, code, or law. Under the bill, "like-kin" does not include a current or former foster parent of a child for placement purposes.

Under current law, a relative other than a parent who is providing care and maintenance for a child under a court order (kinship care provider) may receive monthly kinship care payments from DCF or a county department. The bill includes as kinship care providers first cousins once removed and like-kin persons.

Under current law, for the purposes of permanency planning, a family permanency team may include like-kin. The current law definition of "like-kin," for the purpose of determining the family permanency team, is similar to the definition of "like-kin" for placement purposes in the bill, except that the current law definition 1) does not exclude a current or former foster parent and 2) does not include individuals identified by the child's tribe if the child is an Indian child. Under the bill, the definition of "like-kin" for determining a family permanency team does not exclude a current or former foster parent but does include individuals identified by the child's tribe if the child is an Indian child.

Kinship care flexible support

The bill creates flexible support for a kinship care provider. Support provided under the bill may include additional flexible payments or services to a kinship care provider who DCF determines qualifies. Under the bill, DCF may promulgate administrative rules to specify qualifying costs and services and eligibility criteria for the flexible support.

ASSEMBLY BILL 43***Foster care and kinship care rates and payments***

The bill changes the monthly basic maintenance rates that the state or a county pays to foster parents certified to provide level one care and to all kinship care providers, which under current law are \$300 per month for a child of any age, to be the same as the age-based monthly basic maintenance rates paid to foster parents providing higher than level one care. The bill also increases these age-based monthly basic maintenance rates by 5 percent. Beginning on January 1, 2024, the monthly rates are \$441 for a child under five years of age, \$483 for a child 5 to 11 years of age, \$548 for a child 12 to 14 years of age, and \$572 for a child 15 years of age or over.

The bill provides that, in addition to the monthly rates currently paid to a kinship care provider, DCF or, with DCF's approval, a county department may make emergency payments for kinship care to a kinship care provider if any of the following conditions are met:

1. The governor has declared a state of emergency, or the federal government has declared a major disaster, that covers the locality of the home of the kinship care provider (home).

2. This state has received federal funding to be used for child welfare purposes due to an emergency or disaster declared for the locality of the home.

3. DCF has determined that conditions in this state or in the locality of the home have resulted in a temporary increase in the costs borne by foster homes and kinship care providers, including a pandemic or other public health threat, a natural disaster, or unplanned school closures of five consecutive days or more.

The bill provides that DCF must determine the amount of an emergency payment based on available funding and may promulgate administrative rules governing the provision of the payments.

The bill changes the statutes and the administrative code to make kinship care providers and foster homes certified to provide level one care eligible to receive exceptional payments to enable siblings or a minor parent and minor children to reside together and to receive an initial clothing allowance. Under current law, these payments are only available to foster homes certified to provide higher than level one care.

Grants for youth services

The bill consolidates certain DCF youth services programs into a new youth services grant program. Under current law, the following DCF programs provide youth services: grants for services for homeless and runaway youth, treatment and services for children who are the victims of sex trafficking, grants for children's community programs, and the Brighter Futures Initiative. Under the bill, these programs are consolidated into the youth services grant program, under which DCF must distribute grants to public agencies, nonprofit corporations, and Indian tribes to provide programs that accomplish one or more of the following purposes:

1. Increasing youth access to housing.

2. Increasing youth self-sufficiency through employment, education, and training.

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3. Increasing youth social and emotional health by promoting healthy and stable adult connections, social engagement, and connection with necessary services.

4. Preventing sex trafficking of children and youth.

5. Providing treatment and services for documented and suspected victims of child and youth sex trafficking.

6. Preventing and reducing the incidence of youth violence and other delinquent behavior.

7. Preventing and reducing the incidence of youth alcohol and other drug use and abuse.

8. Preventing and reducing the incidence of child abuse and neglect.

9. Preventing and reducing the incidence of teen pregnancy.

The bill allocates \$500,000 in Temporary Assistance for Needy Families funding to the grants for youth services that under current law is allocated for the Brighter Futures Initiative for programs to provide evidence-based programs and practices for substance abuse prevention to at-risk youth and their families.

Under current law, DHS transfers amounts to DCF for the Brighter Futures Initiative. Under the bill, DHS transfers those amounts to DCF for the grants for youth services. The bill maintains a requirement, currently under the Brighter Futures Initiative, that DCF distribute \$55,000 in each fiscal year to Diverse and Resilient, Inc., to provide youth services as part of the new youth services grant program.

Youth aids; allocations

Under current law, DCF is required to allocate to counties community youth and family aids (youth aids) funding. Youth aids funding comes from various state and federal moneys and is used to pay for state-provided juvenile correctional services and local delinquency-related and juvenile justice services. The bill updates the allocation of youth aids funding that is available to counties for the 2023-25 fiscal biennium.

The bill eliminates a current law provision that allocates some of the youth aids funding to reimburse counties that are purchasing community supervision services from DOC for juveniles, and some for alcohol and other drug abuse treatment programs.

Youth aids; administration

Current law allocates some youth aids for the purchase of juvenile correctional services, emergencies, provision of community supervision services for juveniles, and for alcohol and other drug abuse treatment programs. Also, under current law, DCF may award funding to counties for early intervention services for first offenders under the community intervention program (CIP).

The bill replaces CIP with the youth justice system improvement program. Under the bill, DCF may use funding for the youth justice system improvement program to support diversion programs, to address emergencies related to youth aids, and to fund other activities required of DCF under youth aids.

Under current law, youth aids funding is allocated to counties on a calendar year basis. Youth aids funds that are not spent in the calendar year can be carried

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forward three ways: 1) DCF may carry forward 5 percent of a county's allocation for that county for use in the subsequent calendar year; 2) DCF may carry forward \$500,000 or 10 percent of its unspent youth aids funds, whichever is larger, for use in the subsequent two calendar years; and 3) DCF may carry forward any unspent emergency funds for use in the subsequent two calendar years.

The bill changes the way that unspent youth aids are carried forward. Under the bill, DCF may still carry forward 5 percent of a county's allocation for that county to use in the next calendar year. However, instead of carrying forward \$500,000 or 10 percent of its unspent youth aids funds, whichever is larger, for use in the next two calendar years, under the bill, DCF may transfer 10 percent of unspent youth aids funds to the appropriation for the youth justice system improvement program.

Children and family services

Under current law, DCF must distribute not more than \$101,154,200 in fiscal year 2021-22 and \$101,162,800 in fiscal year 2022-23 to counties for children and family services. The bill updates those amounts to \$101,564,700 in fiscal year 2023-24 and \$101,961,600 in fiscal year 2024-25.

Intensive family preservation services

The bill creates new authority for DCF to provide intensive family preservation services or to provide funding for a county department, a nonprofit or for-profit corporation, a tribe, or a child welfare agency to provide intensive family preservation services. The bill defines "intensive family preservation services" to mean evidence-informed services or support aimed at preventing the removal of children from the home under the Children's Code or the Juvenile Justice Code, promoting the safety of children in the home, or serving children who are placed in out-of-home care or who are involved in the juvenile justice system.

The bill also creates a new GPR appropriation for DCF to provide intensive family preservation services.

Group care referral clearinghouse

The bill creates new authority for DCF to create, maintain, and require the use of a group care referral clearinghouse, and to promulgate administrative rules necessary to accomplish this.

Five-county pilot program for representation of parents in CHIPS proceedings.

Under current law, a parent is generally not entitled to representation by a public defender in a proceeding under CHIPS proceeding. However, a pilot program that began in 2018 requires the state public defender to assign counsel to any nonpetitioning parent in these cases in Brown, Outagamie, Racine, Kenosha, and Winnebago Counties. This five-county pilot program is set to expire on June 30, 2023. The bill extends the expiration date of the pilot program to June 30, 2025.

Tribal family services grants and funding for out-of-home-care placements by tribal courts

Current law uses Indian gaming receipts to fund tribal family service grants and unexpected or unusually high-cost out-of-home-care placements of Indian

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children by tribal courts. The bill appropriates GPR moneys for those purposes as well.

Grants to support foster parents and children

2017 Wisconsin Act 260 established a one-year pilot program for DCF to distribute grants to counties, nonprofit organizations, and tribes for the purpose of supporting foster parents and providing normalcy for children in out-of-home care. The bill makes the grant program permanent.

Sibling connections scholarships

The bill requires DCF to provide scholarships to adopted children and their biological siblings who do not reside in the same household to attend programs together in order to build sibling connections.

Child care partnership grant program

The bill authorizes DCF to establish a grant program to award funding to businesses that provide or wish to provide child care services for their employees. The bill allows such a grant to be used to reserve child care placements for local business employees, pay child care tuition, and other costs related to child care. Under the bill, a grant recipient must provide at least 25 percent matching funds. The bill allows DCF to promulgate administrative rules to administer the grant program, including to determine eligibility for a grant.

EMERGENCY SERVICES***Ambulance assessment and certified public expenditures program***

The bill creates an appropriation to make payments from the ambulance service provider trust fund to eligible ambulance service providers as specified under 2021 Wisconsin Act 228. Act 228 implemented an ambulance service provider assessment on private ambulance service providers for supplemental reimbursements under the MA program and a supplemental reimbursement under the MA program to public ambulance service providers through certified public expenditures. Generally, under the MA program, the state provides its share of the funding for benefits and the federal government then contributes its designated share of funding, also known as federal financial participation. Act 228 imposes on each private ambulance service provider a fee for the privilege of doing business in this state and establishes an ambulance service provider trust fund for the fees collected.

The bill also requires DHS to transfer moneys annually from the ambulance service provider trust fund to cover the administrative costs associated with administering the ambulance assessment and making supplemental reimbursements to ambulance providers.

Certification of emergency medical responders

Under current law, no individual may act as an emergency medical responder unless he or she is certified by DHS as an emergency medical responder. To be eligible for certification as an emergency medical responder, current law requires an individual to be at least 18 years of age, to be capable of performing the actions required of an emergency medical responder, and to have completed an emergency medical responder course that meets or exceeds the guidelines issued by the federal

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National Highway Traffic Safety Administration. The bill requires DHS to certify individuals as emergency medical responders who complete a certified training program for emergency medical responders or pass the National Registry of Emergency Medical Technicians (NREMT) examination for emergency medical responders without requiring any further examination. However, the bill provides that any relevant education, training, instruction, or other experience that an applicant obtained in connection with any military service satisfies the completion of a certified training program if the applicant demonstrates that the education, training, instruction, or other experience obtained is substantially equivalent to the certified course. The bill allows DHS, in consultation with the Emergency Medical Services Board, to promulgate administrative rules to establish educational standards for training programs for emergency medical responders and minimum examination standards for training programs for emergency medical responders. Further, the bill prohibits emergency medical responders from replacing emergency medical technicians as members of an ambulance crew unless the emergency medical responder has passed the NREMT examination for emergency medical responders.

Epinephrine for ambulances

The bill requires that DHS reimburse ambulance service providers for a set of two epinephrine auto-injectors or a set of two draw-up epinephrine kits for each ambulance operating in this state. Under the bill, an ambulance service provider means an ambulance service provider that is a public agency, volunteer fire department, or nonprofit corporation. The bill also requires that, on an ongoing basis, DHS must, upon request, reimburse ambulance service providers for replacement sets of epinephrine auto-injectors or draw-up epinephrine kits. DHS may only reimburse ambulance service providers for epinephrine if each ambulance for which the ambulance service provider is reimbursed is staffed with an emergency medical services provider who is qualified to administer the epinephrine.

Emergency medical services flex grant

During the 2021-23 fiscal biennium, DHS administered a grant program, known as the Emergency Medical Services Flex grant program, under which DHS awarded grants to emergency medical services providers for reasonable operating expenses related to providing emergency medical services. The EMS Flex grants were funded with moneys provided under the federal American Rescue Plan Act of 2021.

The bill allows DHS to award grants to emergency medical services providers for the same purposes as DHS awarded grants under the EMS Flex grant program. The bill provides GPR funding for this purpose as a continuing appropriation, which means that any unencumbered balance at the end of a fiscal year does not lapse to the general fund. In other words, DHS may continue to expend moneys appropriated for grants to emergency medical services providers until the appropriation is fully depleted.

ASSEMBLY BILL 43***Ambulance inspection***

Under current law, prior to issuing a registration for an ambulance, DOT must inspect the ambulance to determine whether it meets requirements for specifications, medical equipment, supplies, and sanitation.

The bill provides that DHS, rather than DOT, must inspect an ambulance to determine whether it meets requirements for medical equipment and prohibits DOT from issuing a registration for an ambulance until DHS has conducted the inspection. The bill authorizes DHS to promulgate administrative rules to establish these medical equipment requirements for ambulances.

HEALTH***Complex patient pilot program***

The bill requires DHS to form an advisory group to assist with development and implementation of a complex patient pilot program. Under the bill, the secretary of health services shall serve as chair of the advisory group, and members must have clinical, financial, or administrative expertise in government programs, acute care, or post-acute care. The bill requires the advisory group to develop a request for proposal from partnership groups that would be designated as participating sites for the pilot program. Under the bill, only partnership groups that include at least one hospital and at least one post-acute facility are eligible to participate, but partnership groups could include more than one hospital or post-acute facility. The bill requires applicant partnership groups to address certain issues in the application, including 1) the number of beds that would be set aside in the post-acute facility; 2) the goals of the partnership during the pilot program and after the pilot program; 3) the types of complex patients for whom care would be provided; 4) expertise to successfully implement the proposal; 5) the per diem rate requested to adequately compensate the hospital or hospitals and the post-acute facility or facilities; 6) a post-acute bed reserve rate; and 7) anticipated impediments to successful implementation and how the applicant partnership group intends to overcome the anticipated impediments.

Under the bill, the advisory group must also determine and recommend to DHS an amount of the funding budgeted for the pilot program to be reserved for reconciliation to ensure that participants are held harmless from unanticipated financial loss. The bill also requires the advisory group to develop a methodology to evaluate the complex patient pilot program and make recommendations to the secretary of health services regarding which partnership groups should receive designation as participating sites for the pilot program. The bill allows DHS to contract with an independent organization to evaluate the complex patient pilot program. The advisory group or any independent organization hired to complete the evaluation of the pilot program must complete and submit to the secretary of health services an evaluation of the pilot program, including a written report and recommendations, no later than June 30, 2025.

Funding for opioid antagonists

The bill directs DHS to annually award up to \$2,000,000 to entities for the purchase of opioid antagonists.

ASSEMBLY BILL 43***Health care provider innovation grants***

Under current law, DHS is required to award grants for certain community programs. The bill allows DHS to distribute up to \$15,000,000 in each fiscal year as grants to health care providers and long-term care providers to implement best practices and innovative solutions to increase worker recruitment and retention.

Defining lead poisoning or lead exposure

The bill modifies the definition of lead poisoning or lead exposure from a level of lead in the blood of five or more micrograms per 100 milliliters of blood to 3.5 or more micrograms per 100 milliliters of blood. The bill also changes the circumstances under which DHS is required to conduct, or ensure there is conducted, a lead investigation of a dwelling or premises. Under current law, DHS is required to conduct, or ensure there is conducted, a lead investigation of a dwelling or premises when DHS is notified that an occupant of the dwelling or premises who is under the age of six has an elevated blood lead level, which current law defines as a level of lead in the blood that is either 1) 20 or more micrograms per 100 milliliters of blood, as confirmed by one venous blood test; or 2) 15 or more micrograms per 100 milliliters of blood, as confirmed by two venous blood tests that are performed at least 90 days apart. Under the bill, DHS is required to conduct, or ensure there is conducted, a lead investigation of a dwelling or premises when DHS is notified that an occupant of the dwelling or premises who is under the age of six has lead poisoning or lead exposure. The bill also requires that when DHS receives such a notification, DHS must present official credentials to the owner or occupant of the dwelling or premises or a representative of the owner and request admission to conduct a lead investigation of the dwelling or premises. As under current law, if an owner or occupant refuses to grant admission, DHS may seek a warrant to investigate the dwelling or premises.

Maternal and infant mortality prevention and response

The bill requires the DHS to do all of the following for the prevention of and response to maternal and infant mortality, including 1) award grants to community organizations with the aim of preventing maternal and infant mortality, 2) award grants to support the expansion of fetal and infant mortality review and maternal mortality review teams statewide and expand technical assistance and support for existing fetal and infant mortality review and child death review teams, 3) provide funding and technical assistance to community-based organizations aimed at preventing infant mortality, and 4) provide funding for grief and bereavement programming for those impacted by infant loss.

Funding for infant testing programs

Under current law, DHS and the Wisconsin State Laboratory of Hygiene operate a newborn screening program under which newborn babies are tested for certain blood disorders, in addition to hearing loss and critical congenital heart disease. Current law appropriates funding for the program from fees charged for various costs associated with the program. The bill creates an additional GPR appropriation to provide funding for the program and various costs associated with the program.

ASSEMBLY BILL 43***Personal protective equipment stockpile***

The bill provides funding to DHS to establish and maintain a state stockpile of personal protective equipment.

Grants for tribal long-term care system development

The bill requires DHS to annually allocate up to \$5,500,000 to federally recognized American Indian tribes and bands located in this state for capital improvements to tribal facilities serving tribal members with long-term care needs and for improvements and repairs to homes of tribal members with long-term care needs to enable tribal members to receive long-term care services at home.

Funding for free and charitable clinics

The bill increases from \$1,500,000 to \$2,000,000 the amount DHS is required to award in grants to free and charitable clinics each fiscal year.

Grants to free-standing pediatric teaching hospitals

The bill directs DHS to award grants to free-standing pediatric teaching hospitals to fund programming related to parenting, educational needs of and supports for chronically ill children, and case management for children with asthma. The bill specifies that only free-standing pediatric teaching hospitals for which at least 45 percent of total inpatient days are provided to MA recipients are eligible for the grant.

Low-value care analysis grant

In each of the 2023-24 and 2024-25 fiscal years, the bill requires DHS to award a grant of up to \$900,000 to an organization for the purpose of conducting a data analysis of claims under the MA program and under health insurance plans offered to state employees to identify low-value care. The grant recipient must report its findings, including any recommendations for providing effective and efficient care, to DHS and ETF, who must then distribute the grant recipient's findings to certain health care providers, health care maintenance organizations, and insurance companies.

Amyotrophic lateral sclerosis grant

The bill requires DHS to annually award \$250,000 to an organization that supports and provides services to individuals with amyotrophic lateral sclerosis (ALS) to assist individuals with ALS and their families with respite care costs and costs associated with ALS that are not covered by insurance.

Alzheimer's family and caregiver support

Under current law, DHS distributes funds for certain community aids, including the Alzheimer's family and caregiver support program. The bill increases the community aid funding available for the Alzheimer's family and caregiver support program from not more than \$2,558,900 each fiscal year to not more than \$3,308,900 each fiscal year, and broadens financial eligibility for the program by increasing the maximum joint income an individual and the individual's spouse may earn per year and remain financially eligible from \$48,000 to \$60,000.

Healthy aging grant program

The bill requires DHS to award in each fiscal year a grant of \$600,000 to an entity that conducts programs in healthy aging.

ASSEMBLY BILL 43**BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES*****Crisis urgent care and observation facilities***

The bill requires DHS to award grants to individuals and entities to develop and support crisis urgent care and observation facilities. The bill also requires DHS to create a certification process for crisis urgent care and observation facilities. DHS may limit the number of certifications it grants to operate these facilities, and no person may operate a crisis urgent care and observation facility without a certification from DHS. The bill requires DHS to request any necessary federal approval to add services provided by a crisis urgent care and observation facility as a type of crisis intervention service reimbursable under the MA program. Under the bill, if federal approval is either unnecessary or is necessary and is granted, DHS may provide reimbursement for these services. The bill also requires DHS to include a process for crisis urgent care and observation facilities to apply for certification of the facility for the reimbursement of services provided under the MA program.

Mental health consultation program

The bill combines the child psychiatry consultation program with additional services into a new mental health consultation program. Currently, the child psychiatry consultation program assists participating clinicians in providing care to children with mental health care needs and provides referral support and additional services. The 2019-21 biennial budget act requires DHS to convene interested persons, including the Medical College of Wisconsin, to develop a plan and standards for a comprehensive mental health consultation program incorporating various psychiatry specialties, including addiction medicine; a perinatal psychiatry consultation program; and the child psychiatry consultation program. This requirement from the 2019-21 biennial budget act is eliminated in the bill along with the separate child psychiatry consultation program. The addiction medicine consultation program currently assists participating clinicians in providing care to patients with substance use addiction and provides referral support and additional services, and the bill retains the addiction medicine consultation program as a separate program.

The bill requires an organization to administer a mental health consultation program (MHCP) that incorporates a comprehensive set of mental health consultation services and may include perinatal, child, adult, geriatric, pain, veteran, and general mental health consultation services. Under the bill, the organization that currently administers the child psychiatry consultation program must administer the MHCP during the 2023-24 fiscal year, but DHS may contract with another organization in subsequent fiscal years. The contracting organization may contract with any other entity to perform any operations and satisfy any requirements of the MHCP. The contracting organization must do all of the following: 1) ensure that mental health providers providing services through the MHCP have the appropriate credentials as described in the bill, 2) maintain infrastructure to provide services statewide on every weekday, provide consultation services as promptly as practicable, 3) report to DHS any information DHS requires, 4) conduct surveys of participating clinicians as described in the bill, and 5) provide certain specified services. Those specified services are the following: 1) support for

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clinicians participating in the MHCP to assist in the management of mental health problems; 2) triage-level assessments to determine the most appropriate response; 3) diagnostics and therapeutic feedback when medically appropriate; and 4) recruitment of other practices to a provider's services. The MHCP must be able to provide consultation services by telephone and email but may also provide services by other means. In addition to the services required in the bill, which are eligible for funding by DHS, the contracting organization may provide any of the services specified in the bill that are eligible for funding by DHS.

Repeal of school-based mental health consultation pilot program

The bill repeals a school-based mental health consultation pilot program created by 2019 Wisconsin Act 117. Under the current law pilot program, DHS is required to administer a school-based mental health consultation pilot program in Outagamie County to assist participating school-based providers in providing enhanced care to student with mental health care needs, to provide referral support for those students, and to provide additional services. Under current law, DHS must conduct annual surveys of the participating school-based providers who use the consultation pilot program and was required to submit a report on the program to the appropriate standing committees of the legislature by August 1, 2022.

Grants for peer recovery centers

The bill allows DHS to distribute not more than \$260,000 in each fiscal year to regional recovery centers for individuals experiencing mental health and substance abuse issues.

Psychiatric residential treatment facilities

The bill establishes a DHS certification process for psychiatric residential treatment facilities. The bill defines a psychiatric residential treatment facility as a non-hospital facility that provides inpatient comprehensive mental health treatment services to individuals under the age of 21 who, due to mental illness, substance use, or severe emotional disturbance, need treatment that can most effectively be provided in a residential treatment facility. Psychiatric residential treatment facilities must be certified by DHS to operate.

The bill also provides that services through a psychiatric residential treatment facility are reimbursable under the MA program. The bill requires DHS to submit to the federal government any request for federal approval necessary to provide the reimbursement for services by a psychiatric residential treatment facility under the MA program.

Under current law, DHS is required to award grants for certain community programs. The bill allows DHS to distribute up to \$1,790,000 each fiscal year to support psychiatric residential treatment facilities.

COVID-19 health care workforce pilot project

The bill requires DHS to distribute \$621,000 in fiscal year 2024-25 to support a pilot project in Dane County relating to the impact of the COVID-19 pandemic on the health care workforce.

ASSEMBLY BILL 43***Suicide prevention program***

The bill requires DHS to implement a suicide prevention program, coordinate suicide prevention activities with other state agencies, administer grant programs involving suicide prevention, and perform various other functions specified in the bill to promote efforts to prevent suicide. The bill also specifically requires DHS to award grants to organizations or coalitions of organizations, including cities, villages, towns, counties, and federally recognized American Indian tribes or bands in this state, for 1) training staff at a firearm retailer or firearm range on how to recognize a person that may be considering suicide; 2) providing suicide prevention materials for distribution at a firearm retailer or firearm range; or 3) providing voluntary, temporary firearm storage. A grant recipient must contribute matching funds or in-kind services having a value equal to at least 20 percent of the grant amount. The bill specifies that DHS may award up to \$500,000 in grants for the suicide prevention program each fiscal year, including up to \$75,000 per fiscal year for the grants related to preventing suicide by firearm.

988 Suicide and Crisis Lifeline grants

The bill requires DHS to award grants to organizations that provide crisis intervention services and crisis care coordination to individuals who contact the national 988 Suicide and Crisis Lifeline from anywhere within this state. Currently, DHS partners with Wisconsin Lifeline to provide statewide 988 crisis hotline services.

Stimulant prevention and treatment response programs

Under current law, DHS awards grants for certain community programs. The bill allows DHS to distribute up to \$1,644,000 in each fiscal year to support stimulant use prevention and treatment programs and services.

Grants for youth crisis stabilization facilities

The bill requires DHS to award grants to organizations to develop and support youth crisis stabilization facilities. Under current law, a youth crisis stabilization facility is a treatment facility with a maximum of eight beds that admits minors to prevent or de-escalate a mental health crisis and avoid admission to a more restrictive setting. Youth crisis stabilization facilities must be certified by DHS to operate.

Peer run respite centers

The bill makes changes to how DHS may distribute grant moneys to regional peer run respite centers for individuals with mental health and substance abuse concerns. Under current law, DHS may distribute not more than \$1,200,000 in each fiscal year for this purpose and may use any of three appropriations to fund the grants. The bill removes the limitation on the amount that DHS may annually distribute and requires DHS to use only one appropriation to fund the grants.

Early intervention services for children with lead in their blood

Under current law, DHS implements a statewide program, referred to as the Birth to 3 program, that provides early intervention services for children aged three and under who are developmentally delayed or are diagnosed as having a condition that is likely to result in significantly delayed development. The bill ensures that

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children with a concentration of lead in their blood of at least 3.5 micrograms per 100 milliliters of blood are eligible for services under the Birth to 3 program. The bill also allows DHS to develop a methodology to allocate funding for early intervention services across county programs.

Deaf, Hard of Hearing, and Deaf-Blind Behavioral Health Treatment Center

The bill allows DHS, as part of the grants DHS is required to award for community programs, to distribute up to \$1,936,000 in each fiscal year starting with fiscal year 2024-25 to a statewide provider of behavioral health treatment services for individuals who are deaf, hard of hearing, or deaf-blind.

Service dog training grants

The bill requires DHS to annually award grants to organizations that train service dogs for the purpose of assisting providers in attaining accreditation specific to post-traumatic stress disorder training from Assistance Dog International.

GENERAL HEALTH AND HUMAN SERVICES***Spinal cord injury research grants and symposia***

The bill requires DHS to establish a program to award grants to persons in this state for research into spinal cord injuries. The grants must support research on new and innovative treatments and rehabilitative efforts for the functional improvement of people with spinal cord injuries. Research topics may include pharmaceutical, medical device, brain stimulus, and rehabilitative approaches and techniques. DHS must make annual reports to the legislature about the grants. The bill also allows DHS to hold symposia every two years for grant recipients to present their research findings.

The bill also requires DHS to appoint a Spinal Cord Injury Council with one member representing the UW School of Medicine and Public Health, one member representing the Medical College of Wisconsin, and the following members: 1) a person with a spinal cord injury; 2) a family member of a person with a spinal cord injury; 3) a veteran with a spinal cord injury; 4) a physician specializing in the treatment of spinal cord injuries; 5) a neurosurgery researcher; and 6) a researcher employed by the Veterans Health Administration of the U.S. Department of Veterans Affairs. If DHS is unable to appoint any of the foregoing members, the bill allows DHS to appoint, in lieu of that member, a member representing the general public. Members of the council have two-year terms. The bill requires the council to develop criteria for DHS to evaluate and award grants, review and make recommendations on grant applications, and perform other duties specified by DHS. Council members must make written disclosures of financial interests in organizations that the council recommends for grants.

Making references in the statutes gender neutral

The bill recognizes same-sex marriage by making references in the statutes to spouses gender-neutral, with the intent of harmonizing the statutes with the holding of the U.S. Supreme Court in *Obergefell v. Hodges*, 135 S. Ct. 2584, 192 L. Ed. 2d 609 (2015), which recognizes that same-sex couples have a fundamental constitutional right to marriage. The bill also recognizes legal parentage for

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same-sex couples under certain circumstances and adopts gender-neutral parentage terminology.

The bill provides that marriage may be contracted between persons of the same sex and confers the same rights and responsibilities on married persons of the same sex that married persons of different sexes have under current law. The bill defines “spouse” as a person who is legally married to another person of the same sex or a different sex and replaces each reference to “husband” or “wife” in current law with “spouse.” The bill makes applicable to married persons of the same sex all provisions under current law that apply to married persons of different sexes. These provisions relate to such diverse areas of the law as income tax, marital property, inheritance rights, divorce, child and spousal support, insurance coverage, family and spousal recreational licenses, consent to conduct an autopsy, domestic abuse, and eligibility for various types of benefits, such as retirement or death benefits and medical assistance.

In addition to making statutory references to spouses gender-neutral, the bill specifies ways in which married couples of the same sex may be the legal parents of a child and, with some exceptions, makes current references in the statutes to “mother” and “father,” and related terms, gender-neutral.

Under current law, all of the following may adopt a child: a husband and wife jointly, a husband or wife whose spouse is the parent of the child, and an unmarried adult. Because the bill makes references in the statutes to spouses gender-neutral, same-sex spouses jointly may adopt a child and become the legal parents of the child, and a same-sex spouse of a person who is the parent of a minor child may adopt the child and become the legal parent of his or her spouse’s child.

Under current law, if a married woman is artificially inseminated under the supervision of a physician with semen donated by a man who is not her husband and the woman’s husband consents in writing to the artificial insemination of his wife, the husband is the natural father of any child conceived. Under the bill, one spouse may also consent to the artificial insemination of his or her spouse and is the natural parent of the child conceived. The artificial insemination is not required to take place under the supervision of a physician, but, if it does not, the semen used for the insemination must have been obtained from a sperm bank.

Under current law, a man is presumed to be the father of a child if he and the child’s natural mother 1) were married to each other when the child was conceived or born or 2) married each other after the child was born but had a relationship with each other when the child was conceived and no other man has been adjudicated to be the father or is presumed to be the father because the man was married to the mother when the child was conceived or born. The paternity presumption may be rebutted in a legal action or proceeding by the results of a genetic test showing that the statistical probability of another man’s parentage is 99.0 percent or higher. The bill expands this presumption into a parentage presumption, so that a person is presumed to be the natural parent of a child if he or she 1) was married to the child’s established natural parent when the child was conceived or born or 2) married the child’s established natural parent after the child was born but had a relationship with the established natural parent when the child was conceived and no person has

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been adjudicated to be the father and no other person is presumed to be the child's parent because he or she was married to the mother when the child was conceived or born. The parentage presumption may still be rebutted by the results of a genetic test showing that the statistical probability of another person's parentage is 99.0 percent or higher. Expanding on current law, the bill allows for a paternity action to be brought for the purpose of rebutting the parentage presumption, regardless of whether that presumption applies to a male or female spouse.

Current law provides that a mother and a man may sign a statement acknowledging paternity and file it with the state registrar. If the state registrar has received such a statement, the man is presumed to be the father of the child. Under current law, either person who has signed a statement acknowledging paternity may rescind the statement before an order is filed in an action affecting the family concerning the child or within 60 days after the statement is filed, whichever occurs first. Under current law, a man who has filed a statement acknowledging paternity that is not rescinded within the time period is conclusively determined to be the father of the child. The bill provides that two individuals may sign a statement acknowledging parentage and file it with the state registrar. If the state registrar has received such a statement, the individuals who have signed the statement are presumed to be the parents of the child. Under the bill, a statement acknowledging parentage that is not rescinded conclusively establishes parentage with regard to the individual who did not give birth to the child and who signed the statement.

The bill defines "natural parent" as a parent of a child who is not an adoptive parent, whether the parent is biologically related to the child or not. Thus, a person who is a biological parent, a parent by consenting to the artificial insemination of his or her spouse, or a parent under the parentage presumption is a natural parent of a child. The definition applies throughout the statutes wherever the term "natural parent" is used. In addition, the bill expands some references in the statutes to "biological parent" by changing the reference to "natural parent."

Gender neutral references on birth certificates

Generally, the bill substitutes the term "spouse" for "husband" in the provisions of the statutes relating to birth certificates and enters the spouse, instead of the husband, of the person who has given birth on the birth certificate at times when a husband would currently be entered on a birth certificate. The name of the person who has given birth is entered on a birth certificate when the person gives birth to a child, and current law specifies when another name should be entered on the birth certificate. Current law requires that if a birth mother is married at any time from the conception to the birth of a child, then her husband's name is entered on the birth certificate as the legal father of the child. Under the bill, if a person who gives birth is married at any time from the conception to the birth of the child, then that person's spouse's name is entered as a legal parent of the child. The bill also specifies that, in the instance that a second parent's name is initially omitted from the birth certificate, if the state registrar receives a signed acknowledgement of parentage by persons presumed to be parents because the two persons married after the birth of the child, the two persons had a relationship during the time the child was conceived, no person is adjudicated to be the father, and no other person is presumed to be the

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parent, then the state registrar must enter the name of the spouse of the person who gave birth as a parent on the birth certificate.

Transfer of security operations at Wisconsin Resource Center

The bill transfers security operations at the Wisconsin Resource Center from DOC to DHS. The transfer includes the transfer of assets, liabilities, position authorizations and the incumbent employees holding those positions, tangible personal property, contracts, and any currently pending matters.

Electrocardiogram screening pilot project for middle school and high school athletes in Milwaukee and Waukesha Counties

The bill directs DHS to develop a pilot program to provide electrocardiogram screenings for participants in middle school and high school athletics programs in Milwaukee and Waukesha Counties. DHS is required to award \$4,172,000 in grants in fiscal year 2024-25 to local health departments to implement the program. The bill specifies that participation in the program by participants in middle school and high school athletics programs must be optional.

State long-term care ombudsman

Under current law, the Board on Aging and Long-term Care appoints an executive director of the Office of Long-term Care Ombudsman. The bill requires the executive director to employ the state long-term care ombudsman within the classified service and allows the state long-term care ombudsman to delegate operation of the office to staff.

HOUSING***Low-income housing tax credit***

Under current law, WHEDA may certify a person to claim, for a period of up to six years, a state tax credit if the person has an ownership interest in a low-income housing project in Wisconsin and qualifies for the federal low-income housing tax credit program. The bill increases the period for which the credit may be claimed from six years to 10 years and increases the amount of credits that WHEDA may annually certify from \$42,000,000 to \$100,000,000. The bill also requires that the project be allocated the federal credit and financed with tax-exempt bonds that are not subject to the federal credit's volume cap—as opposed to *any* tax-exempt bonds, as required under current law—and allows WHEDA to waive these requirements to the extent that WHEDA anticipates that a sufficient tax-exempt private activity bond volume cap under federal law will not be available to finance low-income housing projects in any year.

Capital reserve fund bonding limit

Under current law, WHEDA issues notes and bonds for most WHEDA programs, including housing programs for individuals and families of low or moderate income. Current law prohibits WHEDA from issuing notes and bonds that are secured by a capital reserve fund if the total aggregate outstanding principal amount would exceed \$800,000,000. The bill increases that limit to \$1,200,000,000.

ASSEMBLY BILL 43***Workforce housing rehabilitation fund***

Under current law, as created by 2021 Wisconsin Act 221, WHEDA may make workforce housing rehabilitation loans to eligible applicants for the cost of certain kinds of rehabilitation to the applicant's home, subject to certain requirements. Currently, WHEDA makes those loans from WHEDA's housing rehabilitation loan fund, which preexisted the creation of the workforce housing rehabilitation loan program in Act 221.

The bill establishes a workforce housing rehabilitation fund under the jurisdiction and control of WHEDA for the purpose of providing workforce housing rehabilitation loans. At WHEDA's discretion, the workforce housing rehabilitation fund may additionally be used for purposes of marketing WHEDA's programs and services to the public. The fund consists in part of general purpose revenues transferred to the fund.

The bill also makes certain changes to the workforce housing rehabilitation loan program, including requiring that an eligible residence be the loan applicant's primary residence and authorizing WHEDA to defer or forgive the payment of a workforce housing rehabilitation loan under certain criteria established by WHEDA.

Rental housing safety grants

The bill establishes a pilot program under which DOA must award one or more grants to a first class city (presently only Milwaukee) for activities that support the improvement of rental housing safety in the city, including the enhancement or creation of a property inspection program and the development and launch of a searchable online database that discloses the history of rental properties within the city. The bill authorizes DOA to establish program guidelines for the grant program under this subsection. Under the bill, the grant program sunsets on June 30, 2025.

Rental assistance grants for homeless veterans

The bill requires DOA to award grants to each continuum of care organization in this state for the purpose of providing tenant-based rental assistance to homeless veterans. A continuum of care organization is an organization designated by the federal Department of Housing and Urban Development that provides funding and services to alleviate homelessness.

Homeless case management services grants

Under current law, DOA may award up to 10 grants of up to \$50,000 each year to shelter facilities for case management services provided to homeless families. The bill eliminates the limit on the number of grants that may be awarded and raises the grant limit to \$75,000.

Whole-home upgrade grants

The bill establishes a pilot program under which DOA must award one or more grants to the Walnut Way Conservation Corporation and Elevate, Inc., for the purpose of funding home improvements in low-income households in a first class city (presently only Milwaukee). The grants must have one or more of the following goals: 1) reducing carbon emissions, 2) reducing energy burdens, 3) creating cost savings, or 4) creating healthier living environments.

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The bill authorizes DOA to establish eligibility requirements and other program guidelines for the grant program. Under the bill, the grant program sunsets on July 1, 2025.

Affordable housing grants

The bill requires DOA to award grants to municipalities for the purpose of increasing the availability of affordable workforce housing within the municipalities.

Water utility assistance program for low-income households

The bill creates a water utility assistance program for low-income households that is administered by DOA. Under the program, low-income households may apply for assistance from the state to help pay the cost of their water utility bills. Although the program is administered by DOA, DOA may contract with a county department or other local governmental agency or a private nonprofit organization to process applications and make assistance payments. DOA must establish a payments schedule for the program. If the number of household applicants exceeds the number anticipated to apply, payments to households may be reduced and DOA may suspend additional applications for assistance. Under the bill, a household eligible for water utility assistance may also be eligible for a crisis assistance payment if the household is experiencing or at risk of experiencing a water utility-related emergency, as defined by DOA.

Municipal home rehabilitation grants

The bill requires DOA to award grants to municipalities to fund initiatives to rehabilitate and restore blighted residential properties within the municipality. The bill authorizes DOA to establish eligibility requirements and other program guidelines for the grant program.

Housing quality standards grants

The bill requires DOA to award grants to owners of rental housing units in Wisconsin for purposes of satisfying applicable housing quality standards.

INSURANCE***Coverage of individuals with preexisting conditions and other insurance market regulations***

The bill requires certain health plans to guarantee access to coverage; prohibits plans from imposing preexisting condition exclusions; prohibits plans from setting premiums or cost-sharing amounts based on health status-related factors; prohibits plans from setting lifetime or annual limits on benefits; requires plans to cover certain essential health benefits; requires coverage of certain preventive services by plans without a cost-sharing contribution by an enrollee; sets a maximum annual amount of cost sharing for enrollees; and designates risk pool, medical loss ratio, and actuarial value requirements.

The bill requires every individual health insurance policy, known in the bill as a health benefit plan, to accept every individual who applies for coverage and requires every group health insurance policy to accept every employer that applies for coverage, regardless of the individual's or any employee's sexual orientation or

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gender identity and regardless of whether the individual or any employee has a preexisting condition. The bill allows health benefit plans to restrict enrollment in coverage to open or special enrollment periods and requires the commissioner of insurance to establish a statewide open enrollment period of no shorter than 30 days for every individual health benefit plan. The bill prohibits a group health insurance policy, including a self-insured governmental health plan, from imposing a preexisting condition exclusion. The bill also prohibits an individual health insurance policy from reducing or denying a claim or loss incurred or disability commencing under the policy on the ground that a disease or physical condition existed prior to the effective date of coverage.

A health benefit plan offered on the individual or small employer market or a self-insured governmental health plan may not vary premium rates for a specific plan except on the basis of whether the plan covers an individual or family, area in the state, age, and tobacco use as specified in the bill. An individual health benefit plan or self-insured health plan is prohibited under the bill from establishing rules for the eligibility of any individual to enroll based on health status-related factors, which are specified in the bill. A self-insured health plan or an insurer offering an individual health benefit plan is also prohibited from requiring an enrollee to pay a greater premium, contribution, deductible, copayment, or coinsurance amount than is required of a similarly situated enrollee based on a health status-related factor. Current state law prohibits group health benefit plans from establishing rules of eligibility or requiring greater premium or contribution amounts based on a health status-related factor. The bill adds to these current law requirements for group health benefit plans that the plan may not require a greater deductible, copayment, or coinsurance amount based on a health status-related factor.

Under the bill, an individual or group health benefit plan or a self-insured governmental health plan may not establish lifetime or annual limits on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan. The bill specifies a maximum amount of cost sharing that a plan may impose as the amount calculated under the federal Patient Protection and Affordable Care Act (ACA).

The bill requires individual and small employer plans to have either a single statewide risk pool for the individual market and a single pool for the small employer market or a single statewide risk pool for a combination of the individual and small employer markets. The bill requires individual and small employer plans to have a medical loss ratio of at least 80 percent and larger group plans to have a medical loss ratio of at least 85 percent. The medical loss ratio is the proportion of premium revenues that the plan spends on clinical services and quality improvement. The bill also requires individual and small employer plans to provide a level of coverage that is designed to provide benefits that are actuarially equivalent to at least 60 percent of the full actuarial value of the benefits provided under the plan. An actuarial value of 60 percent corresponds to a bronze tier plan under the ACA.

Health insurance policies are referred to as disability insurance policies in the bill, and a self-insured governmental health plan is a self-funded health plan of the state or a county, city, village, town, or school district. The bill requires certain health

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insurance policies and governmental self-insured health plans to cover essential health benefits that will be specified by the commissioner of insurance by rule. The bill specifies a list of requirements that the commissioner must follow when establishing the essential health benefits, including certain limitations on cost sharing and the following general categories of benefits, items, or services in which the commissioner must require coverage: ambulatory patient services, emergency services, hospitalization, maternity and newborn care, mental health and substance use disorder services, prescription drugs, rehabilitative and habilitative services and devices, laboratory services, preventive and wellness services and chronic disease management, and pediatric services. If an essential health benefit specified by the commissioner is also subject to its own mandated coverage requirement, the bill requires the disability insurance policy or self-insured health plan to provide coverage under whichever requirement provides the insured or plan participant with more comprehensive coverage.

The bill requires health insurance policies and governmental self-insured health plans to cover certain preventive services and to provide coverage of those preventive services without subjecting that coverage to deductibles, copayments, or coinsurance. The preventive services for which coverage is required are specified in the bill. The bill also specifies certain instances when cost-sharing amounts may be charged for an office visit associated with a preventive service.

Balance billing for emergency medical services and other items and services

The bill requires defined network plans, such as health maintenance organizations, and certain preferred provider plans and self-insured governmental plans that cover benefits or services provided in either an emergency department of a hospital or independent freestanding emergency department to cover emergency medical services without requiring a prior authorization determination and without regard to whether the health care provider providing the emergency medical services is a participating provider or facility. If the emergency medical services for which coverage is required are provided by a nonparticipating provider, the plan must 1) not impose a prior authorization requirement or other limitation that is more restrictive than if the service was provided by a participating provider; 2) not impose cost sharing on an enrollee that is greater than the cost sharing required if the service was provided by a participating provider; 3) calculate the cost-sharing amount to be equal to the recognized amount specified under federal law; 4) provide, within 30 days of the provider's or facility's bill, an initial payment or denial notice to the provider or facility and then pay a total amount to the provider or facility that is equal to the amount by which an out-of-network rate exceeds the amount it received in cost sharing from the enrollee; and 5) count any cost-sharing payment made by the enrollee for the emergency medical services toward any in-network deductible or out-of-pocket maximum as if the cost-sharing payment was made for services provided by a participating provider or facility.

For coverage of an item or service that is provided by a nonparticipating provider in a participating facility, a plan must 1) not impose a cost-sharing requirement for the item or service that is greater than the cost-sharing requirement that would have been imposed if the item or service was provided by a

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participating provider; 2) calculate the cost-sharing amount to be equal to the recognized amount specified under federal law; 3) provide, within 30 days of the provider's bill, an initial payment or denial notice to the provider and then pay a total amount to the provider that is equal to the amount by which the out-of-network rate exceeds the amount it received in cost sharing from the enrollee; and 4) count any cost-sharing payment made by the enrollee for the items or services toward any in-network deductible or out-of-pocket maximum as if the cost-sharing payment was made for items or services provided by a participating provider. A nonparticipating provider providing an item or service in a participating facility may not bill or hold liable an enrollee for more than the cost-sharing amount unless the provider provides notice and obtains consent as described in the bill. However, if the nonparticipating provider is providing an ancillary item or service that is specified in the bill, and the commissioner of insurance has not specifically allowed balance billing for that item or service by rule, the nonparticipating provider providing the ancillary item or service in a participating facility may not bill or hold liable an enrollee for more than the cost-sharing amount.

Under the bill, a provider or facility that is entitled to a payment for an emergency medical service or other item or service may initiate open negotiations with the defined network plan, preferred provider plan, or self-insured governmental health plan to determine the amount of payment. If the open negotiation period terminates without determination of the payment amount, the provider, facility, or plan may initiate the independent dispute resolution process as specified by the commissioner of insurance.

If an enrollee of a plan is a continuing care patient, as defined in the bill, and is obtaining services from a participating provider or facility, and the contract is terminated because of a change in the terms of the participation of the provider or facility in the plan or the contract is terminated resulting in a loss of benefits under the plan, the plan must notify the enrollee of the enrollee's right to elect to continue transitional care, provide the enrollee an opportunity to notify the plan of the need for transitional care, and allow the enrollee to continue to have the benefits provided under the plan under the same terms and conditions as would have applied without the termination until either 90 days after the termination notice date or the date on which the enrollee is no longer a continuing care patient, whichever is earlier.

Fiduciary duty of pharmacy benefit managers

The bill imposes fiduciary and disclosure requirements on pharmacy benefit managers. Pharmacy benefit managers contract with health plans that provide prescription drug benefits to administer those benefits for the plans. Pharmacy benefit managers also have contracts with pharmacies and pay the pharmacies for providing the drugs to the plan beneficiaries.

The bill provides that a pharmacy benefit manager owes a fiduciary duty to a plan sponsor. The bill also requires that a pharmacy benefit manager annually disclose all of the following information to the plan sponsor:

1. The indirect profit received by the pharmacy benefit manager from owning a pharmacy or service provider.

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2. Any payments made to a consultant or broker who works on behalf of the plan sponsor.

3. From the amounts received from drug manufacturers, the amounts retained by the pharmacy benefit manager that are related to the plan sponsor's claims or bona fide service fees.

4. The amounts received from network pharmacies and the amount retained by the pharmacy benefit manager.

Licensure of pharmacy benefit management brokers and consultants

The bill requires an individual who is acting as a pharmacy benefit management broker or consultant or any other individual who procures the services of a pharmacy benefit manager on behalf of a client to be licensed by OCI. The bill allows OCI to promulgate administrative rules to establish criteria, procedures, and fees for licensure. A pharmacy benefit manager, as defined under current law, is an entity that contracts to administer or manage prescription drug benefits on behalf of an insurer or other entity that provides prescription drug benefits.

Prescription drug affordability review board

The bill creates a prescription drug affordability review board, whose purpose is to protect Wisconsin residents and other stakeholders from the high costs of prescription drugs. The board consists of the commissioner of insurance and the following members, all of whom are appointed by the governor for four-year terms:

1. Two members who represent the pharmaceutical drug industry, at least one of whom is a licensed pharmacist.

2. Two members who represent the health insurance industry.

3. Two members who represent the health care industry, at least one of whom is a licensed practitioner.

4. Two members who represent the interests of the public.

The bill requires the board to meet in open session at least four times per year to review prescription drug pricing information. The board must provide at least two weeks' public notice of its meetings, make the meeting's materials publicly available at least one week prior to meeting, and provide the opportunity for public comment. The bill imposes conflict of interest requirements for the board relating to recusal and public disclosure of certain conflicts. The bill directs the board to access and assess drug pricing information, to the extent practicable, by accessing and assessing information from other states, by assessing spending for the drug in Wisconsin, and by accessing other available pricing information.

Under the bill, the board must conduct drug cost affordability reviews. The first step in the reviews is for the board to identify prescription drugs whose launch wholesale acquisition cost exceeds specified thresholds, prescription drugs whose increase in wholesale acquisition cost exceeds specified thresholds, and other prescription drugs that may create affordability challenges for the health care system in Wisconsin. For each identified prescription drug, the board must determine whether to conduct an affordability review by seeking stakeholder input and by considering the average patient cost share for the drug. During an affordability review, the board must determine whether use of the prescription drug that is fully consistent with the labeling approved by the federal Food and Drug

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Administration or standard medical practice has led or will lead to an affordability challenge for the health care system in Wisconsin. In making this determination, the bill requires the board to consider a variety of factors, which include the following:

1. The drug's wholesale acquisition cost.
2. The average monetary price concession, discount, or rebate the manufacturer provides, or is expected to provide, for the drug to health plans.
3. The total amount of price concessions, discounts, and rebates the manufacturer provides to each pharmacy benefit manager for the drug.
4. The price at which therapeutic alternatives have been sold and the average monetary concession, discount, or rebate the manufacturer provides, or is expected to provide, to health plan payors and pharmacy benefit managers for therapeutic alternatives.
5. The costs to health plans based on patient access consistent with federal labeled indications and recognized standard medical practice.
6. The impact on patient access resulting from the drug's cost relative to insurance benefit design.
7. The current or expected dollar value of drug-specific patient access programs that are supported by the manufacturer.
8. The relative financial impacts to health, medical, or social services costs that can be quantified and compared to baseline effects of existing therapeutic alternatives.
9. The average patient copay or other cost sharing for the drug.

If the board determines that a prescription drug will lead to an affordability challenge, the bill directs the board to establish an upper payment limit for that drug that applies to all purchases and payor reimbursements of the drug dispensed or administered to individuals in this state. In establishing the upper payment limit, the board must consider the cost of administering the drug, the cost of delivering it to consumers, and other relevant administrative costs. For certain drugs, the board must solicit information from the manufacturer regarding the price increase and, if the board determines that the price increase is not a result of the need for increased manufacturing capacity or other effort to improve patient access during a public health emergency, the board must establish an upper payment limit equal to the drug's cost prior to the price increase.

Cost-sharing cap on insulin

The bill prohibits each health insurance policy and governmental self-insured health plan that covers insulin and imposes cost sharing on prescription drugs from imposing cost sharing on insulin in an amount that exceeds \$35 for a one-month supply. Current law requires each health insurance policy that provides coverage of expenses incurred for treatment of diabetes to provide coverage for specified expenses and items, including insulin. The required coverage under current law for certain diabetes treatments other than insulin infusion pumps is subject to the same exclusions, limitations, deductibles, and coinsurance provisions of the policy as other covered expenses. The bill's cost-sharing limitation on insulin supersedes the specification that the exclusions, limitations, deductibles, and coinsurance are the same as for other coverage.

ASSEMBLY BILL 43***Insulin safety net programs***

The bill requires insulin manufacturers to establish a program under which qualifying residents of this state who are in urgent need of insulin and are uninsured or have limited insurance coverage can be dispensed insulin at a pharmacy. Under the program, if a qualifying individual in urgent need of insulin provides a pharmacy with a form attesting that the individual meets the program's eligibility requirements, specified proof of residency, and a valid insulin prescription, the pharmacy must dispense a 30-day supply of insulin to the individual and may charge the individual a copayment of no more than \$35. The pharmacy may submit an electronic payment claim for the insulin's acquisition cost to the manufacturer or agree to receive a replacement of the same insulin in the amount dispensed.

The bill also requires that each insulin manufacturer establish a patient assistance program to make insulin available to any qualifying resident of this state who, among other requirements, is uninsured or has limited insurance coverage and whose family income does not exceed 400 percent of the federal poverty line. Under the bill, an individual must apply to participate in a manufacturer's program. If the manufacturer determines that the individual meets the program's eligibility requirements, the manufacturer must issue the individual a statement of eligibility, which is valid for 12 months and may be renewed. Under the bill, if an individual with a statement of eligibility and valid insulin prescription requests insulin from a pharmacy, the pharmacy must submit an order to the manufacturer, who must then provide a 90-day supply of insulin at no charge to the individual or pharmacy. The pharmacy may charge the individual a copayment of no more than \$50. Under the bill, a manufacturer is not required to issue a statement of eligibility if the individual has prescription drug coverage through an individual or group health plan and the manufacturer determines that the individual's insulin needs are better addressed through the manufacturer's copayment assistance program. In such case, the manufacturer must provide the individual with the necessary drug coupons, and the individual may not be required to pay more than a \$50 copayment for a 90-day supply of insulin.

Under the bill, if the manufacturer determines that an individual is not eligible for the patient assistance program, the individual may file an appeal with OCI. The bill directs OCI to establish procedures for deciding appeals. Under the bill, OCI must issue a decision within 10 days, and that decision is final.

The bill requires that insulin manufacturers annually report to OCI certain information, including the number of individuals served and the cost of insulin dispensed under the programs, and that OCI annually report to the governor and the legislature on the programs. The bill also directs OCI to conduct public outreach and develop an information sheet about the programs, conduct satisfaction surveys of individuals and pharmacies that participate in the programs, and report to the governor and the legislature on the surveys by July 1, 2026. Additionally, the bill requires that OCI develop a training program for health care navigators to assist individuals in accessing appropriate long-term insulin options and maintain a list of trained navigators.

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The bill provides that a manufacturer that violates the bill's provisions may be required to forfeit not more than \$200,000 per month of violation, which increases to \$400,000 per month if the manufacturer continues to be in violation after six months and to \$600,000 per month if the manufacturer continues to be in violation after one year. The bill's requirements do not apply to manufacturers with annual insulin sales revenue in this state of no more than \$2,000,000 or to insulin that costs less than a specified dollar amount.

Application of manufacturer discounts

Health insurance policies and plans often apply deductibles and out-of-pocket maximum amounts to the benefits covered by the policy or plan. A deductible is an amount that an enrollee in a policy or plan must pay out of pocket before attaining the full benefits of the policy or plan. An out-of-pocket maximum amount is a limit specified by a policy or plan on the amount that an enrollee pays, and once that limit is reached, the policy or plan covers the benefit entirely. The bill requires health insurance policies that offer prescription drug benefits and self-insured health plans to apply the amount of any discounts that a manufacturer of a brand name drug provides to reduce the amount of cost sharing that is charged to an enrollee for those brand name drugs to the enrollee's deductible and out-of-pocket maximum amount. That requirement applies for brand name drugs that have no generic equivalent and for brand name drugs that have a generic equivalent but that the enrollee has prior authorization or physician approval to obtain.

Reimbursement to federal drug pricing program participants

The bill prohibits any person from reimbursing certain entities that participate in the federal drug pricing program, known as the 340B program, for a drug subject to an agreement under the program at a rate lower than that paid for the same drug to pharmacies that have a similar prescription volume. The bill also prohibits a person from imposing any fee, charge back, or other adjustment on the basis of the entity's participation in the 340B program. The entities covered by the prohibitions under the bill are federally qualified health centers, critical access hospitals, and grantees under the federal Ryan White HIV/AIDS program, as well as these entities' pharmacies and any pharmacy with which any of the entities have contracted to dispense drugs through the 340B program. The bill allows the commissioner to promulgate administrative rules to establish a minimum reimbursement rate for entities that participate in the 340B program.

Value-based diabetes medication pilot project

The bill directs OCI to develop a pilot project under which a pharmacy benefit manager and a pharmaceutical manufacturer are directed to create a value-based, sole-source arrangement to reduce the costs of prescription diabetes medication. The bill allows OCI to promulgate administrative rules to implement the pilot project.

Pharmacy services administrative organizations

The bill requires that a pharmacy services administrative organization (PSAO) be licensed by OCI. Under the bill, a PSAO is an entity operating in Wisconsin that does all of the following:

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1. Contracts with an independent pharmacy to conduct business on the pharmacy's behalf with a third-party payer.

2. Provides at least one administrative service to an independent pharmacy and negotiates and enters into a contract with a third-party payer or pharmacy benefit manager on the pharmacy's behalf.

The bill defines "independent pharmacy" to mean a licensed pharmacy operating in this state that is under common ownership with no more than two other pharmacies. "Administrative service" is defined to mean assisting with claims or audits, providing centralized payment, performing certification in a specialized care program, providing compliance support, setting flat fees for generic drugs, assisting with store layout, managing inventory, providing marketing support, providing management and analysis of payment and drug dispensing data, or providing resources for retail cash cards. The bill defines "third-party payer" to mean an entity operating in this state that pays or insures health, medical, or prescription drug expenses on behalf of beneficiaries. The bill uses the current law definition of "pharmacy benefit manager," which is an entity doing business in this state that contracts to administer or manage prescription drug benefits on behalf of an insurer or other entity that provides prescription drug benefits to Wisconsin residents.

To obtain the license required by the bill, a person must apply to OCI and provide the contact information for the applicant and a contact person, evidence of financial responsibility of at least \$1,000,000, and any other information required by the commissioner. Under the bill, the license fee is set by the commissioner, and the term of a license is two years.

The bill also requires that a PSAO disclose to OCI the extent of any ownership or control by an entity that provides pharmacy services; provides prescription drug or device services; or manufactures, sells, or distributes prescription drugs, biologicals, or medical devices. The PSAO must notify OCI within five days of any material change in its ownership or control related to such an entity.

Licensure of pharmaceutical representatives

The bill requires a pharmaceutical representative to be licensed by OCI and to display the pharmaceutical representative's license during each visit with a health care professional. The bill defines "pharmaceutical representative" to mean an individual who markets or promotes pharmaceuticals to health care professionals on behalf of a pharmaceutical manufacturer for compensation. The term of a license issued under the bill is one year, and the license is renewable. Under the bill, the license fee is set by the commissioner of insurance. The bill directs the commissioner to promulgate administrative rules to implement the bill's requirements, including rules that require pharmaceutical representatives to complete continuing educational coursework as a condition of licensure. An individual who violates any of the requirements under the bill is subject to a fine, and the individual's license may be suspended or revoked.

Moneys from professional regulation used for general program operations

The bill credits to the appropriation account for OCI's general program operations all moneys received from the regulation of pharmacy benefit managers,

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pharmacy benefit management brokers, pharmacy benefit management consultants, PSAOs, and pharmaceutical representatives.

Coverage of infertility services

The bill requires health insurance policies and self-insured governmental health plans that cover medical or hospital expenses to cover diagnosis of and treatment for infertility and standard fertility preservation services. Coverage required under the bill must include at least four completed egg retrievals with unlimited embryo transfers, in accordance with certain guidelines, and single embryo transfer is allowed when recommended and medically appropriate. Policies and plans are prohibited from imposing an exclusion, limitation, or other restriction on coverage of medications of which the bill requires coverage that is not imposed on any other prescription medications covered under the policy or plan. Similarly, policies and plans may not impose any exclusion, limitation, cost-sharing requirement, benefit maximum, waiting period, or other restriction on diagnosis, treatment, or services for which coverage is required under the bill that is different from any exclusion, limitation, cost-sharing requirement, benefit maximum, waiting period, or other restriction imposed on benefits for other services. Also, policies and plans may not impose an exclusion, limitation, or other restriction on diagnosis, treatment, or services for which coverage is required under the bill on the basis that an insured person participates in fertility services provided by or to a third party.

Coverage of treatment or services provided by qualified treatment trainees

The bill prohibits any health insurance plan from excluding coverage for mental health or behavioral health treatment or services provided by a qualified treatment trainee within the scope of the qualified treatment trainee's education and training if the health insurance plan covers the mental health or behavioral health treatment or services when provided by another health care provider. "Qualified treatment trainee" is defined under current law to mean either a graduate student who is enrolled in an accredited institution in psychology, counseling, marriage and family therapy, social work, nursing, or a closely related field, or a person with a graduate degree from an accredited institution and course work in psychology, counseling, marriage and family therapy, social work, nursing, or a closely related field who has not yet completed the applicable supervised practice requirements described under the administrative code.

Coverage of treatment or services provided by substance abuse counselors

The bill prohibits any health insurance plan from excluding coverage for alcoholism or other drug abuse treatment or services provided by a certified substance abuse counselor within the scope of the substance abuse counselor's education and training if the health insurance plan covers the alcoholism or other drug abuse treatment or services when provided by another health care provider. "Substance abuse counselor" is defined under current law to mean a substance abuse counselor-in-training, a substance abuse counselor, or a clinical substance abuse counselor.

ASSEMBLY BILL 43***Telehealth parity***

The bill requires health insurance policies and self-insured governmental health plans to cover a treatment or service that is provided through telehealth if the treatment or service is covered by the policy or plan when provided in person. A policy or plan may limit its coverage to those treatments or services that are medically necessary. “Telehealth” is defined in the bill as a practice of health care delivery, diagnosis, consultation, treatment, or transfer of medically relevant data by means of audio, video, or data communications that are used either during a patient visit or consultation or are used to transfer medically relevant data about a patient. A self-insured governmental health plan is a self-funded health plan of the state or a county, city, village, town, or school district.

The bill also sets parameters on the coverage of telehealth treatments and services that is required in the bill. A policy or plan may not subject a telehealth treatment or service to a greater deductible, copayment, or coinsurance than if provided in person. Similarly, a policy or plan may not impose a policy or calendar year or lifetime benefit limit or other maximum limitation or a prior authorization requirement on a telehealth treatment or service that is not imposed on treatments or services provided through manners other than telehealth. A policy or plan also may not place unique location requirements on a telehealth treatment or service. If a policy or plan covers a telehealth treatment or service that has no in-person equivalent, the policy or plan must disclose this in the policy or plan materials.

State-based exchange

The bill directs OCI to establish and operate a state-based health insurance exchange. Under current law, the federal Patient Protection and Affordable Care Act (ACA) requires that an exchange be established in each state to facilitate the purchase of qualified health insurance coverage by individuals and small employers. Under the ACA, a state must operate its own state-based exchange, use the federally facilitated exchange operated by the federal Department of Health and Human Services, or adopt a hybrid approach under which the state operates a state-based exchange but uses the federal platform, known as HealthCare.gov, to handle eligibility and enrollment functions. Wisconsin currently uses the federally facilitated exchange. The bill directs OCI to establish and operate a state-based exchange, first by using the federal platform and then transitioning to a fully state-run exchange. The bill authorizes OCI to enter into any agreement with the federal government necessary to implement those provisions. The bill also requires that OCI impose a user fee on insurers offering plans through the state-based exchange. Under current law, the ACA imposes user fees on insurers offering plans through federally facilitated exchanges and state-based exchanges using the federal platform, which are currently 2.75 percent and 2.25 percent of total monthly premiums, respectively. The bill authorizes OCI to impose a user fee at the following rates:

1. For any plan year that OCI operates the state-based exchange using the federal platform, the rate is 0.5 percent.

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2. For the first two plan years that OCI operates the fully state-run exchange, the rate is equal to the user fee for the federally facilitated exchanges. For later plan years, the rate is set by OCI by rule.

The bill also creates an annual GPR appropriation for OCI's general program operations and allows OCI to spend up to \$1,000,000 from that appropriation in fiscal year 2023-24 for the development of a public option health insurance plan.

Insurer network adequacy standards

The bill allows OCI to promulgate administrative rules to establish minimum network time and distance standards and minimum network wait-time standards for defined network plans and preferred provider plans. The bill specifies that OCI, in promulgating rules under the bill, must consider standards adopted by the federal Centers for Medicare and Medicaid Services for qualified health plans offered on the federally-facilitated health insurance marketplace established pursuant to the ACA.

Wisconsin Healthcare Stability Plan spending limit

The bill directs the commissioner of insurance to index for inflation the annual maximum expenditure amount under the Wisconsin Healthcare Stability Plan (WIHSP). Under current law, WIHSP makes a reinsurance payment to a health insurance carrier if the claims for an individual who is enrolled in a health benefit plan with that carrier exceed a threshold amount, known as the attachment point, in a benefit year. WIHSP is administered by OCI and operates under specific terms and conditions of a waiver agreement between OCI and the federal Department of Health and Human Services, which was dated July 29, 2018. Currently, the commissioner is limited to spending \$230,000,000 for WIHSP from all revenue sources in a year, unless JCF increases the amount.

Beginning in 2025, the bill directs the commissioner to annually adjust the annual expenditure limit based on the increase, if any, in the medical care index of the consumer price index. The bill also specifies that OCI's authority includes the authority to operate WIHSP under any waiver extension approvals.

Prescription drug importation program

The bill requires the commissioner of insurance, in consultation with persons interested in the sale and pricing of prescription drugs and federal officials and agencies, to design and implement a prescription drug importation program for the benefit of and that generates savings for residents of this state. The bill establishes requirements for the program, including all of the following: 1) the commissioner must designate a state agency to become a licensed wholesale distributor or contract with a licensed wholesale distributor and to seek federal certification and approval to import prescription drugs; 2) the program must comply with certain federal regulations and import from Canadian suppliers only prescription drugs that are not brand-name drugs, have fewer than four competitor drugs in this country, and for which importation creates substantial savings; 3) the commissioner must ensure that prescription drugs imported under the program are not distributed, dispensed, or sold outside of Wisconsin; and 4) the program must have an audit procedure to ensure the program complies with certain requirements specified in the bill. Before

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submitting the proposed program to the federal government for certification, the commissioner must submit the proposed program to JCF for its approval.

State prescription drug purchasing entity

The bill requires OCI to conduct a study on the viability of creating or implementing a state prescription drug purchasing entity.

Short-term, limited duration plan coverage requirements

The bill sets certain coverage requirements on individual health plans that are short-term, limited duration plans. Under current law, a short-term, limited duration plan is individual health benefit plan coverage that is marketed and designed to provide short-term coverage as a bridge between other coverages and that has a term of not more than 12 months and an aggregate term of all consecutive periods of coverage that does not exceed 18 months. Under current law, an insurer generally must renew individual health coverage at the option of the insured, but an insurer is not required to renew a short-term, limited duration plan.

The bill requires an insurer that offers a short-term, limited duration plan to accept each individual who applies for coverage, regardless of whether the individual has a preexisting condition. The bill also prohibits a short-term, limited duration plan from imposing a preexisting condition exclusion. Under current law, a short-term, limited duration plan may impose a preexisting condition exclusion, but the plan must reduce the length of time of the exclusion by the aggregate duration of the insured's consecutive periods of coverage. Under current law, a preexisting condition exclusion is a period of time during which a plan will not cover a medical condition for which the insured received some medical attention before the effective date of coverage.

Under the bill, an insurer that offers a short-term, limited duration plan may not vary premium rates for a specific plan except on the basis of 1) whether the plan covers an individual or a family; 2) area in this state; 3) age; and 4) tobacco use, as specified in the bill. An insurer that offers a short-term, limited duration plan is prohibited under the bill from establishing rules for the eligibility of any individual to enroll based on certain health status-related factors, which are specified in the bill, and from requiring an enrollee to pay a greater premium, contribution, deductible, copayment, or coinsurance amount than is required of a similarly situated enrollee based on a health status-related factor. Under the bill, a short-term, limited duration plan may not establish lifetime limits or limits for the duration of the coverage on the dollar value of benefits for an enrollee or a dependent of an enrollee under the plan.

Finally, the bill reduces the maximum allowable term of a short-term, limited duration plan from 12 months to three months and reduces the maximum aggregate duration from 18 months to six months.

Eliminate obsolete OCI appropriation

The bill eliminates an obsolete appropriation. The 2021-23 biennial budget act required the transfer of \$1,520,300 in each fiscal year of that biennium from the unencumbered balance of the program-revenue-funded general program operations appropriation of OCI to an interagency and intraagency operations

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appropriation created in the act for the purpose of general program operations. The bill eliminates that appropriation.

JUSTICE**GRANT PROGRAMS*****Treatment alternatives and diversion grants***

Under current law, DOJ, in collaboration with DOC and DHS, awards grants to counties and tribes that have established qualifying treatment alternatives and diversion (TAD) programs that offer substance abuse or mental health treatment services as alternatives to prosecution or incarceration in order to reduce recidivism, promote public safety, and reduce prison and jail populations.

Under current law, in order to qualify for a TAD grant, a county's or tribe's program is required to match 25 percent of the grant and to charge participants a fee to participate. A county or tribe that receives a TAD grant must create an oversight committee to administer and evaluate its program. DOJ is required to make grants available to any county or tribe on a competitive basis every five years. At the end of the five-year grant cycle, DOJ is required to prepare a comprehensive report on the grant program based on annual reports and other data it collects from the counties and tribes.

Under current law, one of the appropriations used to fund the TAD grant program provides that DOJ may use that appropriation to provide a TAD grant to counties that were not a recipient of a TAD grant as of September 23, 2017.

The bill makes several changes to the TAD grant program. Under the bill, a program funded by a TAD grant need not focus solely on alcohol and other drug treatment, but must employ evidence-based practices targeted to the population served by the program. The bill changes the match requirement from 25 percent to 10 percent and changes the competitive grant process to a four-year cycle. The bill allows, but does not require, an eligible program to charge participants a fee for their treatment. The bill also eliminates certain requirements pertaining to exposure of genitals during drug testing. The bill also provides that the appropriation that was formerly limited to providing a TAD grant to a county that had not received one as of September 23, 2017, may be used to provide a TAD grant to a county that is not a recipient of a TAD grant on the effective date of the bill.

Under current law, when a person pleads or is found guilty of certain drug offenses, the court is required to order a substance use assessment. Under current law, the court does not have to order an assessment if the person is already covered by such an order, has recently completed an assessment under such an order, or is participating in a TAD program. The bill specifies that if a person is participating in any evidence-based substance use disorder treatment program as determined by DOJ, regardless of its status relating to the TAD program, the court does not need to order an assessment.

Community policing and community prosecution program grants

Under current law, DOJ awards grants to local governments for many purposes, including for community-oriented policing-house programs and to increase beat patrol officers. The bill adds that DOJ must award grants to cities,

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villages, towns, counties, and tribes to fund community policing and community prosecution programs.

Sexual assault victim services grants for the Wisconsin Coalition Against Sexual Assault

Under current law, DOJ administers a grant program to provide grants to organizations that provide services to victims of sexual assault. The bill requires that, in addition to the other grants under the program, DOJ must provide an annual grant of \$343,000 to the Wisconsin Coalition Against Sexual Assault. Under the bill, the Wisconsin Coalition Against Sexual Assault may also apply for additional grants under the program.

Law enforcement recruitment, retention, and wellness grants

Under current law, DOJ awards grants for many purposes, including for community-oriented policing-house programs and to increase beat patrol officers. The bill adds that DOJ must award grants to law enforcement agencies and tribal law enforcement agencies in this state to fund programs that recruit and retain law enforcement officers and that promote officer wellness.

Crime victims services grants

Under current law, DOJ awards grants for many purposes, including grants to organizations to provide services for sexual assault victims. The bill adds that DOJ must award grants to organizations that provide services for crime victims.

Elder abuse grants and hotline

Under current law, DOJ awards grants for many purposes, including grants to organizations to provide services for sexual assault victims. The bill adds that DOJ must award grants to organizations that promote the protection of elders. The bill also appropriates money to fund a statewide elder abuse hotline.

ATTORNEY GENERAL AND LITIGATION***Powers of the attorney general***

The bill repeals changes made to the powers of the attorney general in 2017 Wisconsin Act 369 relating to the power to compromise or discontinue civil actions prosecuted by DOJ and the power to compromise and settle actions in cases where DOJ is defending the state. The bill reestablishes these settlement powers as they existed under the law before 2017 Wisconsin Act 369 was enacted.

The bill allows the attorney general to compromise or discontinue actions prosecuted by DOJ 1) when directed by the officer, department, board, or commission that directed the prosecution or 2) with the approval of the governor when the action is prosecuted by DOJ on the initiative of the attorney general or at the request of any individual. The bill eliminates the requirement for approval of a compromise or discontinuance from a legislative intervenor or JCF. It also eliminates the requirement for the attorney general to obtain approval of a compromise or discontinuance by the Joint Committee on Legislative Organization in certain circumstances before submitting a proposed plan to JCF.

Under the bill, when DOJ is defending the state, the attorney general may compromise and settle the action as the attorney general determines to be in the best interest of the state. The bill eliminates the requirement under current law that, in

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actions for injunctive relief or if there is a proposed consent decree, the attorney general must 1) obtain the approval of any legislative intervenor or 2) if there is no intervenor, submit a proposed plan to JCF and, in certain circumstances, obtain approval of JCF. The bill also eliminates the requirement for the attorney general to obtain approval from JCLO in certain circumstances before submitting a proposed plan of settlement or compromise to JCF.

Gifts and grants and disposition of settlement funds

The bill repeals certain changes made by 2017 Wisconsin Act 369 relating to gifts and grants and certain proceeds received by DOJ, specifically reversing provisions that changed a DOJ gifts and grants appropriation and a DOJ gifts, grants, and proceeds appropriation from continuing appropriations to annual appropriations.

Second, the bill repeals the requirement that the attorney general must deposit all settlement funds into the general fund. The bill restores procedures relating to discretionary settlement funds under which the attorney general could expend certain settlement funds not committed under the terms of a settlement after submitting a plan to JCF for passive review only if either 1) the cochairpersons of JCF do not schedule a meeting or 2) a meeting is scheduled and JCF approves a plan for expenditure.

Certain legal expenses related to the tobacco settlement agreement

The bill establishes an appropriation from which DOJ may expend moneys for its legal expenses related to participation in arbitration or other alternative dispute resolution processes arising from payments under the Attorneys General Master Tobacco Settlement Agreement of November 23, 1998. In 1998, numerous states and territories including Wisconsin agreed to a settlement with the major U.S. tobacco companies regarding dozens of state lawsuits brought to recover health care costs associated with treating smoking-related illnesses. Under the agreement, the state receives annual payments from U.S. tobacco product manufacturers in perpetuity.

GENERAL JUSTICE***Background checks on all transfers of firearms***

Current law provides that a federally licensed firearms dealer may not transfer a handgun after a sale until the dealer has performed a background check on the prospective transferee to determine if he or she is prohibited from possessing a firearm under state or federal law. The bill generally prohibits any person from transferring any firearm, including the frame or receiver of a firearm, unless the transfer occurs through a federally licensed firearms dealer and involves a background check of the prospective transferee. Under the bill, the prohibition does not apply to 1) a transfer to a firearms dealer or to a law enforcement or armed services agency; 2) a transfer of a firearm classified as antique; 3) a transfer for no more than 14 days for the purpose of hunting or target shooting that involves no more than nominal consideration; or 4) a transfer that is by gift, bequest, or inheritance to a family member. A person who is convicted of violating the prohibition is guilty of a misdemeanor and must be fined not less than \$500 nor more than \$10,000, may

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be imprisoned for not more than nine months, and may not possess a firearm for a period of two years.

Creating the Office of Missing and Murdered Indigenous Women

The bill creates within DOJ the Office of Missing and Murdered Indigenous Women, which is tasked with providing certain services to crime victims, their families, witnesses, and others who are members of a tribe; providing training relating to missing and murdered indigenous women, including search, rescue, and response training; and establishing a grant program related to missing and murdered indigenous women.

Hate crimes reporting portal

The bill requires DOJ to develop an Internet-based reporting system and a telephone hotline for the reporting of hate crimes. Under the bill, DOJ must conduct a public education campaign on hate crimes and where to report them and must collect data relating to the reporting of hate crimes.

Relator appropriation

The bill creates a continuing appropriation to hold all money received by DOJ that is owed to a relator, to provide payments to relators. A relator is a type of party in a legal action in whose name an action is brought by a state.

Repeal of report on field prosecutor positions

2017 Wisconsin Act 261 created two field prosecutor attorney positions in DOJ to assist the Division of Criminal Investigation and district attorneys. Act 261 also required DOJ to submit annual reports to JCF on the activities and effectiveness of the attorneys. The project positions terminate on April 11, 2023. The bill repeals the requirement that DOJ submit the corresponding annual report.

Name of Shot Spotter Program

Under current law, DOJ provides money to the Shot Spotter Program in the city of Milwaukee. The bill changes the name of the program to the “Gunfire Detection Program.”

LOCAL GOVERNMENT**LEVY LIMITS*****Local levy overview***

Generally, under current law, local levy increase limits are applied to the property tax levies that are imposed by political subdivisions in December of each year. Current law prohibits a political subdivision from increasing its levy by a percentage that exceeds its valuation factor, which is defined as the greater of either 0 percent or the percentage change in the political subdivision’s equalized value due to new construction, less improvements removed.

Current law contains a number of exceptions to these levy increase limits, such as amounts a county levies for a countywide emergency medical system, for a county children with disabilities education board, and for certain bridge and culvert construction and repair. In addition, a political subdivision may exceed the levy increase limit that is otherwise applicable if its governing body adopts a resolution to do so and if that resolution is approved by the voters in a referendum.

ASSEMBLY BILL 43***Alternative minimum valuation factor increase***

The bill increases the alternative minimum valuation factor used to calculate local levy limits from 0 percent to 2 percent, beginning with levies imposed in December 2023.

Reduction for certain service revenues

Under current law, a political subdivision must reduce its allowable levy by the estimated amount of any revenue from fees or payments in lieu of taxes if the revenue is received for providing certain covered services that were funded with property tax revenues in calendar year 2013. The covered services are certain garbage collection, fire protection, snow plowing, street sweeping, and storm water management.

The bill repeals the requirement that a political subdivision must reduce its allowable levy by the estimated amount of revenues received for providing covered services that were funded with property tax revenues in calendar year 2013.

Reduction for service transfers

Under current law, if a political subdivision transfers to another governmental unit the responsibility to provide a service that it provided in the previous year, the levy increase limit otherwise applicable in the current year is decreased to reflect the cost that the political subdivision would have incurred to provide that service. The bill repeals that provision.

Approval of use of unused capacity

Current law provides two exceptions allowing a political subdivision to use previously unused levy capacity. Under these exceptions, if a political subdivision's allowable levy in prior years was greater than its actual levy in those years, the otherwise applicable levy increase limit for the next succeeding year may be increased by the difference between the allowable levy and the actual levy, up to a specified maximum increase. These increases, in some cases, must be authorized by a supermajority vote of the political subdivision's governing body. The bill eliminates the supermajority requirements and, instead, requires only a simple majority vote of the political subdivision's governing body for use of either of these unused levy capacity exceptions.

Joint emergency services levy limit exception modification

Among the current law exceptions to local levy limits is an exception for the amount that a municipality levies to pay for charges assessed by a joint fire department or joint emergency medical services district organized by any combination of two or more municipalities. This exception applies only to the extent that the amount levied to pay for such charges would cause the municipality to exceed the otherwise applicable levy limit and only if the charges assessed by the department or district increase in the current year by an amount not greater than the rate of inflation over the preceding year, plus 2 percent, and if the municipality's governing body adopts a resolution in favor of exceeding the otherwise applicable levy limit.

Under the bill, the exception is expanded to include joint fire services or joint emergency medical services provided by a combination of two or more municipalities through a joint district, joint ownership, joint purchase of services from a nonprofit

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corporation, or joint contracting with a public or private services provider. The exception is also expanded to cover all fees charged to a municipality by the joint fire services or joint emergency medical services.

Exception for cross-municipality transit routes

The bill creates an exception to local levy limits for certain transit services. Under the bill, amounts levied by a political subdivision for costs related to new or enhanced transit services that cross adjacent county or municipal borders do not apply to the limit if the political subdivisions between which the routes operate have entered into an agreement to provide for the services and if the agreement is approved in a referendum.

Exception for regional planning commission contributions

The bill creates a local levy increase limit exception for the amount a political subdivision levies to pay for the political subdivision's share of the budget of a regional planning commission (RPC). An RPC's budget is determined annually by the RPC. The RPC then charges all political subdivisions within its jurisdiction a proportional amount to fund the budget based on the equalized value of property in the political subdivision and the total amount of equalized value of property within the RPC's jurisdiction.

TAX INCREMENTAL FINANCING***Tax incremental financing overview***

Under current law, cities and villages may use tax incremental financing (TIF) to encourage development in the city or village. In general, under TIF, a city or village pays for improvements in a tax incremental district (TID) and then collects tax moneys attributable to all taxing jurisdictions on the increased property value in the TID for a certain period of time to pay for the improvements. Ideally, after the period of time, the city or village will have been repaid for its initial investment and the property tax base in the TID will have permanently increased in value.

In general and in brief, a city or village makes use of TIF using the following procedure:

1. The city or village designates an area as a TID and creates a project plan laying out the expenditures that the city or village will make within the TID.
2. DOR establishes the base value of the TID. This value is the equalized value of all taxable property within the TID at the time of its creation.
3. Each year thereafter, the value increment of the property within the TID is determined by subtracting the base value from the current value of property within the TID. The portion of taxes collected on any positive value increment is collected by the city or village for use solely for the project costs of the TID. The taxes collected by the city or village on positive value increments include taxes that would have been collected by other taxing jurisdictions, such as counties or school districts, were the TID not created.
4. Tax increments are collected until the city or village has recovered all of its project costs or until the TID reaches its statutory termination date.

ASSEMBLY BILL 43***Workforce housing initiatives***

The bill authorizes workforce housing initiatives and makes changes that affect TIDs and state housing grants. The bill creates a definition for “workforce housing,” changes the definition of a “mixed-use development” TID, increases the maximum number of years a city or village may extend the life of a TID to improve its affordable and workforce housing, requires a TID’s project plan to contain alternative economic projections, and changes the method of imposing certain impact fees.

Under the bill, a political subdivision may put into effect a workforce housing initiative by taking one of several specified actions and posting on its website an explanation of the initiative. Workforce housing initiatives include the following: reducing permit processing times or impact fees for workforce housing; increasing zoning density for a workforce housing development; rehabilitating existing uninhabitable housing stock into habitable workforce housing; or implementing any other initiative to address workforce housing needs. Once an initiative takes effect, it remains in effect for five years. After June 30, 2024, if a political subdivision has in effect at least three initiatives at the same time, DOA must give priority to housing grant applications from, or related to a project in, the political subdivision.

The bill defines “workforce housing” to mean the following, subject to the five-year average median costs as determined by the U.S. Bureau of the Census:

1. Housing that costs a household no more than 30 percent of the household’s gross median income.
2. Housing that is comprised of residential units for initial occupancy by individuals whose household median income is no more than 120 percent of the county’s gross median income.

Under current law, a mixed-use development TID contains a combination of industrial, commercial, or residential uses, although newly platted residential areas may not exceed more than 35 percent of the real property within the TID. Under the bill, newly platted residential areas may not exceed either the 35 percent limit or 60 percent of the real property within the TID if the newly platted residential use that exceeds 35 percent is used solely for workforce housing.

The bill also requires a TID’s project plan to include alternative projections of the TID’s finances and feasibility under different economic situations, including a slower pace of development and lower rate of property value growth than expected in the TID.

Currently, a city or village may extend the life of a TID for up to one year for housing stock improvement if all of the following occurs:

1. The city or village pays off all of the TID’s project costs.
2. The city or village adopts a resolution stating that it intends to extend the life of the TID, the number of months it intends to do so, and how it intends to improve housing stock.
3. The city or village notifies DOR.

Current law requires the city or village to use 75 percent of the tax increments received during the period specified in the resolution to benefit affordable housing in the city or village and 25 percent to improve the city’s or village’s housing stock.

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Under the bill, a city or village may extend the life of a TID for up to three years to improve its housing stock or increase the number of affordable and workforce housing improvements, with at least 50 percent of the funds supporting units for families with incomes of up to 60 percent of the county's median income. Also, for any extension of more than one year, the other taxing jurisdictions must approve of the extension.

Under current law, if a city, village, or town imposes an impact fee on a developer to pay for certain capital costs to accommodate land development, the city, village, or town may provide in the ordinance an exemption from, or a reduction in the amount of, impact fees on land development that provides low-cost housing. Under the bill, the impact fee exemption or reduction provisions also apply to workforce housing. Current law prevents the shifting of an exemption from or reduction in impact fees to any other development in the land development in which the low-cost housing is located. The bill applies this provision to workforce housing as well.

TIF 12 percent rule exception

Under current law, when creating a new TID or amending a TID, a city or village must make a finding that the equalized value of taxable property of the new or amended TID plus the value increment of all existing TIDs in the city or village does not exceed 12 percent of the total equalized value of taxable property in the city or village. Under the bill, in lieu of making the 12 percent finding, a city or village may certify to DOR that 1) TIDs with sufficient value increments will close within one year after certification so that the municipality will no longer exceed the 12 percent limit and 2) the city or village will not take any actions that would extend the life of any TID under item 1.

GENERAL LOCAL GOVERNMENT***Regional transit authorities***

The bill creates, or authorizes the creation of, a southeast regional transit authority (SE RTA), a Dane County regional transit authority (DC RTA), a Fox Cities regional transit authority (FC RTA), and a regional transit authority in any other metropolitan statistical area in which qualifying political subdivisions agree to create one (statewide RTA). Upon creation, each transit authority is a public body corporate and politic and a separate governmental entity.

The SE RTA is created if the governing body of Milwaukee County or Kenosha County, or of any municipality located within that portion of Racine County east of I 94, adopts a resolution authorizing the county or municipality to become a member of the SE RTA. If any of these counties or municipalities fails to adopt a resolution creating the SE RTA, these counties and municipalities, as well as Racine County, may also join the SE RTA after it has been created by one or more other counties or municipalities. If Milwaukee County or Kenosha County joins the SE RTA, all municipalities located within Milwaukee County or Kenosha County, respectively, become members of the SE RTA. Any of the counties of Waukesha, Ozaukee, and Washington may join the SE RTA upon adoption of a resolution by the county's governing body, and any municipality located within the county may join the SE RTA

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upon adoption of a resolution by the municipality's governing body and approval of the SE RTA's board of directors. The jurisdictional area of the SE RTA is the geographic area formed by the combined territorial boundaries of counties and municipalities that are members of the SE RTA.

The DC RTA is created if the governing body of Dane County adopts a resolution authorizing the county to become a member of the DC RTA. Once created, the members of the DC RTA consist of Dane County and all municipalities located within the Madison metropolitan planning area (MMPA). Any municipality located within Dane County but not within the MMPA may join the DC RTA upon adoption of a resolution by the municipality's governing body and approval of the DC RTA's board of directors. The jurisdictional area of the DC RTA is the geographic area formed by the MMPA combined with the territorial boundaries of all municipalities outside the MMPA that join the DC RTA.

The members of the FC RTA consist of Outagamie County, Calumet County, and Winnebago County and all municipalities located within the urbanized area of the Fox Cities metropolitan planning area (UFCMPA). Any municipality located within Outagamie County, Calumet County, or Winnebago County but not within the UFCMPA may join the FC RTA upon adoption of a resolution by the municipality's governing body and approval of the FC RTA's board of directors. The jurisdictional area of the FC RTA is the geographic area formed by UFCMPA combined with the territorial boundaries of all municipalities outside the UFCMPA that join the FC RTA.

A statewide RTA is created if any two or more political subdivisions located within a metropolitan statistical area adopt resolutions authorizing the political subdivision to become members of the RTA. Once created, the members of a statewide RTA consist of all political subdivisions that adopt resolutions authorizing participation. Any political subdivision located in whole or in part within a metropolitan statistical area located in whole or in part within a statewide RTA's jurisdiction may join the statewide RTA. The jurisdictional area of an authority created under this paragraph is the geographic area formed by the combined territorial boundaries of all participating political subdivisions.

An RTA's authority is vested in its board of directors. Directors serve four-year terms. An RTA's bylaws govern its management, operations, and administration and must include provisions specifying all of the following:

1. The functions or services to be provided by the RTA.
2. The powers, duties, and limitations of the RTA.
3. The maximum rate of the sales and use tax, not exceeding the statutory limit, that may be imposed by the RTA.

An RTA may do all of the following:

1. Establish or acquire a comprehensive unified local transportation system, which is a transportation system comprised of bus lines and other public transportation facilities generally within the jurisdictional area of the RTA. "Transportation system" is defined to include land, structures, equipment, and other property for transportation of passengers, including by bus, rail, or other form of mass transportation. The RTA may operate this transportation system or provide

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for its operation by another. The RTA may contract with a public or private organization to provide transportation services in lieu of directly providing these services and may purchase and lease transportation facilities to public or private transit companies. With two exceptions, an RTA may not directly or by contract provide services outside the RTA's jurisdictional area.

2. Coordinate specialized transportation services for persons who are disabled or aged 60 or older.

3. Own or lease real or personal property.

4. Acquire property by condemnation.

5. Enter upon highways to install, maintain, and operate the RTA's facilities.

6. Impose, by the adoption of a resolution by the RTA's board of directors, a sales and use tax in the RTA's jurisdictional area at a rate of not more than 0.5 percent of the sales price.

7. Impose a fee of \$2 per transaction on the rental of passenger cars without drivers.

8. Incur debts and obligations. An RTA may issue tax-exempt revenue bonds, secured by a pledge of any income or revenues from any operations or other source of moneys for the RTA. The bonds of an RTA are not a debt of its member political subdivisions and neither the member political subdivisions nor the state are liable for the payment of the bonds.

9. Set fees and charges for functions, facilities, and services provided by the RTA.

10. Adopt bylaws and rules to carry out the powers and purposes of the RTA.

11. Sue and be sued in its own name.

12. Employ agents, consultants, and employees; engage professional services; and purchase furniture, supplies, and materials reasonably necessary to perform its duties and exercise its powers.

13. Invest funds not required for immediate disbursement.

14. Do and perform any authorized acts by means of an agent or by contracts with any person.

15. Exercise any other powers that the board of directors considers necessary and convenient to effectuate the purposes of the RTA, including providing for passenger safety.

The board of directors of an RTA must annually prepare a budget for the RTA. Rates and other charges received by the RTA must be used only for the general expenses and capital expenditures of the RTA, to pay interest, amortization, and retirement charges on the RTA's revenue bonds, and for specific purposes of the RTA and may not be transferred to any political subdivision. The RTA must maintain an accounting system in accordance with generally accepted accounting principles and must have its financial statements and debt covenants audited annually by an independent certified public accountant.

An RTA must provide, or contract for the provision of, transit service within the RTA's jurisdictional area. An RTA that acquires a transportation system for the purpose of operating the system must assume all of the employer's obligations under any contract between the employees and management of the system to the extent

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allowed by law. An RTA that acquires, constructs, or operates a transportation system must negotiate an agreement with the representative of the labor organization that covers the employees affected by the acquisition, construction, or operation to protect the interests of employees affected, and that agreement must include specified provisions. Employees of the RTA are participatory employees under the Wisconsin Retirement System (WRS) if the RTA elects to join the WRS.

A member political subdivision for which joinder into an RTA is optional may withdraw from an RTA if the governing body of the political subdivision adopts a resolution requesting withdrawal from the RTA and the political subdivision has paid, or made provision for the payment of, all obligations of the political subdivision to the RTA. A member of the SE RTA that must become a member as a result of the membership of the county in which the municipality is located must withdraw from the SE RTA if the county in which the municipality is located withdraws from the SE RTA.

Current law provides limited immunity for cities, villages, towns, counties, and other political corporations and governmental subdivisions, and for officers, officials, agents, and employees of these entities, for acts done in an official capacity or in the course of employment. Claimants must generally follow a specified claims procedure, and liability for damages is generally limited to \$50,000, except that no liability may be imposed for performance of a discretionary duty or for punitive damages. If a person suffers damage resulting from the negligent operation of a motor vehicle owned and operated by a county, city, village, town, school district, sewer district, or other political subdivision of the state in the course of its business, the person may file a claim for damages following this claims procedure, and the amount of damages recoverable is limited to \$250,000. The bill specifies that this provision related to claims and liability for negligent operation of a motor vehicle by a political subdivision applies to an RTA.

The bill also allows RTAs to participate in organizing municipal insurance mutuals to provide insurance and risk management services.

Professional baseball park districts

Under current law, a professional baseball park district is created in each county with a population of at least 600,000 (presently, only Milwaukee County) and all counties that are contiguous to that county (in relation to Milwaukee County, these counties are Ozaukee County, Racine County, Washington County, and Waukesha County). A district has a variety of powers. Among these, a district may acquire, construct, equip, maintain, improve, operate, and manage baseball park facilities and may set standards governing the use of, and the conduct within, baseball park facilities. A district is authorized to impose a sales tax and a use tax at a rate of no more than 0.1 percent. Also, a district may issue bonds for the purpose of purchasing, acquiring, leasing, constructing, extending, adding to, improving, conducting, controlling, operating, or managing baseball park facilities. Bonds issued by the district must be secured only by the district's interest in any baseball park facilities, by income from these facilities, and by the sales tax and use tax that the district is authorized to levy. The district may not collect sales taxes after the calendar quarter in which the district certifies to DOR that the district has retired

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all of its bonds. The sales tax ended on March 31, 2020. The district continues to have outstanding bonds, but these bonds are fully defeased.

The bill eliminates a district's authority to impose a sales tax as of April 30, 2024. The bill also requires the district to establish a facilities enhancement fund into which it must deposit certain grant payments received from DOA. Moneys from this fund may be used only for purposes related to the development, construction, improvement, repair, and maintenance of baseball park facilities, and specifically may not be used for the securitization or retirement of bonds.

The bill also does the following:

1. Authorizes a district to acquire and manage property related to "baseball park development," which is defined as "property, other than baseball park facilities, tangible or intangible, operated by a professional baseball team on real estate leased or subleased from a district that is part of the operations of the professional baseball team for any legally permissible use, including retail facilities, hospitality facilities, commercial and residential facilities, health care facilities, and any other functionally related or auxiliary facilities or structures."

2. Defines what constitutes a "professional baseball team" and limits the establishment of new professional baseball park districts to counties with populations over 600,000 that are the site of baseball park facilities that are home to a professional baseball team.

3. Alters the district termination procedure. Currently, if a district is terminated, the property of the district is transferred to the counties within the jurisdiction of the district. Under the bill, upon termination all district property is transferred to the state. The state then apportions the properties to the constituent counties and the state based on a statutory formula.

Local government civil service system and grievance procedure requirements

The bill modifies the requirements for any grievance system established by local governmental units, including adding a requirement for any civil service system or grievance procedure to include a just cause standard of review for employee terminations. Under current law, a local governmental unit that did not have a civil service system before June 29, 2011, must have established a grievance system. In order to comply with the requirement to have established a grievance system, a local governmental unit may establish either 1) a civil service system under any provision authorized by law, to the greatest extent practicable, if no specific provision for creation of a civil service system applies to the governmental unit or 2) a grievance procedure as set forth in the statutes. Current law requires that any civil service system established or grievance procedure created must contain a grievance procedure that addresses employee terminations, employee discipline, and workplace safety. The bill does not eliminate the requirement for these provisions but instead adds a requirement for a provision relating to a just cause standard of review for employee terminations, including a refusal to renew a teaching contract.

Current law also requires that if a local governmental unit creates a grievance procedure, the procedure must contain certain elements, including a written document specifying the process that a grievant and an employer must follow; a

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hearing before an impartial hearing officer; and an appeal process in which the highest level of appeal is the governing body of the local governmental unit. The bill provides that the hearing officer must be from the Wisconsin Employment Relations Commission and adds the following two required elements in the grievance procedure: 1) a provision indicating the grievant is entitled to representation throughout the grievance process and 2) a provision indicating that the employer must bear all fees and costs related to the grievance process, except the grievant's representational fees and costs.

Employment regulations

The bill repeals the preemptions of local governments from enacting or enforcing ordinances related to the following:

1. Regulations related to wage claims and collections.
2. Regulation of employee hours and overtime, including scheduling of employee work hours or shifts.
3. The employment benefits an employer may be required to provide to its employees.
4. An employer's right to solicit information regarding the salary history of prospective employees.
5. Regulations related to minimum wage.
6. Occupational licensing requirements that are more stringent than a state requirement.

The bill also repeals the following:

1. The prohibition of the state and local governments from requiring any person to waive the person's rights under state or federal labor laws as a condition of any approval by the state or local government.
2. A provision under which neither the state nor a local government may enact a statute or ordinance, adopt a policy or regulation, or impose a contract, zoning, permitting, or licensing requirement, or any other condition, that would require any person to accept any provision that is a subject of collective bargaining under state labor laws or the federal National Labor Relations Act.

Project labor agreements

Under current law, the state and local units of government are prohibited from engaging in certain practices in letting bids for state procurement or public works contracts. Among these prohibitions, as established by 2017 Wisconsin Act 3, the state and local governments may not do any of the following in specifications for bids for the contracts: 1) require that a bidder enter into an agreement with a labor organization; 2) consider, when awarding a contract, whether a bidder has or has not entered into an agreement with a labor organization; or 3) require that a bidder enter into an agreement that requires that the bidder or bidder's employees become or remain members of a labor organization or pay any dues or fees to a labor organization. The bill repeals these limitations related to labor organizations.

Nonmetallic quarry hours of operation

The bill prohibits a political subdivision from limiting the times that activities related to extracting or processing minerals at a quarry occur if the minerals will be

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used in a public works project that requires nighttime construction or an emergency repair.

Exception to law enforcement officer citizenship requirement

Under current law, no person may be appointed as a deputy sheriff of any county or police officer of any city, village, or town unless that person is a citizen of the United States. The bill allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of noncitizens who are in receipt of valid employment authorization from the federal Department of Homeland Security as deputy sheriffs or police officers. The bill also prevents the Law Enforcement Standards Board from preventing such a noncitizen from participating in a law enforcement preparatory training program.

Premier resort area exceptions

The bill allows the city of Prescott and the village of Pepin to become premier resort areas notwithstanding the fact that they do not meet the generally applicable requirement that at least 40 percent of the equalized assessed value of the taxable property within a political subdivision be used by tourism-related retailers (the 40-percent requirement). “Tourism-related retailers” is defined to include certain retailers who are classified in the *Standard Industrial Classification Manual* that is published by the U.S. Office of Management and Budget. The statutory definition lists 21 types of retailers, including variety stores, dairy product stores, gasoline service stations, eating places, drinking places, and hotels and motels.

Currently, a number of cities and villages are authorized to enact an ordinance or adopt a resolution to become a premier resort area notwithstanding the fact that none of these cities or villages meet the 40 percent requirement. As is the case with the villages of Sister Bay, Ephraim, and Stockholm, and the city of Rhinelander, the premier resort area tax may not take effect in Prescott or Pepin unless it is approved in a referendum of the voters.

A premier resort area may impose a tax at a rate of 0.5 percent of the gross receipts from the sale, lease, or rental of goods or services that are subject to the general sales and use tax and are sold by tourism-related retailers. The proceeds of the tax may be used only to pay for infrastructure expenses within the jurisdiction of the premier resort area. The definition of “infrastructure expenses” includes the costs of purchasing, constructing, or improving parking lots; transportation facilities, including roads and bridges; sewer and water facilities; recreational facilities; exposition center facilities; fire fighting equipment; and police vehicles.

MARIJUANA LEGALIZATION AND REGULATION***General; marijuana legalization and regulation***

Under the bill, a person who is at least 21 years old may legally possess marijuana. A person who is at least 18 may possess marijuana if the person has certain medical conditions. Under the bill, a person may produce, process, or sell marijuana if the person has a permit. The bill creates an excise tax for the privilege of producing, processing, distributing, or selling marijuana in this state, and all of the revenue collected from the tax is deposited into a segregated fund called the “community reinvestment fund.” Under the bill, a person who may possess medical

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marijuana is not subject to sales or excise taxes on the purchase or use of the marijuana. The bill does not affect federal law, which generally prohibits persons from manufacturing, delivering, or possessing marijuana and applies to both intrastate and interstate violations.

Legalizing the possession of marijuana

Current law prohibits a person from manufacturing, distributing, or delivering marijuana; possessing marijuana with the intent to manufacture, distribute, or deliver it; possessing or attempting to possess marijuana; using drug paraphernalia; or possessing drug paraphernalia with the intent to produce, distribute, or use a controlled substance. The bill changes state law to allow a resident of this state who is at least 21 to possess no more than two ounces of marijuana and to allow a nonresident of this state who is at least 21 to possess no more than one-quarter ounce of marijuana. The bill also allows a qualifying patient to possess marijuana for medical purposes. Under the bill, generally, a qualifying patient is an individual who has been diagnosed by a physician as having or undergoing a debilitating medical condition or treatment and who is at least 18 years old. The bill also eliminates the prohibition on possessing or using drug paraphernalia that relates to marijuana consumption.

Under the bill, a person who possesses more marijuana than the maximum amount the person is allowed is subject to a penalty, which varies depending on the amount of overage. A person who exceeds the amount by not more than one ounce is subject to a civil forfeiture not to exceed \$1,000. A person who exceeds the maximum amount by more than one ounce is guilty of a misdemeanor and subject to a fine of not more than \$1,000 or imprisonment not to exceed 90 days or both. The person is guilty of a Class I felony if the person also takes action to hide the amount of marijuana he or she has and has in place a security system to alert him or her to the presence of law enforcement or a method to intimidate, or a system that could injure or kill, a person approaching the area containing the marijuana.

Regulating the production, processing, and sale of marijuana

Under the bill, no person may sell, distribute, or transfer marijuana unless the person has a permit from DOR. A person who violates this prohibition is guilty of a Class I felony if the intended recipient is an adult and is guilty of a Class H felony if the intended recipient is a minor and the person is at least three years older than the minor.

The bill requires a person to obtain separate permits from DOR to produce, process, distribute, or sell marijuana, and requires marijuana producers and processors to obtain additional permits from DATCP. The requirements for obtaining these permits differ based on whether the permit is issued by DOR or DATCP but, in general, a person may not obtain such a permit if he or she is not a resident of this state, is under the age of 21, or has been convicted of certain crimes or committed certain offenses. In addition, a person may not operate under a DOR or DATCP permit within 500 feet of a school, playground, recreation facility, child care facility, public park, public transit facility, or library. A person who holds a permit from DOR must also comply with certain operational requirements.

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Under the bill, a permit applicant with 20 or more employees may not receive a permit from DATCP or DOR unless the the applicant certifies that the applicant has entered into a labor peace agreement with a labor organization. The labor peace agreement prohibits the labor organization and its members from engaging in any economic interference with persons doing business in this state, prohibits the applicant from disrupting the efforts of the labor organization to communicate with and to organize and represent the applicant's employees, and provides the labor organization access to areas in which the employees work to discuss employment rights and the terms and conditions of employment. Current law prohibits the state and any local unit of government from requiring a labor peace agreement as a condition for any regulatory approval. The permit requirements under the bill are not subject to that prohibition.

The bill also requires DATCP and DOR to use a competitive scoring system to determine which applicants are eligible to receive permits. Each department must issue permits to the highest scoring applicants that it determines will best protect the environment; provide stable, family-supporting jobs to local residents; ensure worker and consumer safety; operate secure facilities; and uphold the laws of the jurisdictions in which they operate. Each department may deny a permit to an applicant with a low score.

The bill prohibits a DOR permittee from selling, distributing, or transferring marijuana to a person who is under the age of 21 (a minor) and from allowing a minor to be on premises for which a permit is issued. If a permittee violates one of those prohibitions, the permittee may be subject to a civil forfeiture of not more than \$500 and the permit may be suspended for up to 30 days.

Under the bill, a minor who does any of the following is subject to a forfeiture of not less than \$250 nor more than \$500: procures or attempts to procure marijuana from a permittee; falsely represents his or her age to receive marijuana from a permittee; knowingly possesses marijuana; or knowingly enters any premises for which a permit has been issued without being accompanied by his or her parent, guardian, or spouse who is at least 21 years of age or at least 18 years of age if a qualifying patient.

Under the bill, an individual may cultivate as many as six marijuana plants. Only a person who has a permit from DATCP may produce or process more marijuana plants. A person without a permit who possesses more than six but not more than 12 marijuana plants that have reached the flowering stage is subject to a civil forfeiture not to exceed twice the permitting fee (\$250 under the bill). If the person possesses more than 12 plants that have reached the flowering stage, the person is guilty of a misdemeanor and subject to a fine not to exceed \$1,000 or imprisonment not to exceed 90 days or both. The person is guilty of a Class I felony if the person also takes action to hide the number of plants he or she has and the person also has in place a security system to alert him or her to the presence of law enforcement or a method to intimidate, or a system that could injure or kill, a person approaching the area containing the plants.

The bill requires DOR to create and maintain a medical marijuana registry program whereby a person who is a qualifying patient may obtain a registry

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identification card and purchase marijuana from a retail establishment without having to pay the sales or excise taxes imposed on that sale. A qualifying patient is a person who is at least 18 and has been diagnosed by a physician as having a debilitating medical condition such as cancer, glaucoma, AIDS, or another specified condition or is undergoing a debilitating medical treatment.

Previous convictions relating to marijuana

The bill creates a process to review convictions for acts that have been decriminalized under the bill. If the person is currently serving a sentence or on probation for such a conviction, the person may petition a court to dismiss the conviction and expunge the record. If the person has completed a sentence or period of probation for such a conviction, the person may petition a court to expunge the record or, if applicable, redesignate it to a lower crime. Any conviction that is expunged under the bill is not considered a conviction for any purpose under state or federal law.

Registration for THC testing labs

The bill requires DATCP to register entities as tetrahydrocannabinols (THC)-testing laboratories. The laboratories must test marijuana for contaminants; research findings on the use of medical marijuana; and provide training on safe and efficient cultivation, harvesting, packaging, labeling, and distribution of marijuana, security and inventory accountability, and research on medical marijuana.

Discrimination based on marijuana use

Under the fair employment law, no employer or other person may engage in any act of employment discrimination against any individual on the basis of the individual's use or nonuse of lawful products off the employer's premises during nonworking hours, subject to certain exceptions, one of which is if the use impairs the individual's ability to undertake adequately the job-related responsibilities of that individual's employment. The bill specifically defines marijuana as a lawful product for purposes of the fair employment law, such that no person may engage in any act of employment discrimination against an individual because of the individual's use of marijuana off the employer's premises during nonworking hours, subject to those exceptions.

Under current law, an individual may be disqualified from receiving unemployment insurance (UI) benefits if he or she is terminated because of misconduct or substantial fault. The bill specifically provides that an employee's use of marijuana off the employer's premises during nonworking hours does not constitute misconduct or substantial fault unless termination for that use is permitted under one of the exceptions under the fair employment law.

Unless federal law requires otherwise, the bill prohibits a hospital, physician, organ procurement organization, or other person from determining the ultimate recipient of an anatomical gift on the sole basis of a positive test for the use of marijuana by a potential recipient.

Drug screening and testing

The bill exempts THC, including marijuana, from drug testing for certain public assistance programs. Currently, a participant in a community service job or

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transitional placement under the Wisconsin Works program (W2) or a recipient of the FoodShare program, also known as the food stamp program, who is convicted of possession, use, or distribution of a controlled substance must submit to a test for controlled substances as a condition of continued eligibility. DHS is currently required to request a waiver of federal Medicaid law to require drug screening and testing as a condition of eligibility for the childless adult demonstration project in the Medical Assistance program. Current law also requires DHS to promulgate administrative rules to develop and implement a drug screening, testing, and treatment policy for able-bodied adults without dependents in the FoodShare employment and training program. The bill exempts THC from all of those drug-testing requirements and programs. In addition, because THC is not a controlled substance under state law under the bill, the requirement under current law that DCF promulgate administrative rules to create a controlled substance abuse screening and testing requirement for applicants for the work experience program for noncustodial parents under W2 and the Transform Milwaukee Jobs and Transitional Jobs programs does not include THC.

Under current law, DWD must establish a program to test claimants who apply for UI benefits for the presence of controlled substances, as defined under federal law. If a claimant tests positive for a controlled substance, the claimant may be denied UI benefits, subject to certain exceptions and limitations. The bill excludes THC for purposes of this testing requirement. As such, under the bill, an individual who tests positive for THC may not be denied UI benefits.

Grants to counties to support behavioral health services

The bill directs DHS to promulgate administrative rules to establish grants to counties to support mental health and substance use disorder services, to be paid from the revenue generated from the excise tax on marijuana that is deposited into the community reinvestment fund.

MILITARY AFFAIRS***Changes to the Wisconsin Code of Military Justice***

The bill makes a number of changes to the Wisconsin Code of Military Justice (WCMJ), including 1) the codification of offenses that have been included as offenses in the federal Uniform Code of Military Justice (UCMJ) related to retaliation, sexual harassment, and engagement in prohibited sexual activity with a recruit or trainee; 2) articulation of the limits of punishment under the WCMJ; 3) clarifications as to which courts-martial have primary jurisdiction over certain offenses; 4) removal of certain gender-specific language from the WCMJ; 5) requiring that the adjutant general prescribe rules of procedure for courts-martial arising under the WCMJ; and 6) requiring that the adjutant general prescribe and implement a policy that ensures that a victim of an offense under the WCMJ is treated with dignity, respect, courtesy, sensitivity, and fairness.

ASSEMBLY BILL 43***Wisconsin National Guard duties related to sexual assault and sexual harassment***

The bill requires the adjutant general to submit to the governor and appropriate standing committees of the legislature an annual report containing information related to sexual assaults and sexual harassment reported by members of the Wisconsin National Guard and a summary of National Guard training and policies related to preventing and responding to incidents of sexual assault and sexual harassment.

Wisconsin National Guard misconduct case management system

The bill also requires DMA to establish and maintain a case management system that allows the National Guard to track and manage casework related to misconduct within the National Guard. Additionally, the bill requires DMA to submit to the governor and appropriate standing committees of the legislature an annual report describing any substantive changes to the UCMJ during the prior federal fiscal year, a comparison of those changes to the WCMJ, and recommendations regarding whether those changes should be incorporated into the WCMJ.

Creating an office of homeland security

The bill creates an office of homeland security in DMA that must work with the federal Department of Homeland Security and state and local law enforcement agencies to identify, investigate, assess, report, and share tips and leads linked to emerging homeland security threats. The director of the office of homeland security must be appointed by the adjutant general.

Aerial assistance

The bill provides that DMA may provide aerial assistance for incident awareness and assessment, drug interdiction and counter-drug activities, search and rescue efforts, or disasters and seek reimbursement for such services if provided.

Appropriation for reimbursements for drug house demolition

The bill creates a continuing program revenue appropriation for DMA to receive reimbursements from municipalities for the demolition of certain former drug dwellings.

Recovery of Next Generation 911 costs

Under current law, DMA must contract for the creation, operation, and maintenance of an emergency services IP network to implement what is known as "Next Generation 911," a modern emergency communication network. The bill requires that the contracts include a provision that the contracted entity reimburse originating service providers, which are the entities that provide services used to connect to the emergency number system, for all their costs incurred in connecting to the Next Generation 911 system.

Statewide public safety interoperable communication system

The bill creates a continuing GPR appropriation to fund the development and operation of a statewide public safety interoperable communication system.

ASSEMBLY BILL 43***Payment to town of Silver Cliff to rebuild its public safety building***

Under current law, DMA may make payments from a state disaster assistance appropriation account to local governmental units for the damages and costs incurred as the result of a disaster if the disaster meets one of the two following requirements: 1) the disaster is not eligible for other funding related to a presidentially declared “major disaster,” or 2) DMA determines the disaster meets a certain per capita impact indicator. Additionally, the entity receiving the grant is required to pay for 30 percent of the amount of damages and costs resulting from the disaster. The bill requires DMA to provide a \$1,000,000 payment in fiscal year 2023-24 from the same appropriation to the town of Silver Cliff for the rebuilding of the town’s public safety building that was destroyed by a tornado and exempts the Silver Cliff disaster from the program’s eligibility requirement and 30 percent payment requirement.

NATURAL RESOURCES**FISH, GAME, AND WILDLIFE*****Nonresident deer hunting license fee***

Under current law, DNR issues approvals that authorize hunting, fishing, and trapping of wild animals. The bill increases the fee for a deer hunting license issued to a person who is not a resident of this state from \$157.25 to \$182.25.

Inland waters trout stamp fee

Under current law, DNR issues approvals that authorize hunting, fishing, and trapping of wild animals. The holder of a fishing license or sports license may not fish for trout in inland trout waters unless the person also holds a trout stamp. The bill increases the fee for an inland waters trout stamp from \$9.75 to \$14.75.

Use of ID card to establish residency for DNR approvals

Under current law, DNR issues approvals that authorize the holder of the approval to engage in certain activities, such as hunting wild animals. In general, residents of the state are issued a different approval, for a lower fee, than nonresidents of the state. Current law provides that a resident is anyone who has maintained a permanent abode in the state for at least 30 days prior to applying for an approval, which must be established by demonstrating domiciliary intent. Under current law, evidence of domiciliary intent includes voting, paying personal income taxes, or obtaining a driver’s license at a location in the state. The bill provides that domiciliary intent may also be satisfied by obtaining an identification card issued by DOT. Under current law, an identification card issued by DOT is required to contain the same information that is required for an operator’s license, including the license holder’s name, address, and photograph, but must be clearly labeled as providing only identification of the card’s holder.

Deer carcass disposal sites

The bill requires DNR to provide financial assistance to local governments, individuals, businesses, and conservation organizations to purchase large metal containers for the disposal of deer carcasses.

ASSEMBLY BILL 43***Endangered resources funding match***

Under current law, DNR administers the endangered resources program, which includes improving habitats for endangered or threatened species, conducting the natural heritage inventory, conducting wildlife research and surveys, providing wildlife management services, and providing for wildlife damage control. Current law appropriates to DNR all moneys received from gifts, grants, and bequests for the program. Current law also allows an individual filing an income tax return to designate an additional payment for the program.

Current law appropriates from the general fund to DNR an amount equal to the amount of gifts, grants, and bequests received and any additional payments made for the program, not to exceed \$500,000 in a fiscal year. The bill increases the limit to \$950,000.

Aquatic plant management

Under current law, without a valid aquatic plant management permit issued by DNR, no person may introduce nonnative aquatic plants into waters of this state, manually remove aquatic plants from navigable waters, or control aquatic plants in waters of this state by the use of chemicals or by introducing biological agents, by using a process that involves dewatering, desiccation, burning, or freezing, or by using mechanical means. Under current law, DNR establishes fees for aquatic plant management permits, and those fees are deposited into a general fund appropriation used for facilities, materials, or services provided by DNR relating to its environmental quality functions and to the management of the state's water resources. Under the bill, those fees are deposited into a general fund appropriation used solely for the aquatic plant management permit program.

NAVIGABLE WATERS***Great Lakes and Mississippi River erosion control revolving loan programs***

The bill requires DNR to administer revolving loan programs to assist municipalities and owners of homes located on the shore of Lake Michigan, Lake Superior, or the Mississippi River where the structural integrity of municipal buildings or homes is threatened by erosion of the shoreline. Under the bill, moneys for the programs are provided from the environmental fund, the segregated fund used to finance environmental management programs administered by DNR and pollution abatement programs administered by DNR and DATCP. The bill requires DNR to promulgate administrative rules to administer the programs, including eligibility requirements and income limitations, and authorizes DNR to promulgate emergency rules for the period before permanent rules take effect.

Dam permit and approval fees

The bill changes the fees charged for permits and approvals for large dams. Under current law, a large dam is a dam that either has a structural height of 25 feet or more and impounds more than 15 acre-feet of water or has a structural height of more than six feet and impounds 50 acre-feet or more of water. Under the bill, the fees for large dams are based on the dam's hazard classification: \$1,000 for a large, high hazard dam; \$500 for a large, significant hazard dam; and \$200 for a large, low

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hazard dam. Current law requires DNR to classify the hazard level of each dam in the state for purposes of inspection regulations.

Bonding for dam safety projects

Under current law, the state may contract up to \$39,500,000 in public debt to provide financial assistance to counties, cities, villages, towns, and public inland lake protection and rehabilitation districts for dam safety projects. The bill increases the bonding authority for these projects by \$10,000,000.

Sheboygan Marsh dam funding

The bill requires DNR to award a \$500,000 dam safety grant to Sheboygan County to remove and reconstruct a dam on the Sheboygan River at the Sheboygan Marsh.

RECREATION***Free admission to state parks for fourth graders***

Under current law, no person may operate a vehicle in any state park or in certain other recreational areas on state land unless the vehicle displays a vehicle admission receipt. The bill requires DNR to waive the fee for an annual vehicle admission receipt issued to the parent or guardian of a pupil receiving a fourth grade level of instruction. A parent or guardian of a qualifying pupil may apply to DNR for the waiver by submitting required certifications. A parent or guardian may receive the waiver only once in his or her lifetime and DNR may issue a waiver only once for a household.

Online sales system for vehicle admission receipts and state trail passes

The bill creates a continuing appropriation from the conservation fund to DNR for costs associated with online sales systems for vehicle admission receipts for state parks, forests, and recreation areas and state trail passes.

Under current law, no person may operate a vehicle in any state park or in certain other recreational areas on state land unless the vehicle displays a current vehicle admission receipt. Vehicle admission receipts may currently be purchased in-person, via phone, at self-registration kiosks, and online. Current law also requires a state trail pass for certain activities on state trails. State trail passes may currently be purchased in-person, via phone, and at self-registration kiosks, but not online.

Campsite electrification

Under current law, DNR is authorized to establish and operate state campgrounds in state parks, state forests, and other lands under DNR supervision and management. For campsites located in a state park, DNR may provide and maintain electric receptacles, subject to certain limitations. One limitation provides that DNR may provide electric receptacles in no more than 35 percent of all state park campsites. The bill increases the limit to 40 percent.

GENERAL NATURAL RESOURCES***Stewardship program; amounts transferred to the capital improvement fund***

Current law authorizes the state to incur public debt for certain conservation activities under the Warren Knowles-Gaylord Nelson Stewardship 2000 program,

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which is administered by DNR. The state may incur this debt to acquire land for the state for conservation purposes and for property development activities and may award grants to local governments and nonprofit organizations to acquire land for these purposes. Current law establishes the amounts that DNR may obligate in each fiscal year through fiscal year 2025-26 for expenditure under each of five subprograms of the stewardship program. Moneys obligated under the stewardship program are appropriated from the capital improvement fund (CIF) and stewardship bond proceeds are deposited into CIF.

Current law provides that, in obligating moneys under the subprogram for land acquisition, DNR must set aside certain amounts to be obligated only for DNR to acquire land and to provide grants to counties for land acquisition (county forest grants). Specifically, the set-aside for DNR land acquisition each fiscal year is \$1,000,000 plus the amount transferred to CIF under an appropriation that transfers from moneys received for forestry activities (the forestry account) to CIF \$0 in 2021-22 and \$5,000,000 in 2022-23. The set-aside for county forest grants is equal to the amount transferred to CIF under an appropriation that transfers from the forestry account to CIF \$0 in 2021-22 and \$3,000,000 in 2022-23.

The bill maintains in the 2023-25 biennium the amounts in the schedule that may be transferred to CIF under each appropriation, but provides that the total amount transferred may not exceed the total amounts in the schedule for both appropriations less the unobligated balance in CIF at the end of that fiscal year. The bill also provides that the amount transferred to CIF under each appropriation must be reduced by the unobligated balance in CIF on a pro rata basis.

Stewardship program; JCF approval

Under current law, generally, for any project or activity for which more than \$250,000 of stewardship moneys are proposed to be obligated, DNR must obtain written approval for the project or activity from JCF. The bill increases this threshold to \$500,000. The bill also eliminates the requirement that DNR obtain written approval for obligating stewardship moneys for any land acquisition located north of STH 64.

The bill also eliminates a requirement under current law that DNR provide a written directory of all stewardship land that is open for public access.

Wild rice stewardship

The bill appropriates to DNR from the general fund moneys for wild rice stewardship efforts within the waters of areas where American Indian tribes or bands hold treaty-based rights to harvest wild rice. The bill provides that not less than \$50,000 of the amounts appropriated for each fiscal year must be allocated for public education and outreach pertaining to wild rice harvesting.

Terrestrial invasive species prevention

The bill creates an annual appropriation from the conservation fund to DNR for grants to cooperative invasive species management areas for surveying, monitoring, and controlling terrestrial invasive species.

ASSEMBLY BILL 43***Reversion of tribal gaming moneys***

Under current law and Indian gaming compacts, Indian tribes make payments to the state to reimburse the state for costs relating to the regulation of certain gaming activities. A certain amount of this money is appropriated to be transferred on an annual basis to several appropriation accounts. At the end of each fiscal year, unobligated funds from some of the programs that receive tribal gaming revenues revert to the appropriation account to which Indian gaming receipts are credited.

Under current law, DNR makes a payment to the Lac du Flambeau band of Lake Superior Chippewa based on the amount of fees collected by DNR for certain hunting and fishing approvals and the number of certain approvals issued within the the Lac du Flambeau reservation. DNR makes this payment from an appropriation that receives tribal gaming revenues.

The bill provides that unencumbered amounts of this appropriation revert to the appropriation account to which Indian gaming receipts are credited.

Funding from Indian gaming receipts

Current law requires DOA to transfer portions of Indian gaming receipts to certain DNR appropriations annually. The bill eliminates the requirement to transfer these amounts to an appropriation that funds snowmobile law enforcement operations and safety training and fatality reporting and eliminates that appropriation. The bill makes no change to an appropriation funding the same purposes from the conservation fund.

FORESTRY***Public forest regeneration grants***

The bill requires DNR to establish a public forest regeneration grant program. Under that program, DNR awards grants from moneys received for forestry activities for projects involving reforestation, forest regeneration, and forest management on public land. The bill provides that a project is eligible for a grant if it is located on public land owned by a local government or school district or by this state, except for land under the jurisdiction and control of DNR.

Forestry-industry-wide strategic plan

The bill requires DNR to develop a forestry-industry-wide strategic plan and road map and to submit a final report on this plan to the Council on Forestry no later than September 16, 2024.

County forest administration grants and county sustainable forestry program

The bill separates the existing biennial appropriation for county sustainable forestry grants and county forest administration grants into two separate biennial appropriations.

PUBLIC UTILITIES**TELECOMMUNICATIONS*****Broadband expansion grant program***

The bill makes various changes to the broadband expansion grant program.

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Current law requires PSC to administer the broadband expansion grant program, under which PSC designates as “underserved” areas of the state that are served by fewer than two broadband service providers and awards grants to eligible applicants for the purpose of constructing broadband infrastructure in underserved areas. The bill changes the purpose of the grant program to constructing broadband infrastructure in unserved areas. Under current law, “unserved areas” are areas not served by an Internet service provider (ISP) that 1) is a fixed wireless service or wired service and 2) provides service at actual speeds of at least 20 percent of the upload and download speeds for advanced telecommunications capability as designated by the Federal Communications Commission. The bill adds that the service must be available, reliable, and affordable and changes the speed standard for an unserved area to at least actual download speeds of 100 megabits per second and upload speeds of 20 megabits per second. The bill also allows PSC to adjust those speed standards every two years if it determines there is good cause to do so in order to align with changes in technology and actual market conditions, in which case it must publish the adjusted speed thresholds on its website.

Current law requires PSC to establish criteria for evaluating applications and awarding grants under the broadband expansion grant program and requires that the criteria give priority to projects meeting various standards, such as including matching funds and involving public-private partnerships. Under the bill, the criteria must require that projects serve unserved areas. The bill specifies that the criteria must give priority to projects with at least 40 percent matching funds and higher priority to projects with more than 40 percent matching funds. The bill specifies that the criteria must give priority to projects that are capable of offering service at actual download speeds of 100 megabits per second or greater and upload speeds of 100 megabits per second or greater and higher priority to projects capable of exceeding those speeds, but allows PSC to adjust these speeds every two years, similar to the threshold speeds in the definition of “unserved area.” The bill changes a requirement under current law that the criteria prioritize projects in a large geographic area to projects in a geographic area that is difficult to connect. The bill removes a requirement to prioritize projects that will not result in delaying the provision of broadband service to areas that neighbor areas to be served by the proposed project.

When evaluating a grant application, the bill requires PSC to consider the affordability of the service and all federal funding for broadband facilities in the project area of the proposed project.

The bill adds a procedure by which an ISP in or near a project area proposed in an application for a broadband expansion grant may challenge the awarding of that grant. An ISP may challenge the grant if that ISP currently provides available, reliable, and affordable fixed wireless or wired broadband service to any part of the project area at minimum download and upload speeds or if that ISP commits to completing construction of broadband infrastructure and providing available, reliable, and affordable broadband service to any part of the project area at minimum download and upload speeds no later than 24 months after the date of the PSC order awarding grants. The bill requires such a challenger to allow PSC to inspect its

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broadband infrastructure to ensure it meets minimum service requirements. The bill requires PSC to evaluate the challenge and prohibits it from funding any portion of a project relating to the area that is the subject of the challenge if it determines as credible the challenging ISP's commitment to provide broadband service that meets the requirements. If PSC denies funding as a result of such a challenge and the ISP does not fulfill its commitment, PSC is prohibited from awarding grant funding to that ISP and the ISP is prohibited from participating in the challenge process for the following two grant cycles.

The bill provides funding from the general fund for the broadband expansion grant program in addition to its current funding from the universal service fund, which consists of moneys that are required to be contributed by certain telecommunications providers and used to promote access to telecommunications service, among other purposes. The bill requires PSC to award in each fiscal year no less than 10 percent of the amount in the schedule under the new appropriation in fiscal year 2023-24 for the broadband expansion grant program (minimum amount). However, if the balance in the appropriation is less than the minimum amount, the bill requires PSC to award the entire remaining balance. Further, if PSC does not receive sufficient broadband expansion grant applications that meet the eligibility criteria to award the minimum amount or, if applicable, the remaining balance, the bill requires PSC to award the maximum amount of broadband expansion grants possible that fiscal year.

Municipality construction, ownership, or operation of broadband facilities

Current law prohibits, with several exceptions, a municipality from constructing, owning, or operating a facility for providing video service, telecommunications service, or broadband service to the public unless 1) the municipality holds a public hearing on the proposed action, 2) notice of the public hearing is given, and 3) the municipality prepares and makes available for public inspection a report estimating the total costs of, and revenues derived from, constructing, owning, or operating the facility for a period of at least three years. The bill eliminates the requirement that a municipality prepare and make available for public inspection that report if the facility is a broadband facility intended to serve an area designated as unserved by PSC.

Currently, under one of the exceptions, the public hearing and cost report do not apply to a facility for providing broadband service if 1) the municipality offers use of the facility on a nondiscriminatory basis to persons who provide broadband service to end users of the service, 2) the municipality itself does not use the facility to provide broadband service to end users, and 3) the municipality determines that, at the time of authorization, the facility does not compete with more than one provider of broadband service. The bill eliminates the requirements under items 2 and 3 for facilities that are intended to serve an unserved area. As a result, a municipality is not required to hold a public hearing or prepare a report for a broadband facility intended to serve an unserved area if the municipality offers use of the facility on a nondiscriminatory basis to persons who provide broadband service.

Currently, under another of the exceptions, the public hearing and cost report do not apply to a facility for providing broadband service to an area within the

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boundaries of a municipality if the municipality asks, in writing, each person that provides broadband service within the boundaries of the municipality whether the person currently provides broadband service to the area or intends to provide broadband service to the area within nine months and 1) the municipality does not receive an affirmative response within 60 days, 2) the municipality determines that a person who responded does not currently provide broadband service to the area, and no other person makes the response to the municipality, or 3) the municipality determines that a person who responded that the person intended to provide broadband service to the area within nine months did not actually provide the service within nine months and no other person makes the response to the municipality.

Under the bill, for this exception in the case of an unserved area, rather than asking whether a person plans to provide broadband service to the area within nine months, the municipality must ask whether the person intends or actively plans to provide broadband service to the area within three months.

Broadband line extension grants

The bill requires PSC to make grants to residents of properties that are not served by a broadband service provider to assist in paying the customer costs associated with line extension necessary to connect broadband service to the properties. The maximum size of a broadband line extension grant is \$4,000. The bill also requires PSC to give priority to primary residences and to establish other criteria for awarding the grants.

Digital equity program

The bill requires PSC to administer a digital equity program under which it may provide outreach and assistance to promote digital equity, coordinate the administration of federal and state digital equity funding, provide digital navigation services, and implement digital inclusion activities. Under the bill, “digital equity” means all individuals and communities have the information technology capacity needed to fully participate in society. The bill allows PSC to use moneys in the universal service fund to administer the digital equity program.

ENERGY***Electric utility integrated resource plans***

The bill requires investor-owned and municipal electric utilities to file integrated resource plans with PSC. An integrated resource plan must describe the resources an electric utility could use to meet the service needs of its customers over the next 5-year, 10-year, and 15-year periods, and must contain certain other information, including forecasts of electricity demand under various reasonable scenarios and plans and projected costs for meeting that electricity demand. PSC must establish requirements for the contents and filing of the plans, and PSC must approve, reject, or modify an electric utility’s integrated resource plan consistent with the public interest. The bill also requires PSC to review the integrated resource plans filed by electric utilities to inform its biennial strategic energy assessment. Under current law, the strategic energy assessment evaluates the adequacy and reliability of the state’s current and future energy supply.

ASSEMBLY BILL 43***Securitization of retiring power plants***

Under current law, an energy utility is allowed to apply to PSC for an order allowing the utility to finance the costs of the following activities by issuing bonds: 1) the construction, installation, or otherwise putting into place of environmental control equipment in connection with a plant that, before March 30, 2004, has been used to provide service to customers and 2) the retiring of any existing plant, facility, or other property to reduce, control, or eliminate environmental pollution in accordance with federal or state law. Current law defines these activities as “environmental control activities.” If approved by PSC, the bonds, which are referred to as “environmental trust bonds,” are secured by revenues arising from charges paid by an energy utility’s customers for the utility to recover the cost of the activities, as well as the cost of financing the bonds.

The bill adds the retiring of any existing electric generating facility fueled by nonrenewable combustible energy resources as an environmental control activity, the costs of which may be financed by an environmental trust bond.

Residential and commercial energy improvements

The bill allows PSC to authorize a public utility to finance energy improvements at a specific dwelling for a residential or commercial customer. Under the bill, a public utility may recover the costs of such an energy improvement through a surcharge periodically placed on the customer’s account. The bill requires PSC to promulgate administrative rules establishing requirements for this financing, which must include that the surcharge is assigned to a location, not to an individual customer; that energy improvements are eligible for financing only if they are estimated to save an amount that exceeds the surcharge; and that the financing offered may not increase a customer’s risk or debt.

Equity-focused intervenor compensation

The bill requires PSC to reserve \$50,000 annually to compensate equity-focused participants in PSC proceedings who review economic and environmental issues affecting low-income populations. Current law authorizes PSC to compensate certain participants in proceedings who provide significant contributions to the record.

Focus on Energy

Current law requires investor-owned electric and natural gas utilities to fund statewide energy efficiency and renewable resources programs, known as Focus on Energy, with 1.2 percent of their annual operating revenues from retail sales. The bill increases the amount utilities must spend to 2.4 percent of their annual operating revenues from retail sales. The bill also expands the definition of “energy efficiency program” to include a program that deploys electric technologies to meet energy needs currently served by other fuels in order to 1) reduce the usage of energy, increase the efficiency of usage of energy on a fuel-neutral basis, or reduce adverse environmental impacts, including carbon dioxide emissions and 2) reduce costs for electric public utilities and retail electric cooperatives or their customers or members.

ASSEMBLY BILL 43***Social cost of carbon***

The bill requires PSC to consider the social cost of carbon in determining whether to issue certificates required to construct large electric generating facilities or high-voltage transmission lines or to engage in certain other public utility projects. The bill defines “social cost of carbon” as a measure of the economic harms and other impacts expressed in dollars that result from emitting one ton of carbon dioxide into the atmosphere. The bill requires PSC to evaluate and set the social cost of carbon emissions as a dollar amount per ton of carbon dioxide emitted into the atmosphere. The bill requires PSC to evaluate and adjust as necessary that dollar amount every two years. In making the evaluations, PSC must use integrated assessment models and consider appropriate discount rates. The bill requires any adjustment by PSC to be consistent with the international consensus on the social cost of carbon. The bill requires PSC to consult with DNR in making the evaluations.

The bill also requires that, beginning no later than December 31, 2023, PSC must submit a report every odd-numbered year to the legislature describing PSC’s evaluation of the social cost of carbon. If PSC adjusts the previously set dollar amount, the report must specify the social cost of carbon as adjusted by PSC.

Recovery of cost of low-income assistance programs

Under current law, a public utility must charge rates that are just and reasonable. The bill provides that it is not unreasonable or unjustly discriminatory for a public utility to implement low-income assistance programs if approved in a rate case in which PSC reviewed the program eligibility criteria and program credits or rebates and if that cost is incorporated in the public utility’s published schedules or tariffs.

Penalties for gas pipeline safety violations

The bill increases the maximum penalties for persons who fail to operate and maintain gas production, transmission, and distribution facilities in a reasonably adequate and safe manner. Current law requires gas production, transmission, and distribution facilities to be operated and maintained in a reasonably adequate and safe manner and authorizes PSC to issue orders and rules to promote safety of those facilities. Under current law, a person who violates one of these PSC orders or rules or fails to operate and maintain gas production, transmission, and distribution facilities in a reasonably adequate and safe manner is subject to a forfeiture of up to \$25,000 per day and a total forfeiture of up to \$500,000 for a single persisting violation. Under the bill, a violator is subject to a forfeiture of up to \$200,000 per day and a total forfeiture of up to \$2,000,000 for a single persisting violation.

High-voltage transmission line fees

The bill requires PSC to administer annual impact and onetime environmental impact fees paid under current law by persons authorized by PSC to operate high-voltage transmission lines. Under current law, DOA administers the fees.

WATER AND SEWER***Remove size limit on grants for lead service line replacement***

The bill allows water public utilities to make grants that cover the full cost of replacing lead-containing customer-side water service lines. Under current law,

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water public utilities may, after applying to and receiving approval from PSC, make grants and loans to property owners to assist replacement of customer-side water service lines containing lead. Current law prohibits PSC from approving a water public utility's application to provide these grants unless grants are limited to no more than one-half of the total cost of replacing lead-containing customer-side water service lines.

RETIREMENT AND GROUP INSURANCE***Benefits for domestic partners***

2017 Wisconsin Act 59, the 2017-19 biennial budget act, repealed certain benefits provided to domestic partners of public employees who receive benefits through the Wisconsin Retirement System (WRS), the Group Insurance Board (GIB), and the Deferred Compensation Program. The bill reestablishes those benefits.

Specifically, Act 59 did all of the following: 1) for purposes of WRS, limited domestic partners to only those individuals who submitted an affidavit of domestic partnership to ETF before January 1, 2018; 2) prohibited GIB from covering an eligible employee's domestic partner or stepchild under a domestic partnership in a group health insurance plan offered by GIB; 3) eliminated the option for a surviving domestic partner to purchase health insurance coverage under a group health insurance plan offered by GIB; and 4) for deaths occurring on or after January 1, 2018, provided that a surviving domestic partner is not a default beneficiary for purposes of a deferred compensation plan and is not eligible to receive duty disability survivorship benefits. The bill reverses, prospectively, those changes to those benefits.

WRS annuitants returning to work

Under current law, if a WRS annuitant, or a disability annuitant who has attained his or her normal retirement date, is appointed to a position with a WRS-participating employer or provides employee services to a WRS-participating employer in which he or she is expected to work at least two-thirds of what is considered full-time employment by ETF, the annuity must be suspended and no annuity payment is payable until after the participant again terminates covered employment.

The bill removes the requirement that an annuitant suspend his or her annuity and instead allows an annuitant to elect to suspend the annuity and again become a participating employee or elect to not suspend his or her annuity and not become a participating employee. In other words, the bill allows an annuitant who returns to work for a participating employer but elects not to become a participating employee for purposes of the WRS to continue to receive his or her annuity.

Under current law, a WRS participant who has applied to receive a retirement annuity must wait at least 75 days between terminating covered employment with a WRS employer and returning to covered employment again as a participating employee. The bill reduces that period to 30 days.

ASSEMBLY BILL 43***Waiting period for state employees***

Under current law, most state employees, other than limited-term employees, may become covered under the state group health insurance plan on the first day of the first month after becoming employed with the state by filing an election within 30 days of being hired. However, most state employees are ineligible for an employer contribution towards the premiums for the health insurance for the first three months of employment. The bill changes the date to the first day of the second month for most state employees other than limited-term appointments hired on or after the effective date of the bill.

Income continuation insurance

Under current law, GIB must offer employees group income continuation insurance (ICI) coverage that pays for lost earnings as a result of injury or illness with separate provisions for short-term insurance with a benefit duration of no more than one year and long-term insurance covering injury or illness of indefinite duration.

The bill transfers oversight of the group ICI plan to the Employee Trust Funds Board (ETFb). The bill also provides that, as of January 1, 2025, ETFb must provide a group ICI plan, but ETFb is not required to provide separate short-term and long-term insurance or a particular benefit duration.

Under current law, an employee is eligible for benefits under the group ICI plan only after exhausting accumulated sick leave not to exceed 130 days. The bill eliminates that requirement and instead allows an employee to select among waiting periods determined by ETFb.

Employer and employee share of ICI premium payments

The bill changes how the employer and employee shares of premium payments for ICI are determined. Under current law, the employer pays part of an employee's ICI premium, and the employee pays the remainder. The employer's share is a certain percentage of the total premium cost that increases as an employee accumulates unused sick leave. For certain employees subject to collective bargaining agreements and for faculty and staff of the UW System, the employer and employee shares may be different from the prescribed formula that is based on the employee's accumulation of sick leave.

Under the bill, beginning January 1, 2025, for all employees, including UW System faculty and staff, unless a collective bargaining agreement provides otherwise, the employer pays the premium for the longest waiting period available to the employee under the ICI contract. If an employee elects a shorter waiting period, the employee pays the difference in premium amounts between the longest waiting period and the waiting period selected by the employee.

Group long-term disability insurance plan

Under current law, ETFb may determine that GIB must establish a group insurance plan to provide certain disability annuity or death benefits. Under this authority, GIB currently oversees a group long-term disability insurance (LTDI)

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plan. The bill provides explicit statutory authority for ETFB to establish the LTDI plan and transfers oversight of the LTDI plan from GIB to ETFB.

Internal auditor

The bill creates an Office of Internal Audit attached to ETF. Under the bill, the office plans and conducts audits of activities and programs administered by ETF, among other responsibilities, while following policies, principles, and directives established by ETFB.

The bill requires the ETF board to appoint an internal auditor and internal audit staff within the classified service who report directly to the board. Currently, the internal auditor for ETF reports to the secretary of employee trust funds, and internal audit staff report to the internal auditor.

Trust funds earnings allocations

Under current law, investment gains and losses of the core and variable retirement investment trust funds are distributed in a ratio of each participating account's average daily balance to the total average daily balance of all participating accounts. The State of Wisconsin Investment Board (SWIB) invests assets of the core and variable investment trust funds, which are commingled under current law, but all activity is not recorded on a daily basis for the separate participating accounts. SWIB provides certified annual earnings reports for the core and variable trust funds.

The bill provides that ETF must distribute the earnings to each participating account by calculating a simple average balance, which uses beginning and end-of-year balances for each participating account, and comparing that average balance to the total average balance of all participating accounts.

2025-27 budget request for pension administration system

The bill requires ETF to include in its 2025-27 biennial budget request a request for funding for modernization of ETF's pension administration system.

SAFETY AND PROFESSIONAL SERVICES**ADVANCED PRACTICE REGISTERED NURSES*****Licensure of advanced practice registered nurses***

Under current law, a person who wishes to practice professional nursing must be licensed by the Board of Nursing as a registered nurse (RN). The bill creates an additional system of licensure for advanced practice registered nurses (APRNs), to be administered by the board. Under the bill, in order to apply for an APRN license, a person must 1) hold an RN license; 2) have completed an accredited graduate-level or postgraduate-level education program preparing the person to practice as an APRN in one of four recognized roles and hold a current national certification approved by the board; 3) possess malpractice liability insurance as provided in the bill; 4) pay a fee determined by DSPS; and 5) satisfy certain other criteria specified in the bill. The bill also allows a person who has not completed an accredited education program described above to receive an APRN license if the person 1) on January 1, 2023, is both licensed as an RN in Wisconsin and practicing in one of the four recognized roles and 2) satisfies additional practice or education criteria

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established by the board. The bill also, however, automatically grants licenses to certain RNs, as further described below. The four recognized roles, as defined in the bill, are 1) certified nurse-midwife; 2) certified registered nurse anesthetist; 3) clinical nurse specialist; and 4) nurse practitioner. The bill requires the board, upon granting a person an APRN license, to also grant the person one or more specialty designations corresponding to the recognized role or roles for which the person qualifies.

Under the bill, all APRNs, except APRNs with a certified nurse-midwife specialty designation, must practice in collaboration with a physician or dentist. However, under the bill, an APRN may practice without being supervised by a physician or dentist if the Board of Nursing verifies that the APRN has completed 3,840 hours of professional nursing in a clinical setting and has completed 3,840 clinical hours of advanced practice registered nursing practice in his or her recognized role while working with a physician or dentist during those 3,840 hours of practice. APRNs may count additional hours practiced as an APRN in collaboration with a physician or dentist towards the 3,840 required hours of professional nursing. APRNs with a certified nurse-midwife specialty designation are instead required, if they offer to deliver babies outside of a hospital setting, to file and keep current with the board a proactive plan for involving a hospital or a physician who has admitting privileges at a hospital in the treatment of patients with higher acuity or emergency care needs, as further described below. Additionally, under the bill, an APRN may provide pain management services only while working in a collaborative relationship with a physician who specializes in pain management or, if the APRN has qualified to practice independently, in a hospital or clinic associated with a hospital.

The bill allows an APRN to delegate a task or order to another clinically trained health care worker if the task or order is within the scope of the APRN's practice, the APRN is competent to perform the task or issue the order, and the APRN has reasonable evidence that the health care worker is minimally competent to perform the task or issue the order under the circumstances. The bill requires an APRN to adhere to professional standards when managing situations that are beyond the APRN's expertise.

The holder of an APRN license may append the title "A.P.R.N." to his or her name, as well as a title corresponding to whichever specialty designations that the person possesses. The bill prohibits any person from using the title "A.P.R.N.," and from otherwise indicating that he or she is an APRN, unless the person is licensed by the board as an APRN. The bill also prohibits the use of titles and abbreviations corresponding to a recognized role unless the person has a specialty designation for that role.

Under the bill, when an APRN renews his or her APRN license, the board must grant the person the renewal of both the person's RN license and the person's APRN license. The bill requires all APRNs to complete continuing education requirements each biennium in clinical pharmacology or therapeutics relevant to the APRN's area of practice and to satisfy certain other requirements when renewing a license.

ASSEMBLY BILL 43***Practice of nurse-midwifery***

The bill repeals licensure and practice requirements specific to nurse-midwives and the practice of nurse-midwifery, including specific requirements to practice with an obstetrician. Under the bill, “certified nurse-midwife” is one of the four recognized roles for APRNs, and a person who is licensed as a nurse-midwife under current law is automatically granted an APRN license with a certified nurse-midwife specialty designation. The bill otherwise allows nurse-midwives to be licensed as APRNs if they satisfy the licensure requirements, except that the bill also requires that a person applying for a certified nurse-midwife specialty designation be certified by the American Midwifery Certification Board. The bill also requires an APRN with a specialty designation as a certified nurse-midwife to file with the Board of Nursing, and obtain the board’s approval of, a plan for ensuring appropriate care or care transitions in treating certain patients if the APRN offers to deliver babies outside of a hospital setting.

Prescribing authority

Under current law, a person licensed as an RN may apply to the Board of Nursing for a certificate to issue prescription orders if the person meets certain requirements established by the board. An RN holding a certificate is subject to various practice requirements and limitations established by the board and must possess malpractice liability insurance in an amount determined by the board.

The bill eliminates certificates to issue prescription orders and generally authorizes APRNs to issue prescription orders. A person who is certified to issue prescription orders under current law is automatically granted an APRN license with his or her appropriate specialty designation. RNs who are practicing in a recognized role on January 1, 2023, but who do not hold a certificate to issue prescription orders on that date and who are granted an APRN license under the bill may not issue prescription orders. As under current law, an APRN issuing prescription orders is subject to various practice requirements and limitations established by the board.

The bill repeals a provision concerning the ability of advanced practice nurses who are certified to issue prescription orders and who are required to work in collaboration with or under the supervision of a physician to obtain and practice under a federal waiver to dispense narcotic drugs to individuals for addiction treatment.

Malpractice liability insurance

The bill requires all APRNs to maintain malpractice liability insurance in coverage amounts specified under current law for physicians and nurse anesthetists. Additionally, the bill requires APRNs who have qualified to practice independently and who practice outside a collaborative or employment relationship, but not including those APRNs who only practice as a certified nurse-midwife, to participate in the Injured Patients and Families Compensation Fund. Under current law, only physicians and nurse anesthetists are mandatory participants in the Injured Patients and Families Compensation Fund. The Injured Patients and Families Compensation Fund provides excess medical malpractice coverage for health care providers who participate in the fund and meet all other participation requirements,

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which includes maintaining malpractice liability insurance in coverage amounts specified under current law.

Other changes

The bill directs DHS to require a hospital that provides emergency services to have sufficient qualified personnel available at all times to manage the number and severity of emergency department cases anticipated by the location. At a minimum, the bill directs DHS to require a hospital that provides emergency services to have on-site at least one physician who, through education, training, and experience, specializes in emergency medicine.

The bill makes numerous other changes throughout the statutes relating to APRNs, including various terminology changes.

PROFESSIONAL LICENSURE***Licensure of dental therapists***

The bill provides for the licensure of dental therapists, who are health care practitioners who may engage in the limited practice of dentistry.

Under current law, dentists and dental hygienists are licensed by the Dentistry Examining Board to practice dentistry and dental hygiene, respectively. The bill provides for the licensure of a third type of dental practitioner, dental therapists. Under the bill, the board must grant a dental therapist license to an individual who satisfies certain criteria, including completion of an approved dental therapy program and passage of required examinations.

Dental therapists may provide dental therapy services only under the supervision of a dentist with whom the dental therapist has a collaborative management agreement that addresses various aspects of the dental therapist's practice. Dental therapists are, subject to the terms of a collaborative management agreement and what was covered in their dental therapy education program, limited to providing services, treatments, and procedures that are specified in the bill, as well as additional services, treatments, or procedures specified by the board by rule. Dental therapists may initially provide dental therapy services only under the direct or indirect supervision of a qualifying dentist. Once a dental therapist has provided dental therapy services for at least 2,000 hours, the dental therapist may provide services under the general supervision of a qualifying dentist. However, the level of supervision for a dental therapist may be further limited under the terms of a collaborative management agreement. Dental therapists must also, under the bill, either 1) limit their practice to federally defined dental shortage areas or 2) practice in settings where at least 50 percent of their patient base consists of certain specified populations. Dental therapists must complete 12 hours of continuing education each biennium.

The bill subjects dental therapists to, or covers dental therapists under, various other laws, including the health care records law, the volunteer health care provider program, the health care worker protection law, and the emergency volunteer health care practitioner law. The bill also provides for loan forgiveness for dental therapists under the health care provider loan assistance program.

Finally, the bill requires, effective when 50 individuals become licensed as a dental therapist in this state or five years after the bill is enacted, that, to the extent

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possible, one of the dental hygienist members on the board also be licensed as a dental therapist.

Professional licenses for certain noncitizens

Currently, federal law prohibits all but certain noncitizens from receiving any “state or local public benefit,” which is defined to include any “professional license, or commercial license provided by an agency of a state or local government.” However, federal law allows states to explicitly allow eligibility for certain public benefits. The bill allows certain individuals who are not U.S. citizens to receive any professional license issued in this state if they meet all other requirements or qualifications for the professional license. For purposes of the bill, “professional license” means a license, registration, certification, or other approval to perform certain work tasks, whether issued by the state or a local governmental entity.

DSPS renewal dates; continuing education; nursing workforce survey

Under current law, a two-year renewal period applies to many health and business credentials administered by DSPS or a credentialing board. The renewal date for each two-year period is specified by statute. In addition, the laws governing some professions specify continuing education requirements, either by statute or by rule, as part of credentialing renewal.

The bill eliminates statutory renewal dates for these credentials and instead allows DSPS, in consultation with the credentialing boards, to establish renewal dates. The bill makes various changes to continuing education requirements for various professions to account for the flexible renewal periods allowed in the bill, including allowing DSPS and the credentialing boards to adjust continuing education requirements and to establish interim continuing education or other reporting requirements as needed to align with changes to renewal cycles.

Under current law, in order to renew a registered nurse or licensed practical nurse license, a licensee must complete and submit to DSPS with the application for renewal of the license a nursing workforce survey developed by DWD, completed to the satisfaction of the Board of Nursing, along with a nursing workforce survey fee of \$4. The bill modifies this requirement so that it no longer applies specifically as a condition of renewal of a nurse license.

Licensing fee revenue

Current law generally appropriates funding for the licensing, rule-making, and regulatory functions of DSPS for professional credentials and other approvals using 90 percent of revenues from the fees paid for those credentials and other approvals. The remaining 10 percent of these revenues are instead credited as GPR in the general fund.

The bill eliminates the exception whereby 10 percent of these revenues are credited as GPR and instead appropriates 100 percent of these revenues to DSPS for the purposes described above.

Reviews of criminal records

The bill requires DSPS, when conducting an investigation of the arrest or conviction record of a credential applicant, to review and obtain information to determine the circumstances of each case or offense, except that the bill allows DSPS,

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in its discretion, to complete its investigation of an arrest or conviction record without reviewing the circumstances of certain types of offenses specified in the bill. These offenses include certain first offense operating while intoxicated and related violations; certain underage alcohol violations; and minor, nonviolent ordinance violations, as determined by DSPS.

Rules; license portability

The bill provides that DSPS or a credentialing board in DSPS may promulgate administrative rules to facilitate enhanced license portability to help facilitate streamlined pathways to licensure for internationally trained professionals and increased reciprocity.

Trade exams administered by test service providers

Under the bill, DSPS is authorized to approve a test service provider to prepare, administer, and grade the examinations required for credentials to practice various trades, including for electricians, plumbers, fire sprinkler contractors and fitters, elevator mechanics, and blasters.

BUILDINGS AND SAFETY***Use of vapor products in indoor locations***

The bill specifies that the general prohibition under current law against smoking in indoor locations includes inhaling or exhaling vapor from a vapor product. Under the bill, a “vapor product” is a noncombustible product that produces vapor or aerosol for inhalation from the application of a heating element to a liquid or other substance. The prohibition applies to vapor products regardless of whether they contain nicotine.

Private on-site wastewater treatment system grants

The bill extends the grant program aiding certain persons and businesses served by failing private on-site wastewater treatment systems (POWTS), which are commonly known as septic tanks. Under current law, the program is repealed effective June 30, 2023. In addition, under the bill, a failing POWTS installed at least 33 years before the submission of a grant application is eligible to receive a grant. Current law authorizes grants only for failing POWTS that were installed before July 1, 1978.

Create appropriation for DSPS contractors

The bill creates an appropriation for payments received by DSPS contractors and vendors for services performed related to the regulation of industry, buildings, and safety.

SHARED REVENUE***Public safety, per capita, and aidable revenues allocations***

Under current law, counties and municipalities annually receive county and municipal aid payments, commonly referred to as shared revenue. Generally, each county and municipality receives a payment equal to the payment it received in 2012.

The bill provides additional aid payments by creating a municipal and county shared revenue program and using a percentage of state sales tax revenue to make the payments. The total amount available to make the payments under the bill is

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an amount equal to 20 percent of the state sales tax revenue collected in each fiscal year, minus the amounts distributed for county and municipal aid, as state aid for exempt personal property, and as payments under the expenditure restraint program.

Beginning in 2024, each county and municipality will receive a public safety payment to be used for law enforcement, fire protection, and ambulance and emergency medical services and to pay the costs of prosecutorial and judicial functions. The amount that DOR will distribute for these payments is equal to 43.4 percent of the total amount allocated for all payments under the bill. The amount of the payments are determined on the basis of the most recent three-year average of the county's or municipality's expenditures for law enforcement, fire protection, or ambulance and emergency medical services.

Under the bill, each county and municipality will also receive a payment based on the county's or municipality's population. Seventy percent of this per capita distribution is paid to municipalities and 30 percent to counties.

Finally, each county and municipality receives a payment on the basis of its aidable revenues. The bill defines "aidable revenues" as the total of the three-year average of revenues from general property taxes, other taxes, payments in lieu of taxes, special assessments, licenses and permits, fines and forfeitures, public charges, intergovernmental revenues, and shared revenues, not including public utility aid payments. The total amount that DOR distributes for aidable revenues is the amount remaining after determining the amounts distributed as public safety payments or per capita payments. Generally, each county and municipality receives an aidable revenues payment, as adjusted by DOR, in proportion to the amount of its aidable revenues, compared to the aidable revenues for all counties or municipalities.

Nontaxable reservation property

The bill provides an additional county and municipal aid payment for certain towns and counties that will no longer be able to impose property taxes on property located within the boundaries of an American Indian reservation and owned by the tribe or tribal members. A federal court recently held that, pursuant to the 1854 Treaty of La Pointe, the state and its political subdivisions are prohibited from taxing all real property within the Bad River, Lac Courte Oreilles, Lac du Flambeau, and Red Cliff reservations if that property is owned by the tribe or by one or more tribal members, regardless of whether the property was previously owned by a person other than the tribe or a tribal member. See *Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin v. Evers*, 46 F.4th 552 (7th Cir. 2022).

Under the bill, DOA determines the amount of the payments to the affected towns and counties for the payments in 2024. In 2025, and in each year thereafter, the amount of the payment a town or county receives is the amount received in the previous year, less 10 percent. No payments are made under the bill after the distribution in 2033.

Energy storage facility

Under current law, counties and municipalities where power production plants are located receive public utility aid payments on the basis of the value or megawatt

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capacity of the plant. Generally, the amount of the payment to a county or municipality is determined by applying a mill rate to a specified amount of the license fees paid by the power production plant located in the county and municipality.

The bill provides utility aid payments to counties and municipalities where energy storage facilities are located. The bill defines an “energy storage facility” as property that receives electrical energy, stores the energy in a different form, and converts that other form of energy back to electrical energy for sale or to use to provide reliability or economic benefits to the electrical grid. The bill also defines an “energy storage facility” as property that is owned by a light, heat, and power company, electric cooperative, or municipal electric company and includes hydroelectric pumped storage, compressed air energy storage, regenerative fuel cells, batteries, and similar technologies.

Under the bill, DOA annually distributes to each county and municipality in which an energy storage facility is located an amount calculated by multiplying the facility’s megawatt capacity by \$2,000 and then multiplying the product of that calculation by three mills for a county and by six mills for a municipality. However, if the energy storage facility is located in a town, the town receives a payment equal to multiplying the product of that calculation by three mills and the county where the town is located receives a payment equal to multiplying the product of that calculation by six mills.

Electric vehicle charging infrastructure

The bill provides utility aid payments to counties and municipalities where qualified electric vehicle charging infrastructure is located. The bill defines “qualified electric vehicle charging infrastructure” as level three electric vehicle supply equipment that has a minimum charging capacity of 480 volts and that is owned by a light, heat, and power company, electric cooperative, or municipal electric company. Under the bill, DOA annually distributes to each county and municipality in which qualified electric vehicle charging infrastructure is located an amount equal to the value of the qualified electric vehicle charging infrastructure, multiplied by three mills for a county and by six mills for a municipality. However, if the qualified electric vehicle charging infrastructure is located in a town, the town receives a payment equal to the value of the qualified electric vehicle charging infrastructure multiplied by three mills and the county where the town is located receives a payment equal to the value of the qualified electric vehicle charging infrastructure multiplied by six mills.

Expenditure restraint program

Under current law, generally, a municipality is eligible to receive an expenditure restraint payment if its property tax levy is greater than five mills and if the annual increase in its municipal budget is less than the sum of factors based on inflation and the increased value of property in the municipality as a result of new construction. The bill excludes the following from being considered in determining eligibility for an expenditure restraint program payment: 1) money received from the federal government; 2) revenues from a municipal vehicle registration fee that

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is approved by a majority of voters voting at a referendum; and 3) tax revenues resulting from a tax increase approved by a majority of voters voting at a referendum.

Moving the date of computer aid payments

Beginning in 2024, the bill requires DOA to make computer aid payments to taxing jurisdictions by the first Monday in May. Under current law, computers and certain computer-related equipment are exempt from local personal property taxes, and DOA makes computer aid payments to taxing jurisdictions to compensate them for the corresponding loss of property tax revenue. Current law requires DOA to make computer aid payments by the fourth Monday in July.

STATE GOVERNMENT**GENERAL STATE GOVERNMENT*****Grant to a professional baseball park district***

The bill requires DOA to award a grant in the amount of \$290,000,000 to a local professional baseball park district created under state law to assist in the development, construction, improvement, repair, and maintenance of the district's baseball park facilities. Under the bill, DOA may not award the grant unless the secretary of administration determines that all of the following apply:

1. The district has entered into a lease arrangement for a term that expires not earlier than December 31, 2043, with a professional baseball team that uses the district's baseball park facilities as its home facilities.

2. The district has entered into a nonrelocation agreement with the professional baseball team, in a form satisfactory to the secretary of administration, that requires the professional baseball team to play substantially all of its home games at the baseball park facilities, and prohibits the professional baseball team from relocating while the lease term specified above is in effect.

3. The district has entered into an agreement with the professional baseball team, in a form satisfactory to the secretary, that requires the professional baseball team, or a third party on the professional baseball team's behalf, to make expenditures relating to or in connection with the baseball park facilities during the term of the lease specified above in an agreed upon amount satisfactory to the secretary.

4. The district has agreed to provide on an ongoing basis to DOA, the Legislative Fiscal Bureau, and the Legislative Audit Bureau all baseball park facilities project reports and all financial reports of the district.

Grant moneys DOA awards under the bill may not be used to retire the debt of the local professional baseball park district.

Security operations centers

The bill requires DOA to establish one or more security operations centers to provide for the cybersecurity of information technology systems maintained by state agencies, local governmental units, and other eligible entities specified in the bill. The bill requires the Division of Enterprise Technology in DOA to manage the operation of the centers. The bill authorizes DOA to charge fees in connection with the division's cybersecurity support services provided under the bill.

ASSEMBLY BILL 43***Project labor agreements***

Under current law, the state and local units of government are prohibited from engaging in certain practices in letting bids for state procurement or public works contracts. Among these prohibitions, as established by 2017 Wisconsin Act 3, the state and local governments may not do any of the following in specifications for bids for the contracts: 1) require that a bidder enter into an agreement with a labor organization; 2) consider, when awarding a contract, whether a bidder has or has not entered into an agreement with a labor organization; or 3) require that a bidder enter into an agreement that requires that the bidder or bidder's employees become or remain members of a labor organization or pay any dues or fees to a labor organization. The bill repeals these limitations related to labor organizations.

Vacancies in certain appointive offices

Under current law, vacancies in public office may occur in a number of ways, including when the incumbent resigns, dies, or is removed from office, or, in the case of elected office, when the incumbent's term expires. However, as the Wisconsin Supreme Court held in *State ex rel. Kaul v. Prehn*, 2022 WI 50, expiration of an incumbent's term of office does not create a vacancy if the office is filled by appointment for a fixed term. Absent a vacancy or removal for cause, these incumbents may remain in office until their successors are appointed and qualified.

Under the bill, a vacancy in public office is created if the office is filled by appointment of the governor by and with the advice and consent of the senate for a fixed term and the incumbent's term expires or the governor submits his or her nomination for the office to the senate, whichever is later.

Director of Native American affairs

The bill requires the secretary of administration to appoint a director of Native American affairs in the unclassified service to manage relations between the state and American Indian tribes or bands in this state.

Grants to each American Indian tribe or band in Wisconsin

The bill requires DOA to award grants of equal amounts to each American Indian tribe or band in this state for the purpose of supporting programs to meet the needs of members of the tribe or band.

The bill also requires DOA to award grants of equal amounts to each American Indian tribe or band in this state to promote tribal language revitalization and cultural preservation.

Under the bill, no grant moneys awarded under the above grant programs may be used to pay gaming-related expenses.

Other tribal grants

The bill requires DOA to do all of the following:

1. Award grants to the Oneida Nation of Wisconsin to support the Healing to Wellness Court program at the Oneida Nation, in an amount not to exceed \$259,100 annually.

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2. Award grants to the Oneida Nation of Wisconsin to support coordination between the National Estuarine Research Reserve System and Great Lakes tribal nations, in an amount not to exceed \$110,100 annually.

3. Award grants to the Oneida Nation of Wisconsin to support the Oneida Nation's collaboration with the Audubon Society concerning Audubon Great Lakes restoration projects, in an amount not to exceed \$175,000 annually. This grant requirement sunsets after five years.

4. Award grants to the Menominee Indian Tribe of Wisconsin to support the Menominee Indian Tribe's transit services, in an amount not to exceed \$266,600 annually.

Gaming investigative services

The bill creates a GPR appropriation for the Division of Gaming in DOA to fund investigative and outreach services for charitable gaming and tribal gaming.

Investment and capital grants programs

The bill creates three new grant programs to be administered by DOA: a neighborhood capital investment grant program; a health-care infrastructure capital grant program; and a tourism capital investment grant program. The bill also creates a new GPR appropriation for the grant programs and allocates specified dollar amounts to the programs during the 2023-25 fiscal biennium.

Fund of funds investment program

Currently, DOA administers a program for the investment of moneys in venture capital funds that invest in businesses located in this state, called the fund of funds investment program. Under the program, the state initially contracted with an investment manager during the 2013-14 fiscal year to invest \$25,000,000 in venture capital funds. The gross proceeds from the investment of this \$25,000,000 were to be returned to the state for deposit into the general fund. The bill provides that the gross proceeds are to be reinvested in venture capital funds unless otherwise directed by DOA.

Programs for the certification of certain businesses for preference in state contracting

Under current law, DOA administers disabled veteran-owned business certifications, woman-owned business certifications, and minority business certifications. A business that qualifies for and maintains one or more of those certifications may be eligible to receive certain benefits, including some advantages when bidding on public projects. Current law authorizes DOA to charge a certification fee to cover its costs to administer the certifications programs. The bill eliminates that fee authorization.

Additionally, the bill establishes the following new certification programs:

1. Lesbian, gay, bisexual, or transgender-owned businesses, including financial advisers and investment firms. DOA may certify a business as a lesbian, gay, bisexual, or transgender-owned business if it determines the business satisfies all of the following:

a. One or more lesbian, gay, bisexual, or transgender individuals own at least 51 percent of the business or, in the case of any publicly owned business, one or more

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lesbian, gay, bisexual, or transgender individuals own at least 51 percent of the stock of the business.

b. One or more lesbian, gay, bisexual, or transgender individuals or one or more duly authorized representatives of one or more lesbian, gay, bisexual, or transgender individuals control the management and daily business operations of the business.

c. The business is currently performing a useful business function.

2. Disability-owned businesses, including financial advisers and investment firms. Under the bill, the distinction between disabled veteran-owned businesses and businesses owned by veterans is removed. This means that under the bill, there are certifications for veteran-owned businesses and disability-owned businesses. DOA may certify a business as a disability-owned business if it determines the business satisfies all of the following:

a. One or more individuals with a disability own at least 51 percent of the business or, in the case of any publicly owned business, one or more individuals with a disability own at least 51 percent of the stock of the business.

b. One or more individuals with a disability or one or more duly authorized representatives of one or more individuals with a disability control the management and daily business operations of the business.

c. The business has its principal place of business in this state.

d. The business is currently performing a useful business function.

Under the bill, lesbian, gay, bisexual, or transgender-owned businesses and disability-owned businesses are not charged a fee for certification and, if certified, are eligible to receive certain advantages including when bidding on public projects, similar to certified disabled veteran-owned businesses, woman-owned businesses, and minority businesses.

Under current law, state agencies must attempt to ensure that they pay minority businesses 5 percent of the total amount expended for state procurements in each fiscal year. The bill requires state agencies to attempt to ensure that they pay veteran-owned businesses, disability-owned businesses, and lesbian, gay, bisexual, or transgender-owned businesses an aggregate amount of 5 percent of the total amount expended for state procurements in each fiscal year.

Finally, the bill requires DOA to develop, maintain, and keep current a database of certified minority-owned businesses.

Creating the Office of Environmental Justice

The bill creates the Office of Environmental Justice in DOA. The office is led by a director outside the classified service who is appointed by the secretary of administration.

The duties of the office include all of the following: 1) developing a statewide climate risk assessment and resiliency plan; 2) assisting state agencies, local governments, and tribal governments with the development of climate risk assessment and resiliency plans; 3) administering a climate risk assessment and resiliency plan technical assistance grant program; 4) collaborating with state agencies and entities that serve vulnerable communities to address the impact of climate change on vulnerable communities; 5) providing guidance to state entities on issues regarding environmental justice and related community issues to address

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environmental issues and concerns that affect primarily low income and minority communities; and 6) creating an annual report on issues, concerns, and problems related to environmental justice. The bill also creates the unclassified positions of chief resiliency officer and director of the Office of Environmental Justice. Under the bill, the chief resiliency officer and the director of the Office of Environmental Justice are assigned to executive salary group three.

The bill makes an appropriation for the administration of the Office of Environmental Justice and the Office of Sustainability and Clean Energy and for the chief resiliency officer.

The bill also makes an appropriation for the climate risk assessment and resiliency plan technical assistance grant program.

Office of Sustainability and Clean Energy

The bill creates the Office of Sustainability and Clean Energy in DOA to administer certain energy programs. The bill requires the Office of Sustainability and Clean Energy to work on initiatives with specified goals regarding clean and renewable energy, innovative sustainability, and diversification of energy resources and imposes duties on the office for advising, supporting, reporting, and assisting state agencies, local governments, and private entities on clean and renewable energy. The bill allows the Office of Sustainability and Clean Energy to provide technical assistance to governmental units and private entities. In addition, the bill requires the Office of Sustainability and Clean Energy to establish a program for making grants for clean energy production research. The bill also makes an appropriation for grants for clean energy production research.

Clean energy small business incubator

The bill creates a clean energy small business incubator that is operated by the Office of Sustainability and Clean Energy in DOA. The incubator is required to provide business development, mentorship, and expertise to small businesses with primary places of business in this state that operate in the clean energy sector. The bill also creates a grant program operated by the incubator to provide grants to small business start-ups that operate in the clean energy sector with a primary place of business in this state and requires the Office of Sustainability and Clean Energy to establish requirements for recipients of such grants. Finally, the bill creates a new GPR appropriation for the administration of the incubator and for grants to small business start-ups in the clean energy sector.

Chief equity officer

The bill creates the unclassified position of chief equity officer in DOA, which is assigned to executive salary group four.

Volkswagen settlement grants for mass transit systems

Under current law, for each county or municipality in which an urban mass transit system operates, and which receives a grant for the replacement of public transit vehicles under the Volkswagen settlement, DOA must reduce the shared revenue aid it provides to the county or municipality based on the amount of the grant under the Volkswagen settlement. For a county or municipality in which the

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urban mass transit system serves a population of 200,000 or more, the bill changes the reduction from 75 percent to 20 percent of the grant amount for grants awarded after the effective date of the bill.

Assistant secretary of state

2015 Wisconsin Act 55 eliminated the position of assistant secretary of state. The bill restores that position. The secretary of state may delegate any duty or power to the assistant secretary of state, except duties and powers the secretary of state performs as a member of the Board of Commissioners of Public Lands.

Under current law, DFI's general program operations are funded from an annual program revenue appropriation. From this appropriation, \$150,000 is transferred annually to an appropriation to the secretary of state for general program operations. The bill increases the amount of the transfer to \$260,000 annually.

Justice information systems funding

Under current law, DOA, in conjunction with the Public Defender Board, the director of state courts, DOC, DOJ, and district attorneys, is tasked with maintaining, promoting, and coordinating automated justice information systems that are compatible among counties and those officers and state agencies. Funding for the automated justice information systems comes from justice information fee receipts and penalty surcharge receipts. The bill creates a new GPR appropriation that will also fund the automated justice information systems.

Civil legal services for the indigent

The bill requires DOA to make annual payments to the Wisconsin Trust Account Foundation, Inc., for the purpose of providing civil legal services to indigent persons.

Public records location fee

Current law allows an authority to impose a fee on any person requesting a public record to cover the cost of locating that record, if the cost is \$50 or more. The location fee may not exceed the actual, necessary, and direct cost of locating the record. Current law defines an "authority" to include any elective official or state or local government agency that has custody of a public record.

Under the bill, the cost of locating a public record must be \$100 or more before an authority may impose a fee to cover the actual, necessary, and direct cost of locating the record.

TEACH program; GPR funding

Under current law, DOA administers the Technology for Educational Achievement program, known as TEACH. The TEACH program offers telecommunications access to school districts, private schools, cooperative educational service agencies, technical college districts, independent charter school authorizers, juvenile correctional facilities, private and tribal colleges, and public library boards at discounted rates. Currently, the TEACH program is funded from the universal service fund. The bill provides additional GPR for the TEACH program.

ASSEMBLY BILL 43***Online customer service hub***

The bill makes a new appropriation to DOA to develop and maintain an online customer service hub.

Information technology infrastructure grant program

The bill repeals the obsolete information technology infrastructure grant program. DOA administered the grant program beginning in the 2017-18 fiscal year and ending in the 2020-21 fiscal year. Under the grant program, DOA awarded grants on a competitive basis to eligible school districts and to eligible public libraries for the purpose of improving information technology infrastructure. Current law prohibits DOA from awarding these grants after June 30, 2021.

STATE FINANCE***Transfer to the capital improvement fund***

The bill transfers \$1,955,000,000 from the general fund to the capital improvement fund. The transferred moneys must be used in lieu of bonding to fund building projects authorized in the 2023-25 Authorized State Building Program.

Transfer to the budget stabilization fund

The bill transfers \$500,000,000 from the general fund to the budget stabilization fund in fiscal year 2023-24.

Transfer to the artistic endowment fund

The bill transfers \$100,000,000 in general purpose revenues from the general fund to the artistic endowment fund.

Transfer from capital planning and building construction services appropriation to the building trust fund

The bill transfers \$18,000,000 from the capital planning and building construction services appropriation to the building trust fund in fiscal year 2023-24.

Required general fund statutory balance

Current statutes contain a rule of proceeding governing legislative action on certain bills. Generally, the rule provides that no bill directly or indirectly affecting general purpose revenues may be adopted if the bill would cause the estimated general fund balance on June 30 of any fiscal year to be less than a certain amount of the total GPR appropriations for that fiscal year. Beginning in fiscal year 2017-18, that amount has been equal to the prior fiscal year's required statutory balance plus \$5,000,000, but not to exceed 2 percent of total GPR appropriations for the fiscal year.

The bill provides that for fiscal year 2023-24 and each fiscal year thereafter, the amount is \$600,000,000.

Refunding certain general obligation debt

The bill increases from \$9,510,000,000 to \$11,235,000,000 the amount of state public debt that may be contracted to refund any unpaid indebtedness used to finance tax-supported or self-amortizing facilities. The unpaid indebtedness includes unpaid premium and interest amounts. Under current law, the Building Commission may not incur public debt for refunding purposes unless the true interest costs to the state can be reduced.

ASSEMBLY BILL 43***National and community service board appropriation***

Current law appropriates moneys received from the federal Corporation for National and Community Service to administer the national and community service program. The bill changes this continuing appropriation from one that is limited to the amounts in the schedule to one that is composed of all moneys received.

STATE EMPLOYMENT***Additional biweekly payroll appropriations***

Under current law, there are supplemental appropriations from general purpose revenue, program revenue, and segregated revenue to pay for salary and fringe benefits for permanent state employees, including permanent project employees, on the state's biweekly payroll system in any fiscal year in which a 27th pay period occurs. The bill clarifies that the supplemental appropriations for salary and fringe benefits include permanent UW System employees, including permanent project employees, on the UW System biweekly payroll system.

Removal of salary caps for WHEDA employees

Current law allows WHEDA to employ an executive director and limits the compensation of the executive director and employees of WHEDA to the maximum of the salary range established for positions assigned to executive salary group six. The bill removes this limit on compensation of the executive director and staff of WHEDA.

Removal of salary caps for WHEFA employees

Current law allows WHEFA to employ an executive director and limits the compensation of the executive director to the maximum of the salary range established for positions assigned to executive salary group six. Current law also limits the compensation of each other employee of WHEFA to the maximum of the salary range established for positions assigned to executive salary group three. The bill removes these limits on compensation of the executive director and staff of WHEFA.

Paid family and medical leave

The bill requires the administrator of the Division of Personnel Management in DOA to develop a program for paid family and medical leave of 12 weeks annually for most state employees. The bill requires the administrator to submit the plan for approval as a change to the state compensation plan to the Joint Committee on Employment Relations. If JCOER approves the plan, the plan becomes effective immediately.

Paid sick leave for limited term employees

Under current law, permanent and project state employees receive the following paid leave: vacation, personal holidays, sick leave, and legal holidays. The bill requires the state to provide paid sick leave to limited term employees of the state at the same rate as to permanent and project state employees.

Vacation hours for state employees

The bill provides additional annual leave hours to state employees during their third, fourth, and fifth years of service.

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Under current law, state employees who are in nonexempt status under the federal Fair Labor Standards Act earn annual leave at the rate of 104 hours per year of continuous service during the first five years of service and, on an employee's fifth anniversary of continuous service, the rate increases to 144 hours of annual leave per year of continuous service. Under the bill, beginning on the employee's second anniversary, a state employee in nonexempt status begins earning vacation hours at the rate of 120 hours per year of service.

Under current law, state employees who are in exempt status under the federal Fair Labor Standards Act earn annual vacation at the rate of 120 hours per year of continuous service during the first five years of service and, on the fifth anniversary of continuous service, the rate increases to 160 hours of annual leave per year of continuous service. Under the bill, beginning on the employee's second anniversary, a state employee in exempt status begins earning vacation hours at the rate of 136 hours per year of service.

Pay progression caps; deputy and assistant district attorneys, assistant state public defenders, and assistant attorneys general

Under current law, there are pay progression plans for deputy and assistant district attorneys, assistant state public defenders, and assistant attorneys general. These pay progression plans consist of 17 hourly salary steps, with each step equal to one-seventeenth of the difference between the lowest hourly salary and the highest hourly salary for the salary range, and are based entirely on merit. However, current law caps the annual salary adjustment that a deputy or assistant district attorney, assistant state public defender, or assistant attorney general may receive under the respective pay progression plans to no more than 10 percent of the individual's base pay.

Under the bill, the 10 percent cap on annual salary adjustments for deputy and assistant district attorneys, assistant state public defenders, and assistant attorneys general does not apply during the 2023-24 and 2024-25 fiscal years.

Juneteenth state holiday

The bill designates June 19, the day on which Juneteenth is celebrated, as a state holiday on which state offices are closed. Under current law, the offices of the agencies of state government are generally closed on Saturdays, Sundays, and a total of nine state holidays. The bill also requires the administrator of the Division of Personnel Management in DOA to include June 19 as a paid holiday for UW System employees in the proposal it submits to JCOER for compensation plan changes for the 2023-25 biennium.

Veterans Day state holiday

The bill designates November 11, the day on which Veterans Day is traditionally celebrated, as a state holiday on which state offices are closed. Under current law, the offices of the agencies of state government are generally closed on Saturdays, Sundays, and a total of nine state holidays. Additionally, under current law, state employees receive annually a total of 4.5 paid personal holidays, one of which is provided specifically in recognition of Veterans Day. Under the bill, state employees continue to receive 4.5 paid personal holidays. However, the bill removes

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the specification that one of the paid personal holidays is provided in recognition of Veterans Day.

In total, the bill increases the number of regular paid holidays state employees receive annually from nine days to 11 days.

LEGISLATURE***Legislative intervention in certain court proceedings***

Current law provides that the legislature may intervene as a matter of right in an action in state or federal court when a party to the action does any of the following:

1. Challenges the constitutionality of a statute.
2. Challenges a statute as violating or being preempted by federal law.
3. Otherwise challenges the construction or validity of a statute.

Current law further provides that the legislature must be served with a copy of the proceedings in all such actions, regardless of whether the legislature intervenes in the action.

The bill repeals all of those provisions.

Retention of legal counsel by the legislature

Current law allows representatives to the assembly and senators, as well as legislative employees, to receive legal representation from DOJ in most legal proceedings. However, current law also provides all of the following:

1. With respect to the assembly, that the speaker of the assembly may authorize a representative to the assembly or assembly employee who requires legal representation to obtain outside legal counsel if the acts or allegations underlying the action are arguably within the scope of the representative's or employee's legislative duties, and the speaker may obtain outside legal counsel in any action in which the assembly is a party or in which the interests of the assembly are affected, as determined by the speaker.

2. With respect to the senate, that the senate majority leader may authorize a senator or senate employee who requires legal representation to obtain outside legal counsel if the acts or allegations underlying the action are arguably within the scope of the senator's or employee's legislative duties, and the majority leader may obtain outside legal counsel in any action in which the senate is a party or in which the interests of the senate are affected, as determined by the majority leader.

3. That the cochairpersons of the Joint Committee on Legislative Organization (JCLO) may authorize a legislative service agency employee who requires legal representation to obtain outside legal counsel if the acts or allegations underlying the action are arguably within the scope of the employee's legislative duties, and the cochairpersons may obtain outside legal counsel in any action in which the legislature is a party or in which the interests of the legislature are affected, as determined by the cochairpersons.

The bill eliminates these provisions. Under the bill, representatives to the assembly and senators, as well as legislative employees, may continue to receive legal representation from DOJ in most legal proceedings.

ASSEMBLY BILL 43***Advice and consent of the senate***

Under current law, any individual nominated by the governor or another state officer or agency subject to the advice and consent of the senate, whose confirmation for the office or position is rejected by the senate, may not do any of the following during the legislative session biennium in which his or her nomination is rejected:

1. Hold the office or position for which he or she was rejected.
2. Be nominated again for that office or position.
3. Perform any duties of that office or position.

The bill eliminates those restrictions.

Legislative Human Resources Office

The bill creates a Legislative Human Resources Office (LHRO), a nonpartisan legislative service agency, headed by a director. JCLO appoints the director and the director reports to JCLO. The director is assigned to executive salary group six, and the director and all LHRO staff hold positions in the unclassified service of the state civil service system. LHRO must perform all of the following duties:

1. Provide human resources services to the legislative branch, as directed by JCLO.

2. Establish a formal complaint process to review and investigate allegations of harassment, discrimination, retaliation, violence, or bullying by legislators, legislative employees, and legislative service agency employees. The office shall investigate all such allegations, unless the director designates another person or entity to review and investigate any specific allegation.

In addition, under the bill, the LHRO director must perform the following duties:

1. Direct the operations of LHRO staff.
2. Employ, train, and supervise the personnel assigned to the director.
3. Supervise all expenditures of LHRO.
4. Manage reviews and investigations of the formal complaint process. Upon completion of an investigation, report the findings to the appropriate legislative leader or employee supervisor.
5. On a periodic basis, recommend to JCLO improvements to human resources services and programs.

Records and correspondence of legislators

Under current law, the Public Records Board prescribes policies and standards for the retention and disposition of public records made or received by a state officer or agency. However, for purposes of public records retention, the definition of “public records” does not include the records and correspondence of any legislator. The bill eliminates the exception for a legislator’s records and correspondence.

Passive review by JCF; objections to be public

Current law requires that JCF review certain proposed actions before an agency may execute the action. The review required often takes the form of a passive review. In other words, the agency must submit the proposed action to JCF and, if the cochairpersons of JCF do not notify the agency within a certain period, often 14

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days, that a member of JCF has objected to the action, the agency may execute the proposed action. If, however, a member objects, the agency is limited to the action as approved or modified by JCF. The bill specifies that the name of any JCF member who objects to the proposed action, as well as the reason the member objects, must be recorded and made publicly available.

Review of legislation relating to crimes

Under current law, there is a Joint Review Committee on Criminal Penalties. Under current law, if a bill is introduced that creates a crime or revises a penalty for an existing crime, the committee may be requested to prepare a report on the bill. The request must come from the chair of the standing committee to which the bill is referred or, if not referred to a standing committee, from the speaker of the assembly for an assembly bill or the presiding officer of the senate for a senate bill. Upon such a request, the joint review committee must prepare a report concerning the costs incurred or saved if the bill were enacted, the consistency of the penalties proposed with current law penalties, and whether the acts prohibited under the bill are already prohibited under current law.

The bill requires that any introduced bill that creates a crime or revises a penalty for an existing crime must be referred to the Joint Review Committee on Criminal Penalties for such a report and prohibits the legislature from taking further action on the bill until the report is prepared.

Capitol security

Under current law, DOA is required to submit any proposed changes to security at the capitol, including the posting of a firearm restriction, to JCLO for approval under passive review. The bill eliminates that requirement.

ADMINISTRATIVE LAW***Deference to agency interpretations of law***

Under current law, courts are prohibited from giving deference to agency interpretations of law and agencies are prohibited from seeking such deference from a court. The bill repeals these prohibitions.

Suspension of administrative rules

Under current law, administrative rules that are in effect may be temporarily suspended by the Joint Committee for Review of Administrative Rules (JCRAR). If JCRAR suspends a rule, JCRAR must introduce bills in each house of the legislature to make the suspension permanent. If neither bill to support the suspension is ultimately enacted, the rule remains in effect. However, current law specifies that JCRAR may suspend a rule multiple times. The bill repeals the provision allowing JCRAR to suspend a rule multiple times.

Agency rule-making authority

Current law provides that a settlement agreement, consent decree, or court order does not confer rule-making authority and cannot be used by an agency as authority to promulgate administrative rules. Additionally, no agency may agree to promulgate a rule as a term in any settlement agreement, consent decree, or stipulated order of a court unless the agency has explicit statutory authority to promulgate the rule at the time the settlement agreement, consent decree, or

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stipulated order of a court is executed. The bill repeals these limitations on agency rule-making authority.

Advisory committees for rule making

Current law requires that, whenever an agency appoints a committee to advise the agency on rule making, the agency must submit a list of the members of the committee to JCRAR. The bill repeals this requirement.

TAXATION**INCOME TAXATION*****Family and individual reinvestment credit***

The bill creates a new family and individual reinvestment income tax credit for taxable years beginning in 2023. The credit is nonrefundable and may be claimed only up to the amount of the taxpayer's income tax liability. Under the bill, for a single individual or an individual who files as a head of household whose adjusted gross income (AGI) is less than \$100,000, for a married couple filing jointly whose combined AGI is less than \$150,000, or for a married individual filing separately whose AGI is less than \$75,000, the credit is equal to 10 percent of the claimant's net tax liability or, for a single individual, head of household, or married couple filing jointly, \$100, and for a married individual filing separately, \$50, whichever is greater. Net tax liability is a claimant's income tax liability after the application of most nonrefundable income tax credits. Under the bill, the credit phases out to zero as a single individual or head of household filer's AGI increases from \$100,000 to \$120,000. A similar phaseout occurs for a married joint filer whose combined AGI increases from \$150,000 to \$175,000 and a married separate filer whose AGI increases from \$75,000 to \$87,500. Also, under the bill, no new claims for the working families tax credit may be filed for a taxable year that begins after December 31, 2022.

Manufacturing and agriculture credit limitation

Currently, a person may claim a tax credit on the basis of the person's income from manufacturing or agriculture. A taxpayer may claim a credit equal to 7.5 percent of the income derived from either the sale of tangible personal property manufactured in whole or in part on property in this state that is assessed as manufacturing property or from the sale of tangible personal property produced, grown, or extracted in whole or in part from property in this state assessed as agricultural property. If the amount of the credit exceeds the taxpayer's income tax liability, the taxpayer does not receive a refund, but may apply the balance to the taxpayer's tax liability in subsequent taxable years.

The bill limits to \$300,000 the amount of income from manufacturing that a person may use as the basis for claiming the credit. The bill does not affect the amount of income from agriculture that may be used as a basis for claiming the credit.

Expanding the child and dependent care tax credit

Under current law, an individual who is eligible to claim the federal child and dependent care tax credit may claim a state income tax credit equal to 50 percent of the amount the individual may claim as a federal income tax credit. The bill allows

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an individual to claim a state income tax credit equal to the full amount claimed for the federal child and dependent care tax credit.

Earned income tax credit

The bill increases the amount that an individual with fewer than three qualifying children may claim as the Wisconsin earned income tax credit (EITC). Under current law, the Wisconsin EITC is equal to a percentage of the federal EITC. The percentage is 4 percent of the federal EITC if the individual has one qualifying child, 11 percent if the individual has two qualifying children, and 34 percent if the individual has three or more qualifying children. The credit is refundable, which means that if the credit exceeds the individual's tax liability, he or she will receive the excess as a refund check.

Under the bill, the percentage of the federal EITC that an eligible individual may claim for Wisconsin purposes is 16 percent if the individual has one qualifying child, 25 percent if the individual has two qualifying children, and 34 percent if the individual has three or more qualifying children.

Caregiver tax credit

The bill creates an income tax credit for individuals who pay for items that directly relate to the care or support of a family member who requires assistance with one or more daily living activities and is over the age of 18. The credit equals 50 percent of the expenses, limited to a maximum annual credit per family member of \$500, or \$250 for married spouses filing separately. If more than one individual may claim the credit based on the same family member, the maximum annual credit amount is apportioned among them based on expenses paid. For married couples filing jointly, the credit phases out between federal adjusted gross income of \$150,000 and \$170,000, and no credit may be claimed if federal AGI exceeds \$170,000. For all other taxpayers, the phase out range is between federal AGI of \$75,000 and \$85,000, and no credit may be claimed if federal AGI exceeds \$85,000. Under the bill, expenses that qualify for the credit include amounts spent on improving the claimant's primary residence to assist the family member, purchasing equipment to help the family member with daily living activities, and obtaining other goods or services to help care for the family member. Expenses that do not qualify for the credit include general food, clothing, transportation, and household repair costs, as well as amounts that are reimbursed by insurance or other means. The credit is nonrefundable, which means it may be claimed only up to the amount of the claimant's tax liability.

First-time home buyer savings accounts

The bill creates a tax-advantaged first-time home buyer savings account. Under the bill, an individual, known as the account holder, may open an account at a financial institution for the purpose of paying the down payment and closing costs for the purchase of a single-family residence in this state by the account's designated beneficiary. The beneficiary, who may be the account holder, must be a resident of this state who has not owned a single-family residence during the 36 months prior to the purchase. An individual may be designated the beneficiary of more than one account, but not by the same account holder. The account holder may change the beneficiary at any time. An account may only remain open for 10 years.

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The bill provides that an account holder, when calculating his or her income for state tax purposes, may subtract the deposits that he or she made into the account during the year, as well as any interest and other gains on the account that are redeposited into it. The maximum amount of deposits that the account holder may subtract per account each year is \$5,000, which is increased to \$10,000 if he or she is married and files a joint return. Over all taxable years, the account holder may not subtract more than \$50,000 of deposits into any account for each beneficiary. The bill provides that other persons may contribute to the account, but they may not subtract their contributions.

Under the bill, with limited exceptions, if an amount is withdrawn from the account for any reason other than paying the down payment and closing costs, the account holder is subject to a 10 percent penalty tax on the withdrawal and must include the amount of the withdrawal in income for state tax purposes.

The bill requires that the account holder annually submit information about the account to DOR, including a list of the account's transactions. The bill's provisions apply to taxable years beginning after December 31, 2022.

Veterans and surviving spouses property tax credit

Under current law, an eligible veteran or surviving spouse may claim a refundable income tax credit that equals the amount of property taxes paid during the year on his or her principal dwelling in this state. Current law does not expressly address the treatment of renters. DOR allows an eligible veteran or surviving spouse who is a renter to claim the credit if he or she is required to pay the property taxes under a written agreement with the landlord and pays the property taxes directly to the municipality.

Under the bill, an eligible veteran or surviving spouse who is a renter may claim the credit in an amount equal to his or her rent constituting property taxes. The bill defines "rent constituting property taxes" to mean 20 percent of the rent paid during the year for the use of a principal dwelling if heat is included in the rent and 25 percent of the rent if heat is not included.

Veterans and surviving spouses property tax credit eligibility expansion

The bill reduces the eligibility threshold for an eligible veteran, the spouse of an eligible veteran, and the unremarried surviving spouse of an eligible veteran to claim the veterans and surviving spouses property tax credit under the individual income tax system. Under the bill, a claimant may claim the credit if the service-connected disability rating of the veteran for whom the claimant is claiming the credit is at least 70 percent. Currently, that rating must be 100 percent.

Under the bill, the maximum credit that a claimant may claim is multiplied by the percentage of the service-connected disability rating. The bill does not affect a claimant who claims the credit based on the individual unemployability rating. Under current law, a claimant may also claim the credit if the disability rating based on individual unemployability of the veteran for whom the claimant is claiming the credit is 100 percent.

Homestead tax credit

Under current law, the homestead tax credit is a refundable income tax credit that may be claimed by homeowners and renters. The credit is based on the

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claimant's household income and the amount of property taxes or rent constituting property taxes on his or her Wisconsin homestead. Because the credit is refundable, if the credit exceeds the claimant's income tax liability, he or she receives the excess as a refund check. Under current law, there are three key dollar amounts used when calculating the credit:

1. If household income is \$8,060 or less, the credit is 80 percent of the property taxes or rent constituting property taxes. If household income exceeds \$8,060, the property taxes or rent constituting property taxes are reduced by 8.785 percent of the household income exceeding \$8,060, and the credit is 80 percent of the reduced property taxes or rent constituting property taxes.

2. The credit may not be claimed if household income exceeds \$24,680.

3. The maximum property taxes or rent constituting property taxes used to calculate the credit is \$1,460.

Beginning with claims filed for the 2023 tax year, the bill reduces the percentage used for household income over \$8,060 from 8.785 to 5.614 percent and increases the maximum income amount from \$24,680 to \$35,000. The bill also indexes the \$8,060, \$35,000, and \$1,460 amounts for inflation during future tax years.

Increasing retirement income subtraction and expanding eligibility

The bill increases and expands the individual state income tax subtraction, or deduction, for payments or distributions received from qualified retirement plans under the Internal Revenue Code or from certain individual retirement accounts. Under the bill, beginning in tax year 2023, up to \$5,500 of payments or distributions received from qualified retirement plans or certain individual retirement accounts may be subtracted annually from an individual's taxable income. In addition, the bill expands eligibility for claiming the subtraction to individuals at least 65 years old having a federal adjusted gross income under \$30,000, or under \$60,000 if married.

Under current law, up to \$5,000 of payments or distributions received by certain individuals from qualified retirement plans or from certain individual retirement accounts may be subtracted. To be eligible, the individual must be at least 65 years old and have federal adjusted gross income under \$15,000, or under \$30,000 if married.

Increasing disability income subtraction and expanding eligibility

The bill increases and expands the individual state income tax subtraction, or deduction, for disability payments received by a person under the age of 65 who is retired and who is permanently and totally disabled. Under the bill, beginning in tax year 2023, up to \$5,500 of disability payments may be subtracted annually from an individual's taxable income. In addition, the bill expands eligibility for claiming the subtraction to individuals having a federal adjusted gross income under \$30,000 or under \$60,000 if married.

Under current law, up to \$5,000 of disability payments may be subtracted, and to be eligible, a person must have federal adjusted gross income under \$20,200 or under \$25,400 if married and both spouses are disabled.

ASSEMBLY BILL 43***Tax credit for installing universal changing stations***

The bill creates an income and franchise tax credit for small businesses that install universal changing stations. Under the bill, a “universal changing station” is a floor-mounted or wall-mounted, powered, and height-adjustable adult changing table with a safety rail that can be used for personal hygiene by an individual with a disability of either sex and the individual’s care provider.

The credit applies for taxable years beginning after December 31, 2022. Under the bill, a small business is any entity that, during the preceding taxable year, either had gross receipts of no more than \$1,000,000 or employed no more than 30 full-time employees. The credit is equal to 50 percent of the amount the small business paid to install the universal changing station, up to a maximum credit of \$5,125. The credit may be claimed only if the universal changing station meets certain requirements relating to size, maneuverability space, weight load, and adjustability.

Research credit refunds

Under the bill, beginning in the 2024 tax year, if a person claims an amount for the research credit that exceeds the person’s tax liability, the person will receive a refund in an amount not exceeding 50 percent of the allowable claim and may continue to claim the remaining unused portion in subsequent tax years. Current law allows a person to receive a refund in an amount not exceeding 15 percent of their allowable claim for the research credit. Under current law, the research credit is an income and franchise tax credit equal to a specified percentage of the person’s qualified research expenses that exceed 50 percent of the average qualified research expenses for the three taxable years immediately preceding the taxable year for which the person claims the credit.

Private school tuition deduction

Under current law, an individual, when computing income for income tax purposes, may deduct the tuition paid during the year to send his or her dependent child to private school. The maximum deduction is \$4,000 for an elementary school pupil and \$10,000 for a secondary school pupil.

Under the bill, only individuals whose Wisconsin adjusted gross income is below a threshold amount may claim the deduction for private school tuition. The threshold amount is \$100,000 for single individuals and heads of household, \$150,000 for married couples filing jointly, and \$75,000 for married individuals filing separately.

Flood insurance premiums

The bill creates a nonrefundable individual income tax credit for flood insurance premiums. The credit is equal to 10 percent of the amount of the premiums that an individual paid in the taxable year for flood insurance, but the amount of the claim may not exceed \$60 in any taxable year. Because the credit is nonrefundable, it may be claimed only up to the amount of the individual’s tax liability.

Limitation on capital gains exclusion

Current law allows individuals, when computing their income for state tax purposes, to subtract 30 percent of the net capital gains realized from the sale of assets held more than one year or acquired from a decedent. The subtraction is

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increased to 60 percent for gains realized from the sale of farm assets held more than one year or acquired from a decedent.

Under the bill, an individual may not make the 30 percent subtraction if his or her federal adjusted gross income (AGI) exceeds \$400,000 for a single individual or head of household filer; \$533,000 for a married couple who files jointly; or \$266,500 for a married individual who files separately. The bill creates an exception for individuals whose federal AGI, after subtracting 30 percent of net capital gains from nonfarm assets, is below the threshold amount. These individuals may make the subtraction, subject to the 30 percent limitation, but must reduce the amount subtracted by the amount that federal AGI exceeds the threshold amount. The bill makes no changes to the 60 percent subtraction. The bill applies to taxable years beginning after December 31, 2022.

Repeal net operating loss carryback

The bill repeals the provision under which an individual may carry back a net operating loss to the two prior taxable years in order to reduce the amount of income subject to tax in those years.

Dividends received deduction limitation

Current law allows corporations to deduct, for income and franchise tax purposes, the dividends received from related corporations. The dividends must be paid on common stock, and the corporation receiving the dividends must own at least 70 percent of the total combined voting stock of the other corporation. Current law also allows businesses to carry forward net business losses to future taxable years in order to offset income in those years. Under the bill, a business may not take the dividends received deduction into account when determining if it has a net business loss that can be carried forward.

Internal Revenue Code references

The bill adopts, for state income and franchise tax purposes, certain changes made to the Internal Revenue Code by the following federal acts:

1. The American Rescue Plan Act of 2021.
2. The PPP (Paycheck Protection Program) Extension Act of 2021.
3. The Surface Transportation Extension Act of 2021.
4. The Further Transportation Extension Act of 2021.
5. The Infrastructure Investment and Jobs Act.
6. The Consolidated Appropriations Act of 2022.
7. The Supreme Court Security Funding Act of 2022.
8. The Inflation Reduction Act of 2022.

The bill also adopts, for state income and franchise tax purposes, certain changes made to the Internal Revenue Code by the federal Tax Cuts and Jobs Act, enacted in December 2017. The bill adopts provisions of the act related to the limitation on losses for taxpayers other than for corporations; certain special rules for the taxable year of inclusion; the limitation on business-related deduction for interest; the limitation on the deduction by employers of expenses for fringe benefits; the limitation on the deduction for Federal Deposit Insurance Corporation premiums; and the limitation on excessive employee remuneration.

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The bill also makes technical changes to the definition of “Internal Revenue Code” for state income and franchise tax purposes so that the same definition is not repeated for each type of taxpayer, as is the case under current law.

PROPERTY TAXATION***Repeal of the personal property tax***

Under current law, beginning with the property tax assessments as of January 1, 2018, machinery, tools, and patterns, not including those items used in manufacturing, are exempt from the personal property tax. However, beginning in 2019, the state pays each taxing jurisdiction an amount equal to the property taxes levied on those items of personal property for the property tax assessments as of January 1, 2017.

Under the bill, beginning with the property tax assessments as of January 1, 2024, no items of personal property will be subject to the property tax. Beginning in 2025, the state will pay each taxing jurisdiction an additional amount equal to the property taxes levied on the items made exempt under the bill for the property tax assessments as of January 1, 2023. Beginning in 2026, each taxing jurisdiction will receive a payment to compensate it for its loss in personal property revenue equal to the payment it received in the previous year, increased by the annual percentage change in the consumer price index.

Under current law, generally, public utilities, including railroad companies, are subject to a license fee imposed by the state instead of being subject to local property taxes. The bill creates a personal property tax exemption for railroad companies in order to comply with the requirements of the federal Railroad Revitalization and Regulatory Reform Act.

Finally, the bill makes a number of technical changes related to the repeal of the personal property tax, such as providing a process whereby manufacturing establishments located in this state that do not own real property in this state may continue to claim the manufacturing income tax credit.

Assessments; leased property and comparable sales

The bill provides that, for property tax purposes, real property includes any leases, rights, and privileges pertaining to the property, including assets that cannot be taxed separately as real property, but are inextricably intertwined with the real property. The bill also requires real property to be assessed at its highest and best use. Current law requires that real property be assessed at its full value and upon actual view or from the best information that the assessor can obtain from “arm’s-length sales” of comparable property. The bill defines an “arm’s-length sale” as a sale between a willing buyer and willing seller, neither being under compulsion to buy or sell and each being familiar with the attributes of the property sold.

The bill also provides that an assessor may determine the value of leased property by considering the lease provisions and actual rent pertaining to the property, if the lease provisions and rent are the result of an “arm’s-length transaction.” The bill defines an “arm’s-length transaction” as an agreement between willing parties, neither being under compulsion to act and each being familiar with the attributes of the property.

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The Wisconsin Supreme Court decided in 2008 that a property tax assessment of leased retail property using the income approach must be based on “market rents,” which is what a person would pay to rent the property, based on rentals of similar property, as opposed to “contract rents,” which is the amount that the lessee actually paid to rent the property. See, *Walgreen Company v. City of Madison*, 2008 WI 80, 752 N.W.2d 689 (2008). The bill changes Wisconsin law to specify that an assessment using the income approach must be based instead on contract rents.

The bill also provides that to determine the value of property using generally accepted appraisal methods, an assessor must consider all of the following as comparable to the property being assessed:

1. Sales or rentals of properties exhibiting the same or a similar highest and best use with placement in the same real estate market segment.

2. Sales or rentals of properties that are similar to the property being assessed with regard to age, condition, use, type of construction, location, design, physical features, and economic characteristics.

The bill defines “real estate market segment” to mean a pool of potential buyers and sellers that typically buy or sell properties similar to the property being assessed, including potential buyers who are investors or owner-occupants.

The bill also provides that a property is not comparable to the property being assessed if the seller has placed restrictions on the highest and best use of the property or if the property is dark property and the property being assessed is not dark property. The bill defines “dark property” as property that is vacant or unoccupied beyond the normal period for property in the same real estate market segment.

School aid reduction information

The bill requires that a person’s property tax bill include information from the school district where the property is located regarding the amount of any gross reduction in state aid to the district as a result of pupils enrolled in the statewide choice program, the Racine choice program, or the Milwaukee choice program or as a result of making payments to private schools under the special needs scholarship program.

Property tax exemption for WHEDA headquarters

The bill exempts land and buildings owned by WHEDA and used as its corporate headquarters, including associated parking facilities, from the property tax.

Property tax exemption for cranberry research station

The bill exempts from the property tax all property, not exceeding 50 acres of land, owned or leased by a tax-exempt entity that is used primarily for research and educational activities associated with commercial cranberry production.

Property tax exemption for baseball park development

The bill exempts from the property tax all baseball park development operated by a professional baseball team for any legally permissible use. Current law exempts sports and entertainment home stadiums and any functionally related or auxiliary facilities from the property tax.

ASSEMBLY BILL 43***Manufacturing property assessment fees***

Under current law, DOR assesses manufacturing property for property tax purposes and imposes a fee on each municipality in which the property is located to cover part of the assessment costs. If a municipality does not pay by March 31 of the following year, DOR reduces the municipality's July and November shared revenue distribution by the amount of the fee. Under the bill, if DOR is unable to collect the fee from a municipality in this manner, then the fee is directly imposed on the municipality.

GENERAL TAXATION***Milwaukee County sales and use tax***

Current law allows a county to enact an ordinance to impose sales and use taxes at the rate of 0.5 percent of the sales price or purchase price on tangible personal property and taxable services. The county must use the revenue from the taxes for property tax relief. The bill allows Milwaukee County to impose, by ordinance, an additional sales and use tax at the rate of 1 percent of the sales price or purchase price on tangible personal property and taxable services. However, the ordinance does not take effect unless approved by a majority of the voters of the county at a referendum. The bill requires 50 percent of the revenue from those taxes to be distributed to the City of Milwaukee, and the revenue may be used for any purpose designated by the common council. The revenue retained by Milwaukee County may be used for any purpose designated by the county board or specified in the ordinance or in the referendum approving the ordinance.

County and municipality sales and use taxes

The bill allows counties besides Milwaukee County to impose, by ordinance, an additional sales and use tax at the rate of 0.5 percent of the sales price or purchase price on tangible personal property and taxable services. However, the ordinance does not take effect unless approved by a majority of the voters of the county at a referendum. The revenue from those taxes may be used for any purpose designated by the county board or specified in the ordinance or in the referendum approving the ordinance.

The bill also allows a municipality, except for the City of Milwaukee, with a 2020 population exceeding 30,000 to enact an ordinance to impose sales and use taxes at the rate of 0.5 percent of the sales price or purchase price on tangible personal property and taxable services. The ordinance does not take effect unless approved by a majority of the voters of the municipality at a referendum. The revenue from those taxes may be used for any purpose designated by the governing body of the municipality or specified in the ordinance or in the referendum approving the ordinance.

Little cigars

The bill taxes little cigars at the same rate as the excise tax imposed on cigarettes. Under current law, all cigars are taxed at the rate of 71 percent of the manufacturer's established list price, limited to 50 cents per cigar. Under the bill, little cigars are taxed at the rate of 126 mills per little cigar, regardless of weight.

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The bill defines “little cigar” to mean a cigar that has an integrated cellulose acetate filter and is wrapped in any substance containing tobacco.

Vapor products

Current law imposes a tax on vapor products, which are any noncombustible products that produce vapor or aerosol for inhalation from the application of a heating element to a liquid or other substance that is depleted as the product is used, regardless of whether the liquid or other substance contains nicotine. The tax is imposed at the rate of 5 cents per milliliter of the liquid or other substance based on the volume as listed by the manufacturer.

The bill taxes vapor products at the rate of 71 percent of the manufacturer’s established list price and modifies the definition of “vapor product.” Under the bill, “vapor product” means a noncombustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means that can be used to produce vapor from a solution or other substance, regardless of whether the product contains nicotine. A “vapor product” is defined to include an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device, as well as any container of a solution or other substance that is intended to be used with these items. The bill specifies that any product regulated by the federal Food and Drug Administration as a drug or device is not a vapor product.

Definition of “manufacturer’s list price”

Current law imposes a tax on tobacco products based on the “manufacturer’s established list price,” without defining the term. The bill removes the word “established” and defines “manufacturer’s list price” to mean the total price of tobacco products charged by the manufacturer or other seller to an unrelated distributor. The bill specifies that the total price must include all charges by the manufacturer or other seller that are necessary to complete the sale, without reduction for any cost or expense incurred by the manufacturer or other seller or for the value or cost of discounts or free promotional or sample products. The bill provides that a manufacturer or other seller is related to a distributor if they have significant common purposes and either substantial common membership or substantial common direction or control.

Sales and use tax exemption for gun safety items

The bill creates a sales and use tax exemption for sales of gun safes, trigger locks, and gun barrel locks.

Breastfeeding equipment

The bill creates a sales and use tax exemption for breast pumps, breast pump kits, and breast pump storage and collection supplies.

Sales tax exemption for diapers and feminine hygiene products

The bill creates a sales and use tax exemption for the sale of diapers and feminine hygiene products.

Prewritten computer software

The bill imposes the sales tax on the sale of the right to access and use prewritten computer software that remains in the possession of the seller or third

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party, including sales made on a per use, per user, per license, or subscription basis. Current law defines “prewritten computer software” as computer software that is not designed and developed by the author to the specifications of a specific purchaser.

Sales tax exemption for energy systems

Current law provides a sales and use tax exemption for a product that has as its power source wind energy, direct radiant energy received from the sun, or gas generated from anaerobic digestion of animal manure and other agricultural waste, if the product produces at least 200 watts of alternating current or 600 British thermal units per day. The sale of electricity or energy produced by the product is also exempt.

The bill modifies current law so that the exemption applies to solar power systems and wind energy systems that produce electrical or heat energy directly from the sun or wind and are capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. In addition, the exemption applies to a waste energy system that produces electrical or heat energy directly from gas generated from anaerobic digestion of animal manure and other agricultural waste and is capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. A system for which the exemption applies includes tangible personal property sold with the system that is used primarily to store or facilitate the storage of the electrical or heat energy produced by the system.

Prairie and wetland counseling services

Under current law, the sale of landscaping and lawn maintenance services is subject to the sales tax. The bill excludes from taxable landscaping services the planning and counseling services for the restoration, reclamation, or revitalization of prairie, savanna, or wetlands if such services are provided for a separate and optional fee distinct from other services.

Sales and use tax exemption for professional baseball park districts

The bill exempts from the sales and use tax tangible personal property and taxable services sold to a local professional baseball park district.

Sales and use tax exemption for improving professional sports and entertainment home stadiums

The bill exempts from the sales and use tax building materials, supplies, and equipment sold to owners, contractors, subcontractors, or builders solely for the improvement, repair, or maintenance of a professional sports and entertainment home stadium.

Repeal of sales tax exemption for farm-raised deer

The bill repeals the sales and use tax exemption that applies to the sale of farm-raised deer to a person operating a hunting preserve or game farm in this state.

Providing notices for public utility taxes

Under current law, public utility companies, including railroads and air carriers, are exempt from local property taxes and instead subject to special state taxes. Current law requires DOR to send certain notices regarding these taxes by certified mail. Under the bill, DOR must still provide the notices but is no longer required to send them by certified mail.

ASSEMBLY BILL 43**OTHER TAXATION*****Real estate transfer fee***

Current law, generally, requires a person who conveys an interest in real property to file a real estate transfer return with the county register of deeds and pay a real estate transfer fee equal to 30 cents for each \$100 of the value of the conveyance. Current law provides certain exemptions from paying the fee, including exemptions for conveyances between an entity and the members of the entity who are related to each other as spouses, lineal ascendants, lineal descendants, or siblings.

The bill modifies current law so that the exemptions for conveyances between entities and related members also apply to conveyances to members who are related as an uncle and his nieces or nephews, an aunt and her nieces or nephews, or first cousins.

TRANSPORTATION**HIGHWAYS AND LOCAL ASSISTANCE*****Transportation revenue bonds***

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed \$4,325,885,700. The bill increases the revenue bond limit to \$4,493,600,000, an increase of \$167,714,300.

I 94 east-west corridor bonding

Under current law, the state may contract up to \$40,000,000 in public debt for the purposes of reconstructing the "I 94 east-west corridor," which is defined to mean "all freeways, including related interchange ramps, roadways, and shoulders, encompassing I 94 in Milwaukee County from 70th Street to 16th Street, and all adjacent frontage roads and collector road systems." The bill increases the authorized general obligation bonding limit for these purposes by \$140,873,000 to \$180,873,000.

Major interstate bridge bonding

Under current law, the state may contract up to \$272,000,000 in public debt for DOT to fund major interstate bridge projects, which are projects involving the construction or reconstruction of a bridge on the state trunk highway system that crosses a river forming a boundary of the state and for which this state's estimated cost share is at least \$100,000,000. The bill increases the authorized general obligation bonding limit for this purpose by \$47,200,000 to \$319,200,000.

General transportation aids

Under current law, DOT administers a general transportation aids program that makes aid payments to a county based on a share-of-costs formula, and to a municipality based on the greater of a share-of-costs formula or an aid rate per mile. The aid rate per mile is \$2,734 for 2023. The bill increases the aid rate per mile to \$2,843 for 2024 and \$2,957 for 2025 and thereafter.

Currently, the maximum annual amount of aid that may be paid to counties under the program is \$127,140,200. The bill maintains this amount for 2023 and

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increases this amount to \$132,225,800 for 2024 and \$137,514,800 for 2025 and thereafter. Currently, the maximum annual amount of aid that may be paid to municipalities under the program is \$398,996,800. The bill maintains this amount for 2023 and increases this amount to \$414,956,700 for 2024 and \$431,555,000 for 2025 and thereafter.

Local roads improvement program discretionary grants

Under current law, DOT administers the local roads improvement program (LRIP) to assist political subdivisions in improving seriously deteriorating local roads by reimbursing political subdivisions for certain improvements. LRIP has several components, including discretionary grants. Current law specifies dollar amounts that DOT must allocate in each fiscal year to each of three project types that exceed specified cost thresholds: 1) county trunk highway improvements, 2) town road improvements, and 3) municipal street improvement projects.

Under the bill, in fiscal year 2023-24 and each fiscal year thereafter, of the amount appropriated to DOT for LRIP discretionary grants, DOT must allocate 35.6 percent to county trunk highway improvements, 39.0 percent to town road improvements, and 25.4 percent to municipal street improvements.

Transportation projects

Under current law, for certain highway projects for which DOT spends federal money, federal money must make up at least 70 percent of the funding for those projects. DOT is required to notify political subdivisions receiving aid for local projects whether the aid includes federal moneys and how those moneys must be spent. For certain projects that receive no federal money, DOT may not require political subdivisions to comply with any portion of DOT's facilities development manual other than design standards. Any local project funded with state funds under the surface transportation program or the local bridge program must be let through competitive bidding and by contract to the lowest responsible bidder. The bill repeals all of these requirements.

Electric vehicle infrastructure program

Under the bill, DOT may establish and administer a program to provide funding for electric vehicle infrastructure projects.

Establishment of bikeways and pedestrian ways in highway projects

Under current law, DOT must, with exceptions, give due consideration to establishing bikeways and pedestrian ways in all new highway construction and reconstruction projects funded from state or federal funds.

Under the bill, with several exceptions, DOT must ensure that bikeways and pedestrian ways are established in all new highway construction and reconstruction projects funded from state or federal funds and must promulgate administrative rules identifying certain exceptions to the requirement.

Interconnected traffic signal and railroad signal systems

Under current law, DOT is appropriated federal, state, and local moneys for the purpose of railroad crossing improvements. The bill appropriates to DOT state and local moneys specifically for the planning and installation of interconnected traffic signal and railroad signal systems.

ASSEMBLY BILL 43***State funding for local transportation facilities***

Under current law, DOT is appropriated moneys received from local units of government and the federal government for the purposes of providing public access roads to navigable waters; improving highway connections between the UW System and state charitable or penal institutions; constructing and maintaining UW System, state charitable or penal institution, and state capitol roadways; constructing and maintaining state park, forest, and riverway roads; and improving transportation facilities.

The bill creates an appropriation of state moneys from the transportation fund for the same purposes.

Traffic calming grants

Under the bill, DOT must develop and administer a local traffic calming grant program. Under the program, DOT must award grants to political subdivisions for infrastructure projects designed to reduce the speed of vehicular traffic.

Ray Nitschke Memorial Bridge

The bill requires DOT, in the 2023-24 fiscal year, to set aside \$1,200,000 of the amounts appropriated to DOT for bridge development, construction, and rehabilitation for repairs to the Ray Nitschke Memorial Bridge in Brown County.

Bonding authority for Southern Bridge project

Under current law, the state may contract up to \$46,849,800 in public debt for DOT to acquire, construct, develop, enlarge, or improve local bridges and interstate bridges. The bill authorizes the state to contract an additional \$50,000,000 in public debt for the construction of the Southern Bridge project crossing the Fox River in Brown County.

Tribal nation welcome signs

The bill authorizes a federally recognized American Indian tribe or band in this state to erect and maintain within the right-of-way of any highway within the boundaries of an Indian reservation or other land held in trust for the tribe or band a tribal nation welcome sign. Under the bill, "tribal nation welcome sign" means an official sign erected and maintained by a federally recognized American Indian tribe or band in this state that the tribe determines is necessary to inform motorists of the territorial boundaries of tribal reservation and trust lands. The bill provides that welcome signs may not be erected within the right-of-way of an interstate highway and are not subject to the Wisconsin manual on traffic control devices adopted by DOT.

Under current law generally, no sign may be placed within the limits of any street or highway except as necessary for the guidance or warning of traffic, the safeguard of children at play, or to indicate the presence of a neighborhood watch program. This prohibition does not apply to directional and other official signs or to municipal welcome signs.

DRIVERS AND MOTOR VEHICLES***Driver's cards***

Under 2007 Wisconsin Act 20, certain provisions specified in the federal REAL ID Act of 2005 (REAL ID) were incorporated into state law and these provisions

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became effective on January 1, 2013. Among these provisions was the requirement that DOT follow certain procedures in processing applications for driver's licenses and identification cards. However, under 2011 Wisconsin Acts 23 and 32, DOT may process applications for driver's licenses and identification cards in a manner other than that required by REAL ID if the driver's licenses and identification cards are marked to indicate that they are not REAL ID compliant and DOT processes the applications in compliance with DOT practices and procedures applicable immediately prior to implementation of REAL ID.

Under current law, an applicant for a driver's license or identification card, regardless of whether it is REAL ID compliant or REAL ID noncompliant, must provide to DOT 1) an identification document that includes either the applicant's photograph or both the applicant's full legal name and date of birth; 2) documentation, which may be the same as item 1, above, showing the applicant's date of birth; 3) proof of the applicant's social security number or verification that the applicant is not eligible for a social security number; 4) documentation showing the applicant's name and address of principal residence; and 5) documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. However, in processing an application for a REAL ID noncompliant driver's license or identification card, DOT is not required to meet the standards for document retention and verification that are imposed for REAL ID compliant products.

Under the bill, an applicant for a REAL ID noncompliant driver's license or identification card (noncompliant REAL ID) is not required to provide documentary proof that the applicant is a U.S. citizen or is otherwise lawfully present in the United States. Also, an applicant may, in lieu of item 1 above, provide an individual taxpayer identification number, a foreign passport, or any other documentation deemed acceptable to DOT and, in lieu of items 2 and 4 above, provide documentation deemed acceptable to DOT. If the applicant does not have a social security number, the applicant is required to provide verification only that he or she does not have one, rather than verification that he or she is not eligible for one. In processing an application for, and issuing or renewing, a noncompliant REAL ID, DOT may not include any question or require any proof or documentation as to whether the applicant is a U.S. citizen or is otherwise lawfully present in the United States. The license document issued must display, on its face, the words "Not valid for voting purposes. Not evidence of citizenship or immigration status." The bill does not change any current law requirements related to driver qualifications such as minimum age or successful completion of knowledge and driving skills tests.

With limited exceptions, DOT may not disclose social security numbers obtained from operator's license or identification card applicants. The bill prohibits DOT from disclosing the fact that an applicant has verified to DOT that the applicant does not have a social security number, except that DOT may disclose this information to the Elections Commission.

The bill also prohibits discrimination on the basis of a person's status as a holder or a nonholder of a noncompliant REAL ID, adding this license status as a prohibited basis for discrimination in employment, housing, and the equal enjoyment of a public place of accommodation or amusement.

ASSEMBLY BILL 43***Electronic renewal of operator's licenses***

Under current law, most operator's licenses issued by DOT must be renewed every eight years. In general, an applicant for renewal of an operator's license must pass an eyesight test and have his or her photograph taken.

Under the bill, if an applicant for renewal of an operator's license meets certain requirements, the applicant may apply for renewal, and DOT may renew the license, by electronic means. The renewal may occur without an eyesight test and without a photograph. One of the eligibility requirements for use of the electronic procedure is that the applicant meets any additional criteria for eligibility established by DOT.

Driving skills test waiver

Under current law, with limited exceptions, an applicant for an operator's license authorizing operation of "Class D" vehicles, which are automobiles and most passenger vehicles, must successfully complete a knowledge test and a driving skills (road) test. The bill allows DOT to waive the road test for a person if all of the following are satisfied:

1. The person is under 18 years of age.
2. The person is applying for authorization to operate only "Class D" vehicles.
3. The person has satisfactorily completed a course in driver education.
4. An adult sponsor of the person consents to a waiver of the driving skills test.

Electronic notifications

Under current law, DOT must provide certain notifications by postal mail. The bill allows DOT to provide some of these notifications by electronic means if the person being notified has requested electronic notifications from DOT. The notifications covered in the bill are notices of extensions of probationary license restrictions, notices related to amount of security required under certain financial responsibility requirements, and certain notices related to operator's license revocations, suspensions, or disqualifications.

Ignition interlock device requirement expansion

Under current law, if a person is convicted of a second or subsequent offense related to operating a motor vehicle while under the influence of an intoxicant or other drug, with a prohibited alcohol concentration, or with a measurable amount of a controlled substance in his or her blood (OWI offense) or a first OWI offense for which his or her alcohol concentration is 0.15 or greater, a court must order the person's operating privilege restricted to operating vehicles that are equipped with an ignition interlock device. The bill expands the ignition interlock requirement to all OWI offenses that involve the use of alcohol.

Increased safety belt violation forfeiture

The bill increases the forfeiture from \$10 to \$25 for violations of motor vehicle safety belt requirements. Under current law, if a motor vehicle is required to be equipped with safety belts, no person may operate the vehicle unless the person and each passenger who is at least eight years old is properly restrained. Separate requirements and penalties apply to passengers for whom child safety restraint systems are required.

ASSEMBLY BILL 43***Seasonal period for farm service license endorsement***

Under current law, no person may operate a motor vehicle upon a highway in this state unless the person possesses a valid operator's license. Additional endorsements are required for the operation of certain vehicles. An "F" endorsement authorizes a seasonal farm employee who is eligible for a restricted commercial driver license under federal law to operate certain commercial vehicles for a seasonal period not to exceed 180 days in any calendar year. The bill increases the seasonal period for an "F" endorsement to 210 days.

Electric vehicle identification sticker

The bill requires DOT to issue a decal for each hybrid and nonhybrid electric vehicle that identifies the vehicle as electric and which must be displayed on the front and rear registration plates of the vehicle. The bill provides that there is a onetime fee of \$1 for the issuance of the decals.

GENERAL TRANSPORTATION***General fund transfers to the transportation fund***

The bill requires two transfers from the general fund to the transportation fund in each fiscal year, beginning on June 30, 2024. The first transfer must be in an amount equal to the amount of sales tax generated by the sale of electric vehicles in this state, as calculated by DOA. Beginning in fiscal year 2025-26, the amount transferred may not exceed 120 percent of the amount transferred in the previous year, or \$75,000,000, whichever is less. The second transfer must be equal to the marginal difference between the sales tax generated from the sale of automotive parts, accessories, tires, and repair and maintenance services in fiscal year 2020-21 and the fiscal year of the transfer, as calculated by DOA.

Mass transit aid amounts

Under current law, DOT provides state aid payments to local public bodies in urban areas served by mass transit systems to assist the local public bodies with the expenses of operating those systems. There are five classes of mass transit systems, and the total amount of state aid payments to four of these classes is limited to a specific amount in each calendar year. The fifth class consists of certain commuter or light rail systems, and no state aid amounts are specified for this class. For the four classes of mass transit systems for which state aid amounts are specified, the bill does the following to the total amount limits:

1. For mass transit systems having annual operating expenses of \$80,000,000 or more, the bill maintains the current limit of \$65,477,800 in calendar year 2023 and increases the limit to \$68,096,900 in calendar year 2024 and \$70,820,800 in calendar year 2025 and thereafter.

2. For mass transit systems having annual operating expenses of over \$20,000,000 but less than \$80,000,000, the bill maintains the current limit of \$17,205,400 in calendar year 2023 and increases the limit to \$17,893,600 in calendar year 2024 and \$18,609,400 in calendar year 2025 and thereafter.

3. For the two classes of mass transit systems having annual operating expenses of no more than \$20,000,000, the bill does not make changes to the current limits.

ASSEMBLY BILL 43***Transit capital assistance grants***

The bill requires DOT to establish a transit capital assistance grant program, under which DOT awards grants to eligible applicants for the replacement of public transit vehicles.

Transportation facilities revenue obligation repayment fund

Under current law, the Building Commission may issue revenue bonds for major highway projects and transportation administrative facilities. DOT may deposit in special trust funds certain revenues pledged for the repayment of these revenue bonds. Moneys pledged in excess of the amount needed for repayment of the bonds are transferred to the transportation fund, free of any pledge.

The bill authorizes DOT to create a new trust fund and requires the transfer of \$379,369,800 from the general fund to the trust fund, for the purpose of repayment of revenue bonds.

Freight rail preservation bonding

Under current law, the state may contract up to \$300,300,000 in public debt for DOT to acquire railroad property, provide grants and loans for railroad property acquisition and improvement, and provide intermodal freight facilities grants. The bill increases the authorized general obligation bonding limit for these purposes by \$20,000,000 to \$320,300,000.

Harbor assistance bonding

Under current law, the state may contract up to \$167,300,000 in public debt for DOT to provide local grants for harbor assistance and for harbor improvements such as dock wall repair and maintenance, construction of new dock walls, dredging of materials from a harbor, or the placement of dredged materials in containment facilities. The bill increases the authorized general obligation bonding limit for these purposes by \$16,000,000 to \$183,300,000.

Number of state patrol officers

The bill increases the number of state traffic patrol officers DOT may employ from 399 to 434.

Mississippi River Parkway Commission position authority

Under current law, the Mississippi River Parkway Commission assists in coordinating the development and preservation of the Great River Road in Wisconsin. The commission consists of members appointed to four-year terms by the governor. These members serve without compensation, but may be reimbursed for actual expenses of performing their duties. Reimbursements are paid from moneys appropriated to DOT for departmental management and operations.

The bill increases the position authority for the Mississippi River Parkway Commission by 1.0 FTE, funded from the same appropriation, for the purpose of providing administrative support to the commission.

VETERANS***County veterans service officer grants***

The bill increases the dollar amount of grants made to counties with a veterans service officer. Under current law, DVA is required to annually award a grant to

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counties that employ a county veterans service officer chosen from a list of candidates who have completed a particular civil service examination or who were appointed under a certain civil service competitive examination procedure. The grants are awarded for the purpose of improving a county's services to veterans. The amount of each grant is \$9,350 for a county with a population of less than 20,000, \$11,000 for a county with a population of 20,000 to 45,499, \$12,650 for a county with a population of 45,500 to 74,999, and \$14,300 for a county with a population of 75,000 or more. Counties that employ a part-time county veterans service officer are eligible to receive an annual grant not exceeding \$550. DVA may also make annual grants not to exceed \$16,500 to the governing bodies of federally recognized American Indian tribes and bands if the tribal governing body appoints a tribal veterans service officer and enters into an agreement with DVA regarding the creation, goals, and objectives of the tribal veterans service officer position.

The bill doubles the dollar amount of the grants annually awarded to counties and tribal governing bodies and repeals the restriction that a county employing a part-time county veterans services officer receive a grant not to exceed \$550.

Assistance to Needy Veterans grants

The bill expands the Assistance to Needy Veterans grant program. Under current law, DVA administers the Assistance to Needy Veterans grant program, which provides subsistence aid and health care aid to veterans. Under the program, DVA may provide up to \$3,000 in subsistence aid per 12-month period to veterans who have suffered a loss of income due to illness, injury, or natural disaster. Under the program, DVA may also provide aid payments to a veteran to pay for dental care, hearing care, and vision care. The total lifetime limit that a veteran may receive in aid under the program is \$7,500.

The bill expands the program by allowing DVA to provide subsistence aid payments, in an amount of up to \$5,000 per 12-month period, to a veteran who has suffered a loss of income for any reason and also allows DVA to provide health care aid payments to pay for any medical device prescribed by a licensed health care provider. The bill also raises the lifetime limit on aid that a veteran may receive under the program to \$10,000.

Hmong and Laotian veterans

The bill expands the definition of "veteran" to include either 1) individuals who were naturalized pursuant to the Hmong Veterans' Naturalization Act of 2000; or 2) individuals who the secretary of veterans affairs has determined served honorably with a special guerrilla unit or irregular forces operating from a base in Laos in support of the armed forces of the United States at any time during the period from February 28, 1961, to May 7, 1975, and who are citizens of the United States or aliens lawfully admitted for permanent residence in the United States who reside in Wisconsin. The bill extends most veterans benefits to anyone who meets this newly expanded definition of veteran, however, admission to a state veterans home and burial in a veterans cemetery are not included benefits as they are subject to federal regulation.

ASSEMBLY BILL 43***Wisconsin veterans cemetery eligibility requirements***

The bill changes an eligibility requirement for an individual to be buried in one of the state veterans cemeteries. Under current law, an individual who was discharged under other than dishonorable conditions must have been a Wisconsin resident in order to be eligible for burial in one of the state veterans cemeteries. In select cases, children and spouses of eligible veterans must also be Wisconsin residents in order to be buried in a state veterans cemetery. The bill removes the Wisconsin residency eligibility requirements in determining whether an individual or his or her spouse or children may be buried in a state veterans cemetery. The bill also directs from which appropriation account some eligible individuals' burial expenses may be paid.

Veterans homes and related programs

The bill requires DVA to contract with a vendor during the 2023-25 fiscal biennium to study the campus of the Wisconsin Veterans Home at King. The purpose of the study is to provide a framework to guide decision making for future operations and development on the campus of the Wisconsin Veterans Home at King. The study must be completed before June 1, 2025.

Transfer of funds for the operations of veterans homes

The bill transfers \$10,000,000 in fiscal year 2023-24 from the general fund to the DVA appropriation used for the institutional operations of veterans homes.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

Because this bill may increase or decrease, directly or indirectly, the cost of the development, construction, financing, purchasing, sale, ownership, or availability of housing in this state, the Department of Administration, as required by law, will prepare a report to be printed as an appendix to this bill.

This proposal may contain a health insurance mandate requiring a social and financial impact report under s. 601.423, stats.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 **SECTION 1.** 5.02 (6m) (f) of the statutes is amended to read:
- 2 5.02 **(6m)** (f) An ~~unexpired~~ identification card issued by a university or college
- 3 in this state that is accredited, as defined in s. 39.30 (1) (d), or by a technical college

ASSEMBLY BILL 43**SECTION 1**

1 in this state that is a member of and governed by the technical college system under
2 ch. 38, that contains the date of issuance and signature of the individual to whom it
3 is issued and that contains an expiration date indicating that the card expires no
4 later than 2 years after the date of issuance if the individual establishes, except that
5 if the identification card is expired the individual shall establish that he or she is
6 enrolled as a student at the university or college on the date that the card is
7 presented.

8 **SECTION 2.** 5.02 (20) of the statutes is amended to read:

9 5.02 (20) "Special primary" means the primary held 4 weeks before the special
10 election, except as provided in s. 8.50 (4m) and except when the special election is
11 held on the same day as the general election the special primary shall be held on the
12 same day as the general primary or if the special election is held concurrently with
13 the spring election, the primary shall be held concurrently with the spring primary.

14 **SECTION 3.** 5.02 (22) of the statutes is amended to read:

15 5.02 (22) "Spring primary" means the ~~nonpartisan~~ primary held on the 3rd
16 Tuesday in February to nominate nonpartisan candidates to be voted for at the
17 spring election and partisan candidates to be voted for at a special election under s.
18 8.50 (4m).

19 **SECTION 4.** 5.05 (11m) of the statutes is created to read:

20 5.05 (11m) AID TO COUNTIES AND MUNICIPALITIES FOR CERTAIN SPECIAL ELECTION
21 COSTS. (a) From the appropriation under s. 20.510 (1) (f), the commission shall
22 reimburse counties and municipalities for costs incurred in the administration of
23 special primaries for state or national office and special elections for state or national
24 office.

ASSEMBLY BILL 43**SECTION 4**

1 (b) A cost is eligible for reimbursement under par. (a) only if all of the following
2 apply:

3 1. The commission determines that the cost is reasonable.

4 2. The cost is specified under par. (c).

5 3. If applicable, the commission determines that the rate paid by the county or
6 municipality for the cost does not exceed the rate customarily paid for similar costs
7 at a primary or election that is not a special primary or election.

8 4. If the special primary or election coincides with a primary or election that
9 is not a special primary or election, the commission determines that the cost does not
10 exceed the amount that would be incurred if the primaries or elections did not
11 coincide.

12 (c) Only the following costs are eligible for reimbursement under par. (a):

13 1. Rental payments for polling places.

14 2. Election day wages paid under s. 7.03 to election officials working at the
15 polls.

16 3. Costs for the publication of required election notices.

17 4. Printing and postage costs for absentee ballots and envelopes.

18 5. Costs for the design and printing of ballots and poll books.

19 6. Purchase of ballot bags or containers, including ties or seals for chain of
20 custody purposes.

21 7. Costs to program electronic voting machines.

22 8. Purchase of memory devices for electronic voting machines.

23 9. Wages paid to conduct a county canvass.

24 10. Data entry costs for the statewide voter registration system.

25 **SECTION 5.** 5.05 (11r) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 5**

1 5.05 (11r) AIDS TO COUNTIES AND MUNICIPALITIES FOR THE PURCHASE OF ELECTION
2 SUPPLIES AND EQUIPMENT. From the appropriation under s. 20.510 (1) (ff), the
3 commission may award grants to counties and municipalities for the purchase of
4 election supplies and equipment, including electronic poll books.

5 **SECTION 6.** 5.053 of the statutes is created to read:

6 **5.053 Office of election transparency and compliance. (1) DEFINITION.**

7 In this section, “office” means the office of election transparency and compliance.

8 **(2) DUTIES.** The office shall do all of the following:

9 (a) As directed by the commission by resolution, provide assistance and
10 research to the commission concerning a sworn complaint filed under s. 5.05 (2m) or
11 5.06.

12 (b) As directed by the administrator, provide assistance and research to the
13 commission concerning the following:

14 1. Procedures at polling places.

15 2. Election processes.

16 3. Audits of election systems and equipment, including with respect to
17 accessibility requirements for individuals with disabilities.

18 4. Responding to public records requests submitted under s. 19.35.

19 5. Responding to inquiries and requests for assistance made by a member,
20 committee, or house of the state legislature.

21 6. Responding to inquiries from the public.

22 **SECTION 7.** 5.056 of the statutes is amended to read:

23 **5.056 Matching program with secretary of transportation.** The
24 commission administrator shall enter into the agreement with the secretary of
25 transportation specified under s. 85.61 (1) to match personally identifiable

ASSEMBLY BILL 43**SECTION 7**

1 information on the official registration list maintained by the commission under s.
2 6.36 (1) and the information specified in s. ss. 6.256 (2) and 6.34 (2m) with personally
3 identifiable information maintained by the department of transportation. Subject
4 to s. 343.14 (2p) (b), the agreement shall provide for the electronic transfer of
5 information under s. 6.256 (2) to the commission on a continuous basis, no less often
6 than weekly.

7 **SECTION 8.** 5.35 (6) (a) 4c. of the statutes is created to read:

8 5.35 (6) (a) 4c. A voter bill of rights in substantially the following form:

9 **VOTER BILL OF RIGHTS**

10 **You have the following rights:**

11 • **The right to vote if you are registered and eligible to vote.** You are
12 eligible to vote if you (1) are a U.S. citizen, (2) are at least 18 years old, (3) are
13 registered where you currently live, (4) are not currently serving any portion of a
14 felony sentence, including probation or supervision, (5) are not currently found
15 mentally incompetent to vote by a court, and (6) have not placed a bet or a wager on
16 the outcome of the election.

17 • **The right to inspect a sample ballot before voting.**

18 • **The right to cast a ballot if you are in line when your polling place**
19 **closes** or when your municipal clerk's office closes if you are voting by in-person
20 absentee ballot on the last day for which such voting is allowed.

21 • **The right to cast a secret ballot**, without anyone bothering you or telling
22 you how to vote.

23 • **If you have a disability, the right to get help casting your ballot** from
24 anyone you choose, except from your employer or union representative.

ASSEMBLY BILL 43**SECTION 8**

1 • **The right to get help voting in a language other than English** if enough
2 voters where you live speak your language.

3 • **The right to get a new ballot if you made a mistake.** You can get up to
4 3 ballots in all if you make a mistake and have not already cast your ballot.

5 • **The right to cast a provisional ballot.** You can cast a provisional ballot
6 if you are unable or unwilling to provide required proof of identification for voting or
7 a valid driver license or identification card number for registering to vote on election
8 day. Your provisional ballot will not be counted unless you provide the required
9 information to the poll workers by 8:00 p.m. on election day or to the municipal clerk
10 by 4:00 p.m. of the Friday following the election.

11 • **The right to have your ballot counted accurately.**

12 • **The right to vote free from coercion or intimidation by any election**
13 **official or other person.**

14 • **The right to report any illegal or fraudulent election activity** to an
15 elections official or the State of Wisconsin Elections Commission.

16 **SECTION 9.** 5.84 (1) of the statutes is amended to read:

17 5.84 (1) Where any municipality employs an electronic voting system which
18 utilizes automatic tabulating equipment, ~~either at the polling place or at a central~~
19 ~~counting location,~~ the municipal clerk shall, on any day not more than 10 days prior
20 to the election day on which the equipment is to be utilized in an election, have the
21 equipment tested to ascertain that it will correctly count the votes cast for all offices
22 and on all measures. Public notice of the time and place of the test shall be given by
23 the clerk at least 48 hours prior to the test by publication of a class 1 notice under
24 ch. 985 in one or more newspapers published within the municipality if a newspaper
25 is published therein, otherwise in a newspaper of general circulation therein. The

ASSEMBLY BILL 43**SECTION 9**

1 test shall be open to the public. The test shall be conducted by processing a
2 preaudited group of ballots so marked as to record a predetermined number of valid
3 votes for each candidate and on each referendum. The test shall include for each
4 office one or more ballots which have votes in excess of the number allowed by law
5 and, for a partisan primary election, one or more ballots which have votes cast for
6 candidates of more than one recognized political party, in order to test the ability of
7 the automatic tabulating equipment to reject such votes. If any error is detected, the
8 municipal clerk shall ascertain the cause and correct the error. The clerk shall make
9 an errorless count before the automatic tabulating equipment is approved by the
10 clerk for use in the election.

11 **SECTION 10.** 5.86 (1) of the statutes is amended to read:

12 5.86 (1) All proceedings at each central counting location shall be under the
13 direction of the municipal clerk or an election official designated by the clerk unless
14 the central counting location is at the county seat ~~and the municipal clerk delegates~~
15 ~~the responsibility to supervise the location to the county clerk~~, in which case the
16 proceedings shall be under the direction of the county clerk or an election official
17 designated by the county clerk. If for any municipality the central counting location
18 is at the county seat and the municipal clerk authorizes the early canvassing of
19 absentee ballots under s. 7.525, the county clerk or the county clerk's designee shall
20 begin the proceedings for that municipality on the day before the election consistent
21 with that section. Unless election officials are selected under s. 7.30 (4) (c) without
22 regard to party affiliation, the employees at each central counting location, other
23 than any specially trained technicians who are required for the operation of the
24 automatic tabulating equipment, shall be equally divided between members of the
25 2 major political parties under s. 7.30 (2) (a) and all duties performed by the

ASSEMBLY BILL 43**SECTION 10**

1 employees shall be by teams consisting of an equal number of members of each
2 political party whenever sufficient persons from each party are available.

3 **SECTION 11.** 6.02 (1) of the statutes is amended to read:

4 6.02 (1) Every U.S. citizen age 18 or older who has resided in an election district
5 or ward for ~~28~~ 10 consecutive days before any election where the citizen offers to vote
6 is an eligible elector.

7 **SECTION 12.** 6.02 (2) of the statutes is amended to read:

8 6.02 (2) Any U.S. citizen age 18 or older who moves within this state later than
9 ~~28~~ 10 days before an election shall vote at his or her previous ward or election district
10 if the person is otherwise qualified. If the elector can comply with the ~~28-day~~ 10-day
11 residence requirement at the new address and is otherwise qualified, he or she may
12 vote in the new ward or election district.

13 **SECTION 13.** 6.10 (3) of the statutes is amended to read:

14 6.10 (3) When an elector moves his or her residence from one ward or
15 municipality to another ward or municipality within the state at least ~~28~~ 10 days
16 before the election, the elector may vote in and be considered a resident of the new
17 ward or municipality where residing upon registering at the proper polling place or
18 other registration location in the new ward or municipality under s. 6.55 (2) or 6.86
19 (3) (a) 2. If the elector moves his or her residence later than ~~28~~ 10 days before an
20 election, the elector shall vote in the elector's former ward or municipality if
21 otherwise qualified to vote there.

22 **SECTION 14.** 6.10 (4) of the statutes is amended to read:

23 6.10 (4) The residence of an unmarried person sleeping in one ward and
24 boarding in another is the place where the person sleeps. The residence of an
25 unmarried person in a transient vocation, a teacher or a student who boards at

ASSEMBLY BILL 43**SECTION 14**

1 different places for part of the week, month, or year, if one of the places is the
2 residence of the person's parents, is the place of the parents' residence unless through
3 registration or similar act the person elects to establish a residence elsewhere. If the
4 person has no parents and if the person has not registered elsewhere, the person's
5 residence shall be at the place that the person considered his or her residence in
6 preference to any other for at least ~~28~~ 10 consecutive days before an election. If this
7 place is within the municipality, the person is entitled to all the privileges and subject
8 to all the duties of other citizens having their residence there, including voting.

9 **SECTION 15.** 6.15 (1) of the statutes is amended to read:

10 6.15 (1) **QUALIFICATIONS.** Any person who was or who is an eligible elector under
11 ss. 6.02 and 6.03, except that he or she has been a resident of this state for less than
12 ~~28~~ 10 consecutive days prior to the date of the presidential election, is entitled to vote
13 for the president and vice president but for no other offices. The fact that the person
14 was not registered to vote in the state from which he or she moved does not prevent
15 voting in this state if the elector is otherwise qualified.

16 **SECTION 16.** 6.15 (2) (a) of the statutes is amended to read:

17 6.15 (2) (a) The elector's request for the application form may be made in person
18 to the municipal clerk of the municipality where the person resides. Application may
19 be made not sooner than ~~27~~ 9 days nor later than 5 p.m. on the day before the election,
20 or may be made at the proper polling place in the ward or election district in which
21 the elector resides. If an elector makes application before election day, the
22 application form shall be returned to the municipal clerk after the affidavit has been
23 signed in the presence of the clerk or any officer authorized by law to administer
24 oaths. The affidavit shall be in substantially the following form:

25 STATE OF WISCONSIN

ASSEMBLY BILL 43**SECTION 16**

1 County of

2 I,, do solemnly swear that I am a citizen of the United States; that prior to
3 establishing Wisconsin residence, my legal residence was in the (town) (village)
4 (city) of, state of, residing at (street address); that on the day of the next
5 presidential election, I shall be at least 18 years of age and that I have been a legal
6 resident of the state of Wisconsin since, (year), residing at (street address),
7 in the [... ward of the ... aldermanic district of] the (town) (village) (city) of, county
8 of; that I have resided in the state less than ~~28~~ 10 consecutive days, that I am
9 qualified to vote for president and vice president at the election to be held November
10, (year), that I am not voting at any other place in this election and that I hereby
11 make application for an official presidential ballot, in accordance with section 6.15
12 of the Wisconsin statutes.

13 Signed

14 P.O. Address

15 Subscribed and sworn to before me this day of, (year)

16(Name)

17(Title)

18 **SECTION 17.** 6.15 (4) (b) of the statutes is amended to read:

19 6.15 (4) (b) During polling hours, or between 7 a.m. and 8 p.m. on the day before
20 the election if authorized for that election under s. 7.525, the inspectors shall open
21 each carrier envelope, announce the elector's name, check the affidavit for proper
22 execution, and check the voting qualifications for the ward, if any. In municipalities
23 where absentee ballots are canvassed under s. 7.52, the municipal board of absentee
24 ballot canvassers shall perform this function at a meeting of the board of absentee
25 ballot canvassers.

ASSEMBLY BILL 43**SECTION 18**

1 **SECTION 18.** 6.18 (form) of the statutes is amended to read:

2 **6.18** (form) This form shall be returned to the municipal clerk's office.
3 Application must be received in sufficient time for ballots to be mailed and returned
4 prior to any presidential election at which applicant wishes to vote. Complete all
5 statements in full.

6 APPLICATION FOR PRESIDENTIAL

7 ELECTOR'S ABSENTEE BALLOT

8 (To be voted at the Presidential Election

9 on November, (year)

10 I, hereby swear or affirm that I am a citizen of the United States, formerly
11 residing at in the ward aldermanic district (city, town, village) of, County
12 of for ~~28~~ 10 consecutive days prior to leaving the State of Wisconsin. I, do
13 solemnly swear or affirm that I do not qualify to register or vote under the laws of
14 the State of(State you now reside in) where I am presently residing. A citizen must
15 be a resident of: State(Insert time) County(Insert time) City, Town or Village
16(Insert time), in order to be eligible to register or vote therein. I further swear or
17 affirm that my legal residence was established in the State of(the State where you
18 now reside) on Month Day Year.

19 Signed

20 Address(Present address)

21 (City)(State)

22 Subscribed and sworn to before me this day of (year)

23 (Notary Public, or other officer authorized to administer oaths.)

24 (County)

25 My Commission expires

ASSEMBLY BILL 43

1 MAIL BALLOT TO:
2 NAME
3 ADDRESS
4 CITY STATE ZIP CODE

5 *Penalties for Violations.* Whoever swears falsely to any absent elector affidavit
6 under this section may be fined not more than \$1,000 or imprisoned for not more than
7 6 months or both. Whoever intentionally votes more than once in an election may
8 be fined not more than \$10,000 or imprisoned for not more than 3 years and 6 months
9 or both.

10(Municipal Clerk)

11(Municipality)

12 **SECTION 19.** 6.22 (7) of the statutes is amended to read:

13 6.22 (7) EXTENSION OF PRIVILEGE. This section applies to all military electors for
14 ~~28~~ 10 days after the date of discharge from a uniformed service or termination of
15 services or employment of individuals specified in sub. (1) (b) 1. to 4.

16 **SECTION 20.** 6.256 of the statutes is created to read:

17 **6.256 Facilitating registration of electors.** (1) The commission shall use
18 all feasible means to facilitate the registration of all eligible electors of this state and
19 the maintenance of the registration of all eligible electors for so long as they remain
20 eligible.

21 (2) Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions
22 under sub. (1), the commission shall obtain the following information from the
23 department of transportation, to the extent that the department has the
24 information:

ASSEMBLY BILL 43**SECTION 20**

1 (a) The full name of each individual who holds a current operator's license
2 issued to the individual under ch. 343 or a current identification card issued to the
3 individual under s. 343.50, together with the following information pertaining to
4 that individual:

5 1. The current address of the individual together with any address history and
6 any name history maintained by the department of transportation.

7 2. The date of birth of the individual.

8 3. The number of the license or identification card issued to the individual.

9 4. A copy of each document that the applicant provided as proof of citizenship
10 and a statement from the department of transportation indicating that the
11 department verified the applicant's citizenship.

12 (b) For each item of information specified in par. (a), the most recent date that
13 the item of information was provided to or obtained by the department of
14 transportation.

15 **(3)** The commission shall compare the information obtained under sub. (2) with
16 the information in the registration list under s. 6.36 (1) (a). If the commission finds
17 any discrepancy between the information obtained under sub. (2) regarding an
18 elector and the information in the registration list under s. 6.36 (1) (a) regarding that
19 elector, the commission shall attempt to contact the elector to resolve the discrepancy
20 and update the registration list accordingly. If the commission is unable to resolve
21 the discrepancy, the information in the registration list shall control.

22 **(4)** If the commission concludes that an individual appears eligible to vote in
23 this state but is not registered and the commission has obtained from reliable sources
24 all the information required under s. 6.33 (1) to complete the individual's
25 registration, the commission shall enter the individual's name on the registration list

ASSEMBLY BILL 43**SECTION 20**

1 maintained under s. 6.36 (1) (a). If the commission has not obtained from reliable
2 sources all the information pertaining to an individual that is required under s. 6.33
3 (1), the commission shall attempt to obtain from reliable sources the necessary
4 information under s. 6.33 (1) that is required to complete the individual's
5 registration. If an elector's status has been changed from eligible to ineligible under
6 s. 6.50 and the elector's eligibility, name, or residence has not changed, the
7 commission may not change the individual's name to eligible status unless the
8 commission first verifies that the individual is eligible and wishes to change his or
9 her status to eligible.

10 **(5)** The commission shall attempt to contact an individual described in sub. (4)
11 if necessary to obtain all the information specified in s. 6.33 (1) pertaining to the
12 individual that is required to complete the individual's registration.

13 **(6)** The commission shall mail a notice to each individual whose name the
14 commission enters under sub. (4) on the registration list maintained under s. 6.36
15 (1) (a). The notice shall be printed in English, Spanish, and other languages spoken
16 by a significant number of state residents, as determined by the commission, and
17 shall include all of the following:

18 (a) A statement informing the individual that his or her name has been entered
19 on the registration list and showing the current address for the individual based on
20 the commission's records.

21 (b) A statement informing the individual that he or she may request to have
22 his or her name deleted from the registration list and instructions for doing so.

23 (c) Instructions for notifying the commission of a change in name or address.

24 (d) Instructions for obtaining a confidential listing under s. 6.47 (2) and a
25 description of how an individual qualifies for a confidential listing.

ASSEMBLY BILL 43**SECTION 20**

1 **(7)** Any individual may file a request with the commission to exclude his or her
2 name from the registration list maintained under s. 6.36 (1) (a). Any individual
3 whose name is added to the registration list by the commission may file a request
4 with the commission or a municipal clerk to have his or her name deleted from the
5 list. A request for exclusion or deletion shall be filed in the manner prescribed by the
6 commission. An individual who files an exclusion or deletion request under this
7 subsection may revoke his or her request by the same means that an individual may
8 request an exclusion or deletion. The commission shall ensure that the name of any
9 individual who has filed an exclusion or deletion request under this subsection is
10 excluded from the registration list or, if the individual's name appears on the list, is
11 removed from the registration list and is not added to the list at any subsequent time
12 unless the individual files a revocation of his or her request under this subsection.

13 **(8)** If the commission removes from the registration list maintained under s.
14 6.36 (1) (a) the name of an elector who does not request that his or her name be
15 deleted, or changes the elector's status from eligible to ineligible, other than to
16 correct an entry that the commission determines to be a duplication or to change the
17 name of an individual who is verified to be deceased to ineligible status, the
18 commission shall mail the individual a notice of the removal or change in status by
19 1st class postcard at the individual's last-known address. The notice shall provide
20 that the individual may apply to have his or her status changed to eligible if he or
21 she is a qualified elector.

22 **(9)** The commission shall attempt to facilitate the initial registration of all
23 eligible electors as soon as practicable.

24 **(10)** The commission shall maintain the confidentiality of all information
25 obtained from the department of transportation under sub. (2) and may use this

ASSEMBLY BILL 43

1 information only for the purpose of carrying out its functions under sub. (1) and s.
2 6.34 (2m) and in accordance with the agreement under s. 85.61 (1).

3 **SECTION 21.** 6.28 (1) (b) of the statutes is amended to read:

4 6.28 (1) (b) All applications for registration corrections and additions may be
5 made throughout the year at the office of the city board of election commissioners,
6 at the office of the municipal clerk, at the office of the county clerk, or at other
7 locations provided by the board of election commissioners or the common council in
8 cities over 500,000 population or by either or both the municipal clerk, or the common
9 council, village or town board in all other municipalities and may also be made
10 during the school year at any high school by qualified persons under sub. (2m) (a).

11 An elector who wishes to obtain a confidential listing under s. 6.47 (2) shall register
12 at the office of the municipal clerk of the municipality where the elector resides.

13 **SECTION 22.** 6.28 (2m) of the statutes is created to read:

14 6.28 (2m) AT HIGH SCHOOLS. (a) Public high schools shall be used for
15 registration for enrolled students and members of the high school staff.

16 (b) The municipal clerk of each municipality shall notify the school board of
17 each school district in which the municipality is located that high schools shall be
18 used for registration pursuant to par. (a). The school board and the municipal clerk
19 shall agree upon the appointment of at least one qualified elector at each high school
20 as a special school registration deputy. The municipal clerk shall appoint such
21 person as a school registration deputy and explain the person's duties and
22 responsibilities. Students and staff may register at the high school on any day that
23 classes are regularly held. The school registration deputies shall promptly forward
24 properly completed registration forms to the municipal clerk of the municipality in
25 which the registering student or staff member resides. The municipal clerk, upon

ASSEMBLY BILL 43**SECTION 22**

1 receiving such registration forms, shall add all those registering electors who have
2 met the registration requirements to the registration list. The municipal clerk may
3 reject any registration form and shall promptly notify the person whose registration
4 is rejected of the rejection and the reason therefor. A person whose registration is
5 rejected may reapply for registration if he or she is qualified. The form of each high
6 school student who is qualified and will be eligible to vote at the next election shall
7 be filed in such a way that when a student attains the age of 18 years the student is
8 registered to vote automatically. Each school board shall assure that the principal
9 of every high school communicates elector registration information to students.

10 (c) The principal of any private high school or of any tribal school, as defined
11 in s. 115.001 (15m), that operates high school grades that has a substantial number
12 of students residing in a municipality may request the municipal clerk to appoint a
13 special school registration deputy in accordance with par. (b). Students and staff
14 may register at the high school on any day that classes are regularly held. The clerk
15 shall appoint a special school registration deputy in the high school if the clerk
16 determines the school to have a substantial number of students residing in the
17 municipality.

18 **SECTION 23.** 6.29 (2) (a) of the statutes is amended to read:

19 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
20 a registration form or whose name does not appear on the registration list of the
21 municipality may register after the close of registration but not later than 5 p.m. or
22 the close of business, whichever is later, on the Friday before an election at the office
23 of the municipal clerk and at the office of the clerk's agent if the clerk delegates
24 responsibility for electronic maintenance of the registration list to an agent under
25 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),

ASSEMBLY BILL 43

1 a registration form containing all information required under s. 6.33 (1). The
2 registration form shall also contain the following certification: “I, ..., hereby certify
3 that, to the best of my knowledge, I am a qualified elector, having resided at ... for
4 at least 28 10 consecutive days immediately preceding this election, and I have not
5 voted at this election”. The elector shall also provide proof of residence under s. 6.34.

6 **SECTION 24.** 6.29 (2) (e) of the statutes is created to read:

7 6.29 (2) (e) The municipal clerk or clerk’s agent shall promptly add the names
8 of qualified electors who register and vote under this section to the registration list
9 maintained under s. 6.36 (1) (a). The clerk or clerk’s agent shall add the names of
10 qualified electors who vote at their polling places in the manner prescribed in s. 6.33
11 (5) (a).

12 **SECTION 25.** 6.33 (2) (a) of the statutes is amended to read:

13 6.33 (2) (a) All information may be recorded by any person, except that the clerk
14 shall record the ward and aldermanic district, if any, other geographic information
15 under sub. (1), the indication of whether the registration is received by mail, and the
16 type of identifying document submitted by the elector as proof of residence under s.
17 6.34 or the indication of verification of information in lieu of proof of residence under
18 s. 6.34 (2m). Except as provided in s. 6.30 (5), each elector shall sign his or her own
19 name unless the elector is unable to sign his or her name due to physical disability.
20 In such case, the elector may authorize another elector to sign the form on his or her
21 behalf. If the elector so authorizes, the elector signing the form shall attest to a
22 statement that the application is made upon request and by authorization of a named
23 elector who is unable to sign the form due to physical disability.

24 **SECTION 26.** 6.35 (3) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 26**

1 6.35 (3) ~~Original~~ Except for electronic registrations, original registration forms
2 shall be maintained in the office of the municipal clerk or board of election
3 commissioners at all times. The commission shall maintain records of registrations
4 that are entered electronically under s. 6.30 (5) and make such records available for
5 inspection by the municipal clerk, the clerk's designated agent, or the board of
6 election commissioners.

7 **SECTION 27.** 6.55 (2) (a) (form) of the statutes is amended to read:

8 6.55 (2) (a) (form) "I,, hereby certify that, to the best of my knowledge, I am
9 a qualified elector, having resided at for at least 28 10 consecutive days
10 immediately preceding this election, and I have not voted at this election."

11 **SECTION 28.** 6.85 (2) of the statutes is amended to read:

12 6.85 (2) Any otherwise qualified elector who changes residence within this
13 state by moving to a different ward or municipality later than 28 10 days prior to an
14 election may vote an absentee ballot in the ward or municipality where he or she was
15 qualified to vote before moving.

16 **SECTION 29.** 6.86 (1) (b) of the statutes is amended to read:

17 6.86 (1) (b) Except as provided in this section, if application is made by mail,
18 the application shall be received no later than 5 p.m. on the 5th day immediately
19 preceding the election. If application is made in person, the application shall be
20 made ~~no earlier than 14 days preceding the election and no later than the Sunday~~
21 preceding the election. No application may be received on a legal holiday. A
22 municipality shall specify the hours in the notice under s. 10.01 (2) (e). The
23 municipal clerk or an election official shall witness the certificate for any in-person
24 absentee ballot cast. Except as provided in par. (c), if the elector is making written
25 application for an absentee ballot at the partisan primary, the general election, the

ASSEMBLY BILL 43**SECTION 29**

1 presidential preference primary, or a special election for national office, and the
2 application indicates that the elector is a military elector, as defined in s. 6.34 (1), the
3 application shall be received by the municipal clerk no later than 5 p.m. on election
4 day. If the application indicates that the reason for requesting an absentee ballot is
5 that the elector is a sequestered juror, the application shall be received no later than
6 5 p.m. on election day. If the application is received after 5 p.m. on the Friday
7 immediately preceding the election, the municipal clerk or the clerk's agent shall
8 immediately take the ballot to the court in which the elector is serving as a juror and
9 deposit it with the judge. The judge shall recess court, as soon as convenient, and
10 give the elector the ballot. The judge shall then witness the voting procedure as
11 provided in s. 6.87 and shall deliver the ballot to the clerk or agent of the clerk who
12 shall deliver it to the ~~polling place~~ election inspectors of the proper ward or election
13 district or, in municipalities where absentee ballots are canvassed under s. 7.52, to
14 the municipal clerk as required in s. 6.88. If application is made under sub. (2) or
15 (2m), the application may be received no later than 5 p.m. on the Friday immediately
16 preceding the election.

17 **SECTION 30.** 6.86 (3) (c) of the statutes is amended to read:

18 6.86 (3) (c) An application under par. (a) 1. may be made and a registration form
19 under par. (a) 2. may be filed in person at the office of the municipal clerk not earlier
20 than 7 days before an election and not later than 5 p.m. on the day of the election.
21 A list of hospitalized electors applying for ballots under par. (a) 1. shall be made by
22 the municipal clerk and used to check that the electors vote only once, and by
23 absentee ballot. If Except as provided in s. 6.34 (2m), if the elector is registering for
24 the election after the close of registration or if the elector registered by mail and has
25 not voted in an election in this state, the municipal clerk shall inform the agent that

ASSEMBLY BILL 43**SECTION 30**

1 proof of residence under s. 6.34 is required and the elector shall enclose proof of
2 residence under s. 6.34 in the envelope with the ballot. The clerk shall verify that
3 the name on any required proof of identification presented by the agent conforms to
4 the name on the elector's application. The clerk shall then enter his or her initials
5 on the carrier envelope indicating that the agent presented proof of identification to
6 the clerk. The agent is not required to enter a signature on the registration list. The
7 ballot shall be sealed by the elector and returned to the municipal clerk either by mail
8 or by personal delivery of the agent; but if the ballot is returned on the day of the
9 election, the agent shall make personal delivery to the polling place serving the
10 hospitalized elector's residence before the closing hour or, in municipalities where
11 absentee ballots are canvassed under s. 7.52, to the municipal clerk no later than 8
12 p.m. on election day.

13 **SECTION 31.** 6.87 (2) (form) of the statutes is amended to read:

14 6.87 (2) (form)

15 [STATE OF

16 County of]

17 or

18 [(name of foreign country and city or other jurisdictional unit)]

19 I, ..., certify subject to the penalties of s. 12.60 (1) (b), Wis. Stats., for false
20 statements, that I am a resident of the [... ward of the] (town) (village) of ..., or of
21 the aldermanic district in the city of ..., residing at ...* in said city, the county
22 of ..., state of Wisconsin, and am entitled to vote in the (ward) (election district) at
23 the election to be held on ...; that I am not voting at any other location in this election;
24 that I am unable or unwilling to appear at the polling place in the (ward) (election
25 district) on election day or have changed my residence within the state from one ward

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1 or election district to another later than ~~28~~ 10 days before the election. I certify that
2 I exhibited the enclosed ballot unmarked to the witness, that I then in (his) (her)
3 presence and in the presence of no other person marked the ballot and enclosed and
4 sealed the same in this envelope in such a manner that no one but myself and any
5 person rendering assistance under s. 6.87 (5), Wis. Stats., if I requested assistance,
6 could know how I voted.

7 Signed

8 Identification serial number, if any:

9 The witness shall execute the following:

10 I, the undersigned witness, subject to the penalties of s. 12.60 (1) (b), Wis.
11 Stats., for false statements, certify that I am an adult U.S. citizen** and that the
12 above statements are true and the voting procedure was executed as there stated.
13 I am not a candidate for any office on the enclosed ballot (except in the case of an
14 incumbent municipal clerk). I did not solicit or advise the elector to vote for or against
15 any candidate or measure.

16(Printed name)

17(Address)***

18 Signed

19 * — An elector who provides an identification serial number issued under s.
20 6.47 (3), Wis. Stats., need not provide a street address.

21 ** — An individual who serves as a witness for a military elector or an overseas
22 elector voting absentee, regardless of whether the elector qualifies as a resident of
23 Wisconsin under s. 6.10, Wis. Stats., need not be a U.S. citizen but must be 18 years
24 of age or older.

ASSEMBLY BILL 43**SECTION 31**

1 *** — If this form is executed before 2 special voting deputies under s. 6.875 (6),
2 Wis. Stats., both deputies shall witness and sign.

3 **SECTION 32.** 6.87 (6) of the statutes is amended to read:

4 6.87 (6) The ballot shall be returned so it is delivered to the ~~polling place~~
5 election inspectors of the proper ward or election district no later than 8 p.m. on
6 election day. Except in municipalities where absentee ballots are canvassed under
7 s. 7.52, if the municipal clerk receives an absentee ballot on election day, the clerk
8 shall secure the ballot and cause the ballot to be delivered to the polling place serving
9 the elector's residence before 8 p.m. Any ballot not mailed or delivered as provided
10 in this subsection may not be counted.

11 **SECTION 33.** 6.88 (1) of the statutes is amended to read:

12 6.88 (1) When an absentee ballot arrives at the office of the municipal clerk,
13 or at an alternate site under s. 6.855, if applicable, the clerk shall enclose it,
14 unopened, in a carrier envelope which shall be securely sealed and endorsed with the
15 name and official title of the clerk, and the words "This envelope contains the ballot
16 of an absent elector and must be opened ~~in the same room where votes are being cast~~
17 ~~at the polls during polling hours on election day or, in municipalities where absentee~~
18 ~~ballots are canvassed under s. 7.52, stats., at a meeting of the municipal board of~~
19 ~~absentee ballot canvassers under s. 7.52, stats~~ only as provided by law." If the elector
20 is a military elector, as defined in s. 6.34 (1), or an overseas elector, regardless of
21 whether the elector qualifies as a resident of this state under s. 6.10, and the ballot
22 was received by the elector by facsimile transmission or electronic mail and is
23 accompanied by a separate certificate, the clerk shall enclose the ballot in a
24 certificate envelope and securely append the completed certificate to the outside of
25 the envelope before enclosing the ballot in the carrier envelope. The clerk shall keep

ASSEMBLY BILL 43**SECTION 33**

1 the ballot in the clerk's office or at the alternate site, if applicable until delivered, as
2 required in sub. (2).

3 **SECTION 34.** 6.88 (3) (a) of the statutes is amended to read:

4 6.88 (3) (a) Except in municipalities where absentee ballots are canvassed
5 under s. 7.52, at any time between the opening and closing of the polls on election day,
6 or between 7 a.m. and 8 p.m. on the day before the election if authorized for that
7 election under s. 7.525, the inspectors shall, in the same room where votes are being
8 cast, or in the place where absentee ballots begin being canvassed early under s.
9 7.525, in such a manner that members of the public can hear and see the procedures,
10 open the carrier envelope only, and announce the name of the absent elector or the
11 identification serial number of the absent elector if the elector has a confidential
12 listing under s. 6.47 (2). When the inspectors find that the certification has been
13 properly executed, the applicant is a qualified elector of the ward or election district,
14 and the applicant has not voted in the election, they shall enter an indication on the
15 poll list next to the applicant's name indicating an absentee ballot is cast by the
16 elector. They shall then open the envelope containing the ballot in a manner so as
17 not to deface or destroy the certification thereon. The inspectors shall take out the
18 ballot without unfolding it or permitting it to be unfolded or examined. Unless the
19 ballot is cast under s. 6.95, the inspectors shall verify that the ballot has been
20 endorsed by the issuing clerk. If the poll list indicates that proof of residence under
21 s. 6.34 is required and proof of residence is enclosed, the inspectors shall enter both
22 the type of identifying document submitted by the absent elector and the name of the
23 entity or institution that issued the identifying document on the poll list in the space
24 provided. If the poll list indicates that proof of residence under s. 6.34 is required and
25 no proof of residence is enclosed or the name or address on the document that is

ASSEMBLY BILL 43**SECTION 34**

1 provided is not the same as the name and address shown on the poll list, the
2 inspectors shall proceed as provided under s. 6.97 (2). The inspectors shall then
3 deposit the ballot into the proper ballot box and enter the absent elector's name or
4 voting number after his or her name on the poll list in the same manner as if the
5 elector had been present and voted in person.

6 **SECTION 35.** 6.94 of the statutes is amended to read:

7 **6.94 Challenged elector oath.** If the person challenged refuses to answer
8 fully any relevant questions put to him or her by the inspector under s. 6.92, the
9 inspectors shall reject the elector's vote. If the challenge is not withdrawn after the
10 person offering to vote has answered the questions, one of the inspectors shall
11 administer to the person the following oath or affirmation: "You do solemnly swear
12 (or affirm) that: you are 18 years of age; you are a citizen of the United States; you
13 are now and for ~~28~~ 10 consecutive days have been a resident of this ward except under
14 s. 6.02 (2); you have not voted at this election; you have not made any bet or wager
15 or become directly or indirectly interested in any bet or wager depending upon the
16 result of this election; you are not on any other ground disqualified to vote at this
17 election". If the person challenged refuses to take the oath or affirmation, the
18 person's vote shall be rejected. If the person challenged answers fully all relevant
19 questions put to the elector by the inspector under s. 6.92, takes the oath or
20 affirmation, and fulfills the applicable registration requirements, and if the answers
21 to the questions given by the person indicate that the person meets the voting
22 qualification requirements, the person's vote shall be received.

23 **SECTION 36.** 7.52 (1) (a) of the statutes is amended to read:

24 **7.52 (1) (a)** The governing body of any municipality may provide by ordinance
25 that, in lieu of canvassing absentee ballots at polling places under s. 6.88, the

ASSEMBLY BILL 43**SECTION 36**

1 municipal board of absentee ballot canvassers designated under s. 7.53 (2m) shall,
2 at each election held in the municipality, canvass all absentee ballots received by the
3 municipal clerk by 8 p.m. on election day. Prior to enacting an ordinance under this
4 subsection, the municipal clerk or board of election commissioners of the
5 municipality shall notify the elections commission in writing of the proposed
6 enactment and shall consult with the elections commission concerning
7 administration of this section. At every election held in the municipality following
8 enactment of an ordinance under this subsection, the board of absentee ballot
9 canvassers shall, between 7 a.m. and 8 p.m. on the day before the election if
10 authorized for that election under s. 7.525 or any time after the opening of the polls
11 and before 10 p.m. on election day, publicly convene to count the absentee ballots for
12 the municipality. The municipal clerk shall give at least 48 hours' notice of any
13 meeting under this subsection. Any member of the public has the same right of
14 access to a meeting of the municipal board of absentee ballot canvassers under this
15 subsection that the individual would have under s. 7.41 to observe the proceedings
16 at a polling place. The board of absentee ballot canvassers may order the removal
17 of any individual exercising the right to observe the proceedings if the individual
18 disrupts the meeting.

19 **SECTION 37.** 7.52 (5) (b) of the statutes is amended to read:

20 7.52 (5) (b) For the purpose of deciding upon ballots that are challenged for any
21 reason, the board of absentee ballot canvassers may call before it any person whose
22 absentee ballot is challenged if the person is available to be called. If the person
23 challenged refuses to answer fully any relevant questions put to him or her by the
24 board of absentee ballot canvassers under s. 6.92, the board of absentee ballot
25 canvassers shall reject the person's vote. If the challenge is not withdrawn after the

ASSEMBLY BILL 43**SECTION 37**

1 person offering to vote has answered the questions, one of the members of the board
2 of absentee ballot canvassers shall administer to the person the following oath or
3 affirmation: “You do solemnly swear (or affirm) that: you are 18 years of age; you are
4 a citizen of the United States; you are now and for ~~28~~ 10 consecutive days have been
5 a resident of this ward except under s. 6.02 (2), stats.; you have not voted at this
6 election; you have not made any bet or wager or become directly or indirectly
7 interested in any bet or wager depending upon the result of this election; you are not
8 on any other ground disqualified to vote at this election.” If the person challenged
9 refuses to take the oath or affirmation, the person’s vote shall be rejected. If the
10 person challenged answers fully all relevant questions put to the elector by the board
11 of absentee ballot canvassers under s. 6.92, takes the oath or affirmation, and fulfills
12 the applicable registration requirements, and if the answers to the questions given
13 by the person indicate that the person meets the voting qualification requirements,
14 the person’s vote shall be received.

15 **SECTION 38.** 7.52 (10) of the statutes is created to read:

16 7.52 (10) If, subject to s. 7.525, absentee ballots begin being canvassed under
17 this section on the day before the election, no action under subs. (4) to (8) may be
18 performed before election day.

19 **SECTION 39.** 7.525 of the statutes is created to read:

20 **7.525 Early canvassing of absentee ballots. (1) AUTHORIZING EARLY**
21 **CANVASSING; REQUIREMENTS.** (a) 1. The municipal clerk or municipal board of election
22 commissioners may elect to begin the canvassing of absentee ballots received by the
23 municipal clerk on the day before any election.

ASSEMBLY BILL 43

1 2. Prior to the canvass under subd. 1., the municipal clerk or municipal board
2 of election commissioners shall notify the elections commission in writing and shall
3 consult with the elections commission concerning administration of this section.

4 (b) Ballots may be canvassed early under this section only between 7 a.m. and
5 8 p.m. on the day before the election and may not be tallied until after the polls close
6 on election day.

7 (c) Any member of the public has the same right of access to a place where
8 absentee ballots are being canvassed early under this section that the individual
9 would have under s. 7.41 to observe the proceedings at a polling place.

10 (d) When not in use, automatic tabulating equipment used for purposes of this
11 section and the areas where the programmed media, memory devices, and ballots are
12 housed shall be secured with tamper-evident security seals in a double-lock location
13 such as a locked cabinet inside a locked office.

14 (e) No person may act in any manner that would give him or her the ability to
15 know or to provide information on the accumulating or final results from the ballots
16 canvassed early under this section before the close of the polls on election day. A
17 person who violates this paragraph is guilty of a Class I felony.

18 **(2) NOTICE REQUIREMENTS.** Absentee ballots may not begin being canvassed
19 early under this section for any election unless all of the following apply:

20 (a) At least 70 days before the election the municipal clerk or executive director
21 of the municipal board of election commissioners notifies in writing the county clerk
22 or executive director of the county board of election commissioners that early
23 canvassing of absentee ballots will take place in the election.

24 (b) The notice under s. 10.01 (2) (e) specifies the date and time during which,
25 and each location where, the early canvassing of absentee ballots will be conducted.

ASSEMBLY BILL 43**SECTION 40**

1 **SECTION 40.** 8.50 (intro.) of the statutes is amended to read:

2 **8.50 Special elections.** (intro.) Unless otherwise provided, this section
3 applies to filling vacancies in the U.S. senate and house of representatives, executive
4 state offices except the offices of governor, lieutenant governor, and district attorney,
5 judicial and legislative state offices, county, city, village, and town offices, and the
6 offices of municipal judge and member of the board of school directors in school
7 districts organized under ch. 119. State legislative offices may be filled in
8 anticipation of the occurrence of a vacancy whenever authorized in sub. (4) (e). ~~No~~
9 Except as provided in sub. (4m), no special election may be held after February 1
10 preceding the spring election unless it is held on the same day as the spring election,
11 nor after August 1 preceding the general election unless it is held on the same day
12 as the general election, until the day after that election. If the special election is held
13 on the day of the general election, the primary for the special election, if any, shall
14 be held on the day of the partisan primary. If the special election is held on the day
15 of the spring election, the primary for the special election, if any, shall be held on the
16 day of the spring primary.

17 **SECTION 41.** 8.50 (2) (a) and (b) of the statutes are amended to read:

18 8.50 (2) (a) ~~The~~ Except as provided in sub. (4m), the date for the special election
19 shall be not less than 62 nor more than 77 days from the date of the order except when
20 ~~the special election is held to fill a vacancy in a national office or the special election~~
21 ~~is held on the day of the general election or spring election.~~ If a special election is held
22 concurrently with the spring election, the special election may be ordered not earlier
23 than 92 days prior to the spring primary and not later than 49 days prior to that
24 primary. If a special election is held concurrently with the general election ~~or a~~
25 ~~special election is held to fill a national office,~~ the special election may be ordered not

ASSEMBLY BILL 43**SECTION 41**

1 earlier than 122 days prior to the partisan primary or special primary, respectively,
2 and not later than 92 days prior to that primary.

3 (b) ~~If Except as provided in sub. (4m), if~~ a primary is required, the primary shall
4 be on the day 4 weeks before the day of the special election except when the special
5 election is held on the same day as the general election the special primary shall be
6 held on the same day as the partisan primary or if the special election is held
7 concurrently with the spring election, the primary shall be held concurrently with
8 the spring primary, and except when the special election is held on the Tuesday after
9 the first Monday in November of an odd-numbered year, the primary shall be held
10 on the 2nd Tuesday of August in that year.

11 **SECTION 42.** 8.50 (3) (a) of the statutes is amended to read:

12 8.50 (3) (a) ~~Nomination~~ Except as provided in sub. (4m), ~~nomination~~ papers
13 may be circulated no sooner than the day the order for the special election is filed and
14 shall be filed not later than 5 p.m. 28 days before the day that the special primary
15 will or would be held, if required, except when a special election is held concurrently
16 with the spring election or general election, the deadline for filing nomination papers
17 shall be specified in the order and the date shall be no earlier than the date provided
18 in s. 8.10 (2) (a) or 8.15 (1), respectively, and no later than 35 days prior to the date
19 of the spring primary or no later than June 1 preceding the partisan primary.
20 Nomination papers may be filed in the manner specified in s. 8.10, 8.15, or 8.20. Each
21 candidate shall file a declaration of candidacy in the manner provided in s. 8.21 no
22 later than the latest time provided in the order for filing nomination papers. If a
23 candidate for state or local office has not filed a registration statement under s.
24 11.0202 (1) (a) at the time he or she files nomination papers, the candidate shall file
25 the statement with the papers. A candidate for state office shall also file a statement

ASSEMBLY BILL 43**SECTION 42**

1 of economic interests with the ethics commission no later than the end of the 3rd day
2 following the last day for filing nomination papers specified in the order.

3 **SECTION 43.** 8.50 (4) (b) of the statutes is repealed.

4 **SECTION 44.** 8.50 (4m) of the statutes is created to read:

5 8.50 (4m) SPECIAL ELECTIONS FOR NATIONAL OFFICE. (a) Except as provided in
6 par. (b), a vacancy in the office of U.S. senator or representative in congress shall be
7 filled as soon as practicable in the following manner:

8 1. At a special election to be held on the 3rd Tuesday in May following the first
9 day of the vacancy. The special primary shall be held concurrently with the spring
10 primary on the 3rd Tuesday in February. The first day for circulating nomination
11 papers shall be November 1 and the papers shall be filed no later 5 p.m. on the first
12 Tuesday in December preceding the primary.

13 2. At a special election to be held on the 2nd Tuesday in August following the
14 first day of the vacancy. The special primary shall be held on the 3rd Tuesday in May
15 in that year. The first day for circulating nomination papers shall be February 1 and
16 the papers shall be filed no later than 5 p.m. on the first Tuesday in March.

17 3. At a special election to be held on the Tuesday after the first Monday in
18 November following the first day of the vacancy. The special primary shall be held
19 on the 2nd Tuesday in August in that year. Nomination papers shall be circulated
20 and filed as provided under s. 8.15.

21 (b) A special election shall not be held under par. (a) 3. in any year in which the
22 general election is held for that office, but, instead, the vacancy shall be filled at the
23 partisan primary and general election.

24 (c) A vacancy filled under par. (a) shall be for the residue of the unexpired term.

25 **SECTION 45.** 13.09 (7) of the statutes is created to read:

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1 13.09 (7) If a member of the committee objects to a proposed action or item
2 during a period of passive review required by law for the purpose of reviewing the
3 proposed action or item, the name of each objecting member, as well as the reason
4 for each objection, shall be recorded and made publicly available.

5 **SECTION 46.** 13.121 (4) of the statutes is amended to read:

6 13.121 (4) INSURANCE. For the purpose of premium determinations under s.
7 40.05 (4) and ~~(5)~~ each member of the legislature shall accrue sick leave at a rate
8 equivalent to a percentage of time worked recommended for such positions by the
9 administrator of the division of personnel management in the department of
10 administration and approved by the joint committee on employment relations in the
11 same manner as compensation for such positions is determined under s. 20.923. This
12 percentage of time worked shall be applied to the sick leave accrual rate established
13 under s. 230.35 (2). The approved percentage shall be incorporated into the
14 compensation plan under s. 230.12 (1).

15 **SECTION 47.** 13.124 of the statutes is repealed.

16 **SECTION 48.** 13.127 of the statutes is repealed.

17 **SECTION 49.** 13.365 of the statutes is repealed.

18 **SECTION 50.** 13.48 (26m) of the statutes is created to read:

19 13.48 (26m) LEAD SERVICE LINE REPLACEMENT. The legislature finds and
20 determines that the prevalence of lead service lines in connections to public water
21 systems poses a public health hazard and that processes for reducing lead entering
22 drinking water from such pipes requires additional treatment of wastewater. It is
23 therefore in the public interest, and it is the public policy of this state, to assist
24 private users of public water systems in replacing lead service lines.

ASSEMBLY BILL 43**SECTION 51**

1 **SECTION 51.** 13.48 (30) (a) (intro.) and 2. of the statutes are consolidated,
2 renumbered 13.48 (30) (a) and amended to read:

3 13.48 **(30)** (a) In this section: ~~2. “Unserved,~~ “unserved area” has the meaning
4 given in s. 196.504 (1) (c).

5 **SECTION 52.** 13.48 (30) (a) 1. of the statutes is repealed.

6 **SECTION 53.** 13.48 (30) (b) of the statutes is amended to read:

7 13.48 **(30)** (b) The legislature finds and determines that the provision of
8 broadband Internet access is essential to the welfare of the citizens of this state and
9 to economic development in this state, and therefore the provision of broadband
10 Internet access is a government function and a statewide responsibility of statewide
11 dimension. The legislature further determines that sufficient private capital has
12 been and continues to be unavailable to fulfill the need for the development of
13 broadband Internet access in ~~underserved and~~ unserved areas in this state. It is
14 therefore in the public interest, and it is the public policy of this state, to assist the
15 public service commission in making broadband expansion grants under s. 196.504
16 (2) (a) for the purpose of constructing broadband infrastructure in ~~underserved and~~
17 unserved areas of this state.

18 **SECTION 54.** 13.525 (5) (a) of the statutes is amended to read:

19 13.525 **(5)** (a) ~~If any~~ Any bill that is introduced in either house of the legislature
20 that proposes to create a new crime or revise a penalty for an existing crime ~~and the~~
21 ~~bill is referred to a standing committee of the house in which it is introduced, the~~
22 ~~chairperson may request~~ shall be referred to the joint review committee to prepare
23 a report on the bill under par. (b). ~~If the bill is not referred to a standing committee,~~
24 ~~the speaker of the assembly, if the bill is introduced in the assembly, or the presiding~~

ASSEMBLY BILL 43**SECTION 54**

1 officer of the senate, if the bill is introduced in the senate, may request the joint
2 review committee to prepare a report on the bill under par. (b).

3 **SECTION 55.** 13.525 (5) (b) (intro.) of the statutes is amended to read:

4 13.525 (5) (b) (intro.) If the joint review committee receives a request under par.
5 (a) for a report on is referred a bill that proposes to create a new crime or revise a
6 penalty for an existing crime, under par. (a), neither house may further consider the
7 bill until the committee shall ~~prepare~~ prepares a report concerning all of the
8 following:

9 **SECTION 56.** 13.525 (5) (d) of the statutes is repealed.

10 **SECTION 57.** 13.56 (2) of the statutes is amended to read:

11 13.56 (2) PARTICIPATION IN CERTAIN PROCEEDINGS. The cochairpersons of the joint
12 committee for review of administrative rules or their designated agents shall accept
13 service made under ss. 227.40 (5) and 806.04 (11). If the committee determines that
14 the legislature should be represented in the proceeding, it shall request the joint
15 committee on legislative organization to ~~intervene in~~ designate the legislature's
16 representative for the proceeding as ~~provided under s. 806.04 (11).~~ The costs of
17 participation in the proceeding shall be paid equally from the appropriations under
18 s. 20.765 (1) (a) and (b), except that such costs incurred by the department of justice
19 shall be paid from the appropriation under s. 20.455 (1) (d).

20 **SECTION 58.** 13.90 (1) (intro.) of the statutes is amended to read:

21 13.90 (1) (intro.) The joint committee on legislative organization shall be the
22 policy-making board for the legislative reference bureau, the legislative fiscal
23 bureau, the legislative audit bureau, the legislative human resources office, and the
24 legislative technology services bureau. The committee shall:

25 **SECTION 59.** 13.90 (1m) (a) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 59**

1 13.90 **(1m)** (a) In this subsection, “legislative service agency” means the
2 legislative council staff, the legislative audit bureau, the legislative fiscal bureau,
3 the legislative reference bureau, the legislative human resources office, and the
4 legislative technology services bureau.

5 **SECTION 60.** 13.90 (2) of the statutes is amended to read:

6 13.90 **(2)** The cochairpersons of the joint committee on legislative organization
7 or their designated agent shall accept service made under ss. s. 806.04 (11) and
8 893.825 (2). If the committee, the senate organization committee, or the assembly
9 organization committee determines that the legislature should ~~intervene~~ be
10 represented in the proceeding as provided under s. 803.09 (2m), ~~the assembly shall~~
11 ~~represent the assembly, the senate shall represent the senate, and the joint~~
12 ~~committee on legislative organization shall represent the legislature, that~~
13 committee shall designate the legislature’s representative for the proceeding. The
14 costs of participation in the proceeding shall be paid equally from the appropriations
15 under s. 20.765 (1) (a) and (b), except that such costs incurred by the department of
16 justice shall be paid from the appropriation under s. 20.455 (1) (d).

17 **SECTION 61.** 13.97 of the statutes is created to read:

18 **13.97 Legislative human resources office.** There is created a service
19 agency known as the “Legislative Human Resources Office,” headed by a director.
20 The legislative human resources office shall be strictly nonpartisan.

21 **(1) DUTIES OF THE OFFICE.** The legislative human resources office shall:

22 (a) Provide human resources services to the legislative branch, as directed by
23 the joint committee on legislative organization.

24 (b) Establish a formal complaint process to review and investigate allegations
25 of harassment, discrimination, retaliation, violence, or bullying by legislators,

ASSEMBLY BILL 43**SECTION 61**

1 legislative employees, and legislative service agency employees. The office shall
2 investigate all such allegations, unless the director designates another person or
3 entity to review and investigate any specific allegation.

4 **(2) DUTIES OF THE DIRECTOR.** The director of the legislative human resources
5 office shall:

6 (a) Report to the joint committee on legislative organization.

7 (b) Direct the operations of the staff.

8 (c) Employ, train, and supervise the personnel assigned to the director.

9 (d) Supervise all expenditures of the legislative human resources office.

10 (e) Manage reviews and investigations of the formal complaint process
11 established under sub. (1) (b). Upon completion of an investigation, report the
12 findings to the appropriate legislative leader or employee supervisor.

13 (f) On a periodic basis, recommend to the joint committee on legislative
14 organization improvements to human resources services and programs.

15 **SECTION 62.** 14.46 of the statutes is created to read:

16 **14.46 Assistant secretary of state.** The secretary of state may appoint an
17 assistant secretary of state who may perform and execute any duty or power of the
18 secretary of state, except duties and powers the secretary of state performs as a
19 member of the board of commissioners of public lands. The assistant secretary of
20 state shall take and file the official oath and shall file an official bond in the sum and
21 with the conditions as the secretary of state prescribes.

22 **SECTION 63.** 15.01 (6) of the statutes is amended to read:

23 15.01 (6) "Division," "bureau," "section," and "unit" means the subunits of a
24 department or an independent agency, whether specifically created by law or created
25 by the head of the department or the independent agency for the more economic and

ASSEMBLY BILL 43**SECTION 63**

1 efficient administration and operation of the programs assigned to the department
2 or independent agency. The office of credit unions in the department of financial
3 institutions, the office of the inspector general in the department of children and
4 families, the office of the inspector general in the department of health services, and
5 the office of children's mental health in the department of health services have the
6 meaning of "division" under this subsection. The office of the long-term care
7 ombudsman under the board on aging and long-term care, the office of homeland
8 security under the department of military affairs, and the office of educational
9 accountability in the department of public instruction have the meaning of "bureau"
10 under this subsection.

11 **SECTION 64.** 15.07 (3) (bm) 7. of the statutes is created to read:

12 15.07 (3) (bm) 7. The prescription drug affordability review board shall meet
13 at least 4 times each year.

14 **SECTION 65.** 15.105 (34) of the statutes is created to read:

15 15.105 (34) OFFICE OF ENVIRONMENTAL JUSTICE. There is created in the
16 department of administration an office of environmental justice. The office shall be
17 under the direction and supervision of a director, who shall be appointed by the
18 secretary of administration to serve at the pleasure of the secretary.

19 **SECTION 66.** 15.105 (35) of the statutes is created to read:

20 15.105 (35) OFFICE OF SUSTAINABILITY AND CLEAN ENERGY. There is created in the
21 department of administration an office to be known as the office of sustainability and
22 clean energy.

23 **SECTION 67.** 15.165 (title) of the statutes is amended to read:

24 **15.165 (title) Same; attached boards and offices.**

25 **SECTION 68.** 15.165 (5) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 68**

1 15.165 (5) OFFICE OF INTERNAL AUDIT. There is created an office of internal audit
2 that is attached to the department of employee trust funds under s. 15.03. The office
3 shall be under the direction and supervision of an internal auditor who shall be
4 appointed by the employee trust funds board in the classified service. The internal
5 auditor shall report directly to the employee trust funds board.

6 **SECTION 69.** 15.185 (6) of the statutes is created to read:

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

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

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

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

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

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

ASSEMBLY BILL 43**SECTION 69**

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 70.** 15.197 (20) of the statutes is created to read:

7 15.197 (20) SPINAL CORD INJURY COUNCIL. (a) There is created in the department
8 of health services a spinal cord injury council that, except as provided in par. (b),
9 consists of the following members appointed by the department for 2-year terms:

10 1. One member representing the University of Wisconsin School of Medicine
11 and Public Health.

12 2. One member representing the Medical College of Wisconsin.

13 3. One member who has a spinal cord injury.

14 4. One member who is a family member of a person with a spinal cord injury.

15 5. One member who is a veteran who has a spinal cord injury.

16 6. One member who is a physician specializing in the treatment of spinal cord
17 injuries.

18 7. One member who is a researcher in the field of neurosurgery.

19 8. One member who is a researcher employed by the veterans health
20 administration of the U.S. department of veterans affairs.

21 (b) If the department of health services is unable to appoint a member specified
22 in par. (a) 1. to 8., the department of health services may appoint a member
23 representing the general public in lieu of the member so specified.

24 **SECTION 71.** 15.253 (4) of the statutes is created to read:

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1 15.253 (4) OFFICE OF MISSING AND MURDERED INDIGENOUS WOMEN. There is
2 created an office of missing and murdered indigenous women. The director of the
3 office shall be appointed by the attorney general.

4 **SECTION 72.** 15.317 of the statutes is created to read:

5 **15.317 Same; offices. (1) OFFICE OF HOMELAND SECURITY.** There is created an
6 office of homeland security in the department of military affairs. The director of the
7 office shall be appointed by the adjutant general.

8 **SECTION 73.** 15.347 (2) of the statutes is repealed.

9 **SECTION 74.** 15.405 (6) (b) of the statutes is amended to read:

10 15.405 (6) (b) Three dental hygienists who are licensed under ch. 447. The
11 governor shall, to the extent possible, appoint members under this paragraph so that
12 at least one of the members under this paragraph is an individual who is also a dental
13 therapist licensed under ch. 447. Notwithstanding s. 15.08 (1m) (a), the dental
14 hygienist members under this paragraph may participate in the preparation and
15 grading of licensing examinations for dental hygienists.

16 **SECTION 75.** 15.615 of the statutes is created to read:

17 **15.615 Same; attached office. (1) OFFICE OF ELECTION TRANSPARENCY AND**
18 COMPLIANCE. There is created an office of election transparency and compliance,
19 which is attached to the elections commission under s. 15.03. The office shall be
20 under the direction and supervision of a director who shall be appointed in the
21 classified service by the administrator or interim administrator of the elections
22 commission.

23 **SECTION 76.** 15.735 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 76**

1 **15.735 Same; attached board.** (1) There is created a prescription drug
2 affordability review board attached to the office of the commissioner of insurance
3 under s. 15.03. The board shall consist of the following members:

4 (a) The commissioner of insurance or his or her designee.

5 (b) Two members appointed for 4-year terms who represent the
6 pharmaceutical drug industry, including pharmaceutical drug manufacturers and
7 wholesalers. At least one of the members appointed under this paragraph shall be
8 a licensed pharmacist.

9 (c) Two members appointed for 4-year terms who represent the health
10 insurance industry, including insurers and pharmacy benefit managers.

11 (d) Two members appointed for 4-year terms who represent the health care
12 industry, including hospitals, physicians, pharmacies, and pharmacists. At least one
13 of the members appointed under this paragraph shall be a licensed practitioner.

14 (e) Two members appointed for 4-year terms who represent the interests of the
15 public.

16 **(2)** A member appointed under sub. (1), except for a member appointed under
17 sub. (1) (b), may not be an employee of, a board member of, or a consultant to a drug
18 manufacturer or trade association for drug manufacturers.

19 **(3)** Any conflict of interest, including any financial or personal association, that
20 has the potential to bias or has the appearance of biasing an individual's decision in
21 matters related to the board or the conduct of the board's activities shall be
22 considered and disclosed when appointing that individual to the board under sub.
23 (1).

24 **SECTION 77.** 16.004 (26) of the statutes is created to read:

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1 16.004 **(26)** TRIBAL RELATIONS. The secretary shall appoint a director of Native
2 American affairs to manage relations between the state and American Indian tribes
3 or bands in this state.

4 **SECTION 78.** 16.009 (2) (a) of the statutes is amended to read:

5 16.009 **(2)** (a) Appoint an executive director within the classified service ~~who~~.
6 The executive director shall serve as employ the state long-term care ombudsman
7 as specified under sub. (4) (a) within the classified service, and ~~who~~ shall employ staff
8 within the classified service.

9 **SECTION 79.** 16.009 (4) (a) of the statutes is amended to read:

10 16.009 **(4)** (a) The board shall operate the office in order to carry out the
11 requirements of the long-term care ombudsman program, as defined in 42 USC
12 3058g (a) (2), under 42 USC 3027 (a) (12) (A) and 42 USC 3058f to 3058h and in
13 compliance with 42 CFR 1321 and 1324. The executive director ~~appointed by the~~
14 ~~board shall serve as~~ employ the state long-term care ombudsman. The executive
15 ~~director~~ state long-term care ombudsman may delegate operation of the office to the
16 staff employed under sub. (2) (a), as designated representatives of the ombudsman.

17 **SECTION 80.** 16.035 of the statutes is created to read:

18 **16.035 Office of environmental justice.** The office of environmental justice
19 shall do all of the following:

20 **(1)** Develop a statewide climate risk assessment and resiliency plan.

21 **(2)** Assist state agencies, local governments, and federally recognized tribal
22 governing bodies in this state with the development of climate risk assessment and
23 resiliency plans.

24 **(3)** Administer a climate risk assessment and resiliency plan technical
25 assistance grant program.

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1 (4) Collaborate with state agencies and entities that serve vulnerable
2 communities to address the impact of climate change on vulnerable communities.

3 (5) Analyze grant opportunities and enforcement of environmental laws and
4 regulations and, based on those analyses and input from residents of this state,
5 advise and provide guidance to state entities on environmental justice and related
6 community issues to address environmental issues and concerns that affect
7 primarily low income and minority communities.

8 (6) Based on the analyses required under sub. (5), create an annual report on
9 issues, concerns, and problems related to environmental justice, including
10 addressing areas of this state that have environmental justice issues that require
11 immediate attention.

12 **SECTION 81.** 16.07 of the statutes is created to read:

13 **16.07 Grants to support tribal programs.** From the appropriation under
14 s. 20.505 (1) (kk), the department shall award a grant to each American Indian tribe
15 or band in this state for use as the tribe or band deems necessary to support programs
16 to meet the needs of its members. No tribe or band may be awarded grant moneys
17 under this section that exceed the amount awarded to any other tribe or band. No
18 grant moneys may be used to pay gaming-related expenses.

19 **SECTION 82.** 16.08 of the statutes is created to read:

20 **16.08 Grants to promote tribal language revitalization and cultural**
21 **preservation.** From the appropriation under s. 20.505 (1) (kk), the department
22 shall award a grant to each American Indian tribe or band in this state to promote
23 tribal language revitalization and cultural preservation. No tribe or band may be
24 awarded grant moneys under this section that exceed the amount awarded to any
25 other tribe or band. No grant moneys may be used to pay gaming-related expenses.

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1 **SECTION 83.** 16.085 of the statutes is created to read:

2 **16.085 Other tribal grants.** From the appropriation under s. 20.505 (1) (kt)
3 the department shall do all of the following:

4 **(1)** Award grants to the Oneida Nation of Wisconsin to support the Healing to
5 Wellness Court program at the Oneida Nation, in an amount not to exceed \$259,100
6 annually.

7 **(2)** Award grants to the Oneida Nation of Wisconsin to support coordination
8 between the National Estuarine Research Reserve System and Great Lakes tribal
9 nations, in an amount not to exceed \$110,100 annually.

10 **(3)** Award grants to the Oneida Nation of Wisconsin to support the Oneida
11 Nation's collaboration with the Audubon Society concerning Audubon Great Lakes
12 restoration projects, in an amount not to exceed \$175,000 annually. No grant may
13 be awarded under this subsection after June 30, 2028.

14 **(4)** Award grants to the Menominee Indian Tribe of Wisconsin to support the
15 Menominee Indian Tribe's transit services, in an amount not to exceed \$266,600
16 annually.

17 **SECTION 84.** 16.09 of the statutes is created to read:

18 **16.09 Grant to a local professional baseball park district.** **(1) PUBLIC**
19 **PURPOSE.** The legislature finds and determines that baseball park facilities
20 encourage economic development and tourism in this state, reduce unemployment
21 in this state, preserve business activities within this state, generate additional tax
22 revenues that would not exist without the baseball park facilities, and bring needed
23 capital into this state for the benefit and welfare of people throughout the state. It
24 is therefore in the public interest and serves a statewide public purpose, and it is the
25 public policy of this state, to assist a local professional baseball park district created

ASSEMBLY BILL 43**SECTION 84**

1 under subch. III of ch. 229 in the development, construction, improvement, repair,
2 and maintenance of baseball park facilities.

3 **(2) DEFINITIONS.** In this section:

4 (a) “Baseball park facilities” has the meaning given in s. 229.65 (1s).

5 (b) “Professional baseball team” has the meaning given in s. 229.65 (6m).

6 **(3) GRANT.** (a) From the appropriation under s. 20.505 (1) (bm), the department
7 shall award a grant in the amount of \$290,000,000 to a local professional baseball
8 park district created under subch. III of ch. 229 to assist in the development,
9 construction, improvement, repair, and maintenance of baseball park facilities. The
10 department may not award a grant under this section unless the secretary
11 determines that all of the following apply:

12 1. The district has entered into a lease arrangement for a term that expires not
13 earlier than December 31, 2043, with a professional baseball team that uses baseball
14 park facilities specified in the lease as its home facilities.

15 2. The district has entered into a nonrelocation agreement with the
16 professional baseball team specified in subd. 1., in a form satisfactory to the
17 secretary, that requires the professional baseball team to play substantially all of its
18 home games at the baseball park facilities, and prohibits the professional baseball
19 team from relocating while the lease term specified in subd. 1. is in effect.

20 3. The district has entered into an agreement with the professional baseball
21 team specified in subd. 1., in a form satisfactory to the secretary, that requires the
22 professional baseball team, or a third party on the professional baseball team’s
23 behalf, to make expenditures relating to or in connection with the baseball park
24 facilities during the term of the lease specified in subd. 1. in an agreed upon amount
25 satisfactory to the secretary.

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1 4. The district has agreed to provide on an ongoing basis to the department, the
2 legislative fiscal bureau, and the legislative audit bureau all baseball park facilities
3 project reports and all financial reports of the district.

4 (b) No grant moneys awarded under par. (a) may be used to retire debt of the
5 local professional baseball park district.

6 **SECTION 85.** 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 86.** 16.283 (title) of the statutes is amended to read:

15 **16.283 (title) ~~Disabled veteran-owned~~ Veteran-owned businesses.**

16 **SECTION 87.** 16.283 (1) (b) (intro.) of the statutes is renumbered 16.283 (1) (g)
17 (intro.) and amended to read:

18 16.283 (1) (g) (intro.) “~~Disabled veteran~~” “Veteran” means a person who is
19 verified by the department of veterans affairs as being all of the following at the time
20 the person applies for certification under sub. (3):

21 **SECTION 88.** 16.283 (1) (b) 1. and 2. of the statutes are renumbered 16.283 (1)
22 (g) 1. and 2.

23 **SECTION 89.** 16.283 (1) (b) 3. of the statutes is repealed.

24 **SECTION 90.** 16.283 (2) of the statutes is amended to read:

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1 16.283 (2) ~~DISABLED VETERAN-OWNED~~ VETERAN-OWNED BUSINESS DATABASE. The
2 department shall develop, maintain, and keep current a computer database of
3 businesses, financial advisers, and investment firms certified under this section.

4 **SECTION 91.** 16.283 (3) (title) of the statutes is amended to read:

5 16.283 (3) (title) ~~DISABLED VETERAN-OWNED~~ VETERAN-OWNED BUSINESS, FINANCIAL
6 ADVISER, AND INVESTMENT FIRM CERTIFICATION.

7 **SECTION 92.** 16.283 (3) (b) 1m. a. of the statutes is amended to read:

8 16.283 (3) (b) 1m. a. One or more disabled veterans owns not less than 51
9 percent of the business, financial adviser, or investment firm or, in the case of any
10 publicly owned business, financial adviser, or investment firm, one or more disabled
11 veterans owns not less than 51 percent of the stock of the business, financial adviser,
12 or investment firm.

13 **SECTION 93.** 16.283 (3) (b) 1m. b. of the statutes is amended to read:

14 16.283 (3) (b) 1m. b. One or more disabled veterans or one or more duly
15 authorized representatives of one or more disabled veterans controls the
16 management and daily business operations of the business, financial adviser, or
17 investment firm.

18 **SECTION 94.** 16.283 (3) (b) 2m. of the statutes is amended to read:

19 16.283 (3) (b) 2m. The department may, without conducting an investigation,
20 certify a business, financial adviser, or investment firm having its principal place of
21 business in this state and currently performing a useful business function if the
22 business, financial advisor, or investment firm is certified, or otherwise classified, as
23 a disabled veteran-owned business, financial advisor, or investment firm by an
24 agency or municipality of this or another state, a federally recognized American
25 Indian tribe, or the federal government, or by a private business with expertise in

ASSEMBLY BILL 43**SECTION 94**

1 certifying disabled veteran-owned businesses if the business uses substantially the
2 same procedures the department uses in making a determination under subd. 1m.

3 **SECTION 95.** 16.283 (3) (c) of the statutes is repealed.

4 **SECTION 96.** 16.285 (1) (a) (intro.) of the statutes is amended to read:

5 16.285 (1) (a) (intro.) In this subsection, “woman-owned section:

6 4. “Woman-owned business” means a sole proprietorship, partnership, limited
7 liability company, joint venture, or corporation business that fulfills all of the
8 following requirements:

9 **SECTION 97.** 16.285 (1) (a) 1. and 2. of the statutes are renumbered 16.285 (1)
10 (a) 4. a. and b., and 16.285 (1) (a) 4. b., as renumbered, is amended to read:

11 16.285 (1) (a) 4. b. It is currently performing a useful business function has its
12 principal place of business in this state.

13 **SECTION 98.** 16.285 (1) (a) 1m., 2m., 3., 5. and 6. of the statutes are created to
14 read:

15 16.285 (1) (a) 1m. “Business” means a sole proprietorship, partnership, limited
16 liability company, joint venture, or corporation.

17 2m. “Financial adviser” has the meaning given in s. 16.283 (1) (d).

18 3. “Investment firm” has the meaning given in s. 16.283 (1) (e).

19 5. “Woman-owned financial adviser” means a financial adviser that fulfills all
20 of the following requirements:

21 a. It is at least 51 percent owned, controlled, and actively managed by a woman.

22 b. It has its principal place of business in this state.

23 6. “Woman-owned investment firm” means an investment firm that fulfills all
24 of the following requirements:

25 a. It is at least 51 percent owned, controlled, and actively managed by a woman.

ASSEMBLY BILL 43**SECTION 98**

1 b. It has its principal place of business in this state.

2 **SECTION 99.** 16.285 (1) (b) of the statutes is amended to read:

3 16.285 (1) (b) The department shall implement a program for the certification
4 of woman-owned businesses, woman-owned financial advisers, and woman-owned
5 investment firms. The department may, without conducting an investigation, certify
6 a business ~~currently performing a useful business function, financial adviser, or~~
7 investment firm that has its principal place of business in this state as a
8 woman-owned business, woman-owned financial adviser, or woman-owned
9 investment firm if the business, financial adviser, or investment firm is certified, or
10 otherwise classified, as a woman-owned business, woman-owned financial adviser,
11 or woman-owned investment firm by an agency or municipality of this or another
12 state, a federally recognized American Indian tribe, or the federal government, or by
13 a private business with expertise in certifying woman-owned businesses,
14 woman-owned financial advisers, or woman-owned investment firms if the
15 business uses substantially the same process as the department promulgates by rule
16 for implementing this subsection.

17 **SECTION 100.** 16.285 (1) (bm) of the statutes is repealed.

18 **SECTION 101.** 16.285 (2) of the statutes is amended to read:

19 16.285 (2) The department shall develop, maintain, and keep current a
20 computer database of businesses, financial advisers, and investment firms certified
21 under sub. (1) in the state that are owned by women, containing demographic
22 statistics and information on the types of industries represented, sales volume and
23 growth rates, generation of jobs by both new and existing businesses, and any other
24 relevant characteristics. The department shall compile and periodically update a list

ASSEMBLY BILL 43**SECTION 101**

1 of businesses, financial advisers, and investment firms certified under sub. (1) and
2 make the list available to the public on the Internet.

3 **SECTION 102.** 16.287 (2) (dm) of the statutes is repealed.

4 **SECTION 103.** 16.287 (4) of the statutes is created to read:

5 16.287 (4) MINORITY BUSINESS DATABASE. The department shall develop,
6 maintain, and keep current a computer database of all minority businesses, minority
7 financial advisers, and minority investment firms certified under this section.

8 **SECTION 104.** 16.288 of the statutes is created to read:

9 **16.288 Lesbian, gay, bisexual, or transgender-owned businesses. (1)**

10 DEFINITIONS. In this section:

11 (a) "Business" means a sole proprietorship, partnership, limited liability
12 company, joint venture, or corporation.

13 (b) "Duly authorized representative" means any person authorized in writing
14 by the business to act on behalf of the business.

15 (c) "Financial adviser" means a business that serves as an adviser with regard
16 to the sale of evidences of indebtedness or other obligations.

17 (d) "Investment firm" means a business that serves as a manager, comanager,
18 or in any other underwriting capacity with regard to the sale of evidences of
19 indebtedness or other obligations or as a broker-dealer, as defined in s. 551.102 (4).

20 (e) "Useful business function" means the provision of materials, supplies,
21 equipment, or services to customers, including the state.

22 **(2) LESBIAN, GAY, BISEXUAL, OR TRANSGENDER-OWNED BUSINESS DATABASE.** The
23 department shall develop, maintain, and keep current a computer database of all
24 businesses, financial advisers, and investment firms certified under this section.

ASSEMBLY BILL 43**SECTION 104**

1 **(3)** LESBIAN, GAY, BISEXUAL, OR TRANSGENDER-OWNED BUSINESS, FINANCIAL ADVISER,
2 AND INVESTMENT FIRM CERTIFICATION. (a) Any business, financial adviser, or
3 investment firm may apply to the department for certification under this section.

4 (b) 1. The department shall certify a business, financial adviser, or investment
5 firm under this section if, after conducting an investigation, the department
6 determines that the business, financial adviser, or investment firm fulfills all of the
7 following requirements:

8 a. One or more lesbian, gay, bisexual, or transgender individuals own at least
9 51 percent of the business, financial adviser, or investment firm or, in the case of any
10 publicly owned business, financial adviser, or investment firm, one or more lesbian,
11 gay, bisexual, or transgender individuals own at least 51 percent of the stock of the
12 business, financial adviser, or investment firm.

13 b. One or more lesbian, gay, bisexual, or transgender individuals or one or more
14 duly authorized representatives of one or more lesbian, gay, bisexual, or transgender
15 individuals control the management and daily business operations of the business,
16 financial adviser, or investment firm.

17 c. The business, financial adviser, or investment firm is currently performing
18 a useful business function. Acting as a conduit for the transfer of funds to a business
19 that is not certified under this section does not constitute a useful business function,
20 unless doing so is a normal industry practice.

21 2. The department may, without conducting an investigation, certify a
22 business, financial adviser, or investment firm having its principal place of business
23 in this state and currently performing a useful business function if the business,
24 financial adviser, or investment firm is certified, or otherwise classified, as a lesbian,
25 gay, bisexual, or transgender-owned business, financial adviser, or investment firm

ASSEMBLY BILL 43**SECTION 104**

1 by an agency or municipality of this or another state, a federally recognized
2 American Indian tribe or band, or the federal government.

3 (c) If a business, financial adviser, or investment firm applying for certification
4 under this section fails to provide the department with sufficient information to
5 enable the department to conduct an investigation under par. (b) 1. or does not
6 qualify for certification under par. (b), the department shall deny the application.
7 A business, financial adviser, or investment firm whose application is denied may,
8 within 30 days after the date of the denial, appeal in writing to the secretary. The
9 secretary shall enter his or her final decision within 30 days after receiving the
10 appeal.

11 (d) 1. The department may, at the request of any state agency or on its own
12 initiative, evaluate any business, financial adviser, or investment firm certified
13 under this section to verify that it continues to qualify for certification. The business,
14 financial adviser, or investment firm shall provide the department with any records
15 or information necessary to complete the examination.

16 2. If a business, financial adviser, or investment firm fails to comply with a
17 reasonable request for records or information, the department shall notify the
18 business, financial adviser, or investment firm and the department of
19 transportation, in writing, that it intends to decertify the business, financial adviser,
20 or investment firm.

21 3. If, after an evaluation under this paragraph, the department determines
22 that a business, financial adviser, or investment firm no longer qualifies for
23 certification under this section, the department shall notify the business, financial
24 adviser, or investment firm and the department of transportation, in writing, that
25 it intends to decertify the business, financial adviser, or investment firm.

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1 (e) 1. A business, financial adviser, or investment firm receiving a notice under
2 par. (d) 2. or 3. may appeal in writing to the secretary within 30 days after the date
3 of the notice.

4 2. If the business, financial adviser, or investment firm does not submit an
5 appeal under subd. 1., the department shall immediately decertify the business,
6 financial adviser, or investment firm.

7 3. If the business, financial adviser, or investment firm submits an appeal
8 under subd. 1., the secretary shall enter his or her final decision, in writing, within
9 30 days after receiving the appeal. If the secretary confirms the decision of the
10 department, the department shall immediately decertify the business, financial
11 adviser, or investment firm.

12 4. A business, financial adviser, or investment firm decertified under subd. 3.
13 may, within 30 days after the secretary's decision, request a contested case hearing
14 under s. 227.42 from the department. If the final administrative or judicial
15 proceeding results in a determination that the business, financial adviser, or
16 investment firm qualifies for certification under this section, the department shall
17 immediately certify the business, financial adviser, or investment firm. The
18 department shall provide the business, financial adviser, or investment firm and the
19 department of transportation with a copy of the final written decision regarding
20 certification under this paragraph.

21 (4) DEPARTMENT RULE MAKING. The department shall promulgate by
22 administrative rule procedures to implement this section.

23 **SECTION 105.** 16.289 of the statutes is created to read:

24 **16.289 Disability-owned businesses. (1) DEFINITIONS.** In this section:

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1 (a) "Business" means a sole proprietorship, partnership, limited liability
2 company, joint venture, or corporation.

3 (b) "Duly authorized representative" means any person authorized in writing
4 by the business to act for the business.

5 (c) "Financial adviser" means a business that serves as an adviser with regard
6 to the sale of evidences of indebtedness or other obligations.

7 (d) "Investment firm" means a business that serves as a manager, comanager,
8 or in any other underwriting capacity with regard to the sale of evidences of
9 indebtedness or other obligations or as a broker-dealer, as defined in s. 551.102 (4).

10 (e) "Useful business function" means the provision of materials, supplies,
11 equipment, or services to customers, including the state.

12 **(2) DISABILITY-OWNED BUSINESS DATABASE.** The department shall develop,
13 maintain, and keep current a computer database of all businesses, financial
14 advisers, and investment firms certified under this section.

15 **(3) DISABILITY-OWNED BUSINESS, FINANCIAL ADVISER, AND INVESTMENT FIRM**
16 **CERTIFICATION.** (a) Any business, financial adviser, or investment firm may apply to
17 the department for certification under this section.

18 (b) 1. The department shall certify a business, financial adviser, or investment
19 firm under this section if, after conducting an investigation, the department
20 determines that the business, financial adviser, or investment firm fulfills all of the
21 following requirements:

22 a. One or more individuals with a disability own at least 51 percent of the
23 business, financial adviser, or investment firm or, in the case of any publicly owned
24 business, financial adviser, or investment firm, one or more individuals with a

ASSEMBLY BILL 43**SECTION 105**

1 disability own at least 51 percent of the stock of the business, financial adviser, or
2 investment firm.

3 b. One or more individuals with a disability or one or more duly authorized
4 representatives of one or more individuals with a disability control the management
5 and daily business operations of the business, financial adviser, or investment firm.

6 c. The business, financial adviser, or investment firm has its principal place of
7 business in this state.

8 d. The business, financial adviser, or investment firm is currently performing
9 a useful business function. Acting as a conduit for the transfer of funds to a business
10 that is not certified under this section does not constitute a useful business function,
11 unless doing so is a normal industry practice.

12 2. The department may, without conducting an investigation, certify a
13 business, financial adviser, or investment firm having its principal place of business
14 in this state and currently performing a useful business function if the business,
15 financial adviser, or investment firm is certified, or otherwise classified, as
16 disability-owned business, financial adviser, or investment firm by an agency or
17 municipality of this or another state, a federally recognized American Indian tribe
18 or band, or the federal government.

19 (c) If a business, financial adviser, or investment firm applying for certification
20 under this section fails to provide the department with sufficient information to
21 enable the department to conduct an investigation under par. (b) 1. or does not
22 qualify for certification under par. (b), the department shall deny the application.
23 A business, financial adviser, or investment firm whose application is denied may,
24 within 30 days after the date of the denial, appeal in writing to the secretary. The

ASSEMBLY BILL 43**SECTION 105**

1 secretary shall enter his or her final decision within 30 days after receiving the
2 appeal.

3 (d) 1. The department may, at the request of any state agency or on its own
4 initiative, evaluate any business, financial adviser, or investment firm certified
5 under this section to verify that it continues to qualify for certification. The business,
6 financial adviser, or investment firm shall provide the department with any records
7 or information necessary to complete the examination.

8 2. If a business, financial adviser, or investment firm fails to comply with a
9 reasonable request for records or information, the department shall notify the
10 business, financial adviser, or investment firm and the department of
11 transportation, in writing, that it intends to decertify the business, financial adviser,
12 or investment firm.

13 3. If, after an evaluation under this paragraph, the department determines
14 that a business, financial adviser, or investment firm no longer qualifies for
15 certification under this section, the department shall notify the business, financial
16 adviser, or investment firm and the department of transportation, in writing, that
17 it intends to decertify the business, financial adviser, or investment firm.

18 (e) 1. A business, financial adviser, or investment firm receiving a notice under
19 par. (d) 2. or 3. may appeal in writing to the secretary within 30 days after the date
20 of the notice.

21 2. If the business, financial adviser, or investment firm does not submit an
22 appeal under subd. 1., the department shall immediately decertify the business,
23 financial adviser, or investment firm.

24 3. If the business, financial adviser, or investment firm submits an appeal
25 under subd. 1., the secretary shall enter his or her final decision, in writing, within

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1 30 days after receiving the appeal. If the secretary confirms the decision of the
2 department, the department shall immediately decertify the business, financial
3 adviser, or investment firm.

4 4. A business, financial adviser, or investment firm decertified under subd. 3.
5 may, within 30 days after the secretary's decision, request a contested case hearing
6 under s. 227.42 from the department. If the final administrative or judicial
7 proceeding results in a determination that the business, financial adviser, or
8 investment firm qualifies for certification under this section, the department shall
9 immediately certify the business, financial adviser, or investment firm. The
10 department shall provide the business, financial adviser, or investment firm and the
11 department of transportation with a copy of the final written decision regarding
12 certification under this paragraph.

13 (4) DEPARTMENT RULE MAKING. The department shall promulgate by
14 administrative rule procedures to implement this section.

15 **SECTION 106.** 16.29 (title) of the statutes is amended to read:

16 **16.29 (title) Technical assistance and tourism promotion.**

17 **SECTION 107.** 16.29 (1) of the statutes is renumbered 16.29 (1) (intro.) and
18 amended to read:

19 16.29 (1) (intro.) Annually, the department shall grant to the Great Lakes
20 inter-tribal council the amount appropriated under s. 20.505 (1) (kx) ~~to~~ for the
21 following purposes:

22 (a) To partially fund a program to provide technical assistance for economic
23 development on Indian reservations if the conditions under subs. (2) and (3) are
24 satisfied.

25 **SECTION 108.** 16.29 (1) (b) of the statutes is created to read:

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1 16.29 (1) (b) To fund tourism promotion activities under the Native American
2 Tourism of Wisconsin program. The grants under this paragraph are not subject to
3 the conditions under subs. (2) and (3).

4 **SECTION 109.** 16.293 of the statutes is created to read:

5 **16.293 Water utility assistance for low-income households. (1)**

6 DEFINITIONS. In this section:

7 (a) “County department” means a county department under s. 46.215 or 46.22.

8 (b) “Crisis assistance” means a benefit that is given to a household experiencing
9 or at risk of experiencing a water utility–related emergency.

10 (c) “Household” means any individual or group of individuals who are living
11 together as one economic unit for whom residential water is customarily purchased
12 in common or who make undesignated payments for water in the form of rent.

13 (d) “Utility allowance” means the amount of utility costs paid by those
14 individuals in subsidized housing who pay their own utility bills, as averaged from
15 total utility costs for the housing unit by the housing authority.

16 (e) “Water utility assistance” means a benefit that is given to a household to
17 assist in meeting the cost of water utility.

18 **(2) ADMINISTRATION.** (a) The department shall administer a water utility
19 assistance program for low-income households to assist eligible households to meet
20 home water utility costs and shall establish a payments schedule for the program.

21 (b) The department may contract with a county department, another local
22 governmental agency, or a private nonprofit organization to process applications and
23 make payments under the water utility assistance program for low-income
24 households.

ASSEMBLY BILL 43**SECTION 109**

1 **(3) APPLICATION PROCEDURE.** (a) A household may apply for water utility
2 assistance from the department under the water utility assistance program for
3 low-income households. A household shall apply on a form prescribed by the
4 department.

5 (b) If by February 1 of any year the number of households applying for
6 assistance under par. (a) substantially exceeds the number anticipated to apply, the
7 department may reduce the assistance payments under sub. (5) made after that date.
8 The department may also suspend the processing of additional applications until the
9 department adjusts assistance amounts payable.

10 **(4) ELIGIBILITY.** (a) Subject to sub. (3) (b), all of the following households are
11 eligible to receive water utility assistance under this section:

12 1. A household with income that is not more than 60 percent of the statewide
13 median household income.

14 2. A household entirely composed of persons receiving food stamps under 7
15 USC 2011 to 2036 or supplemental security income or state supplemental payments
16 under 42 USC 1381 to 1383c or s. 49.77.

17 3. A household with income within the limits specified under par. (b) that
18 resides in housing that is subsidized or administered by a municipality, a county, the
19 state, or the federal government for which a utility allowance is applied to determine
20 the amount of rent or the amount of the subsidy.

21 (b) The department may establish additional eligibility requirements and
22 other program guidelines for the program.

23 **(5) ASSISTANCE PAYMENTS.** Subject to moneys appropriated under s. 20.505 (7)
24 (ee), water utility assistance shall be paid according to the payments schedule
25 established under sub. (2) (a).

ASSEMBLY BILL 43**SECTION 109**

1 **(6) INDIVIDUALS IN STATE PRISONS OR SECURED JUVENILE FACILITIES.** No assistance
2 payment under sub. (5) may be made to an individual who is imprisoned in a state
3 prison under s. 302.01 or to an individual placed at a juvenile correctional facility,
4 as defined in s. 938.02 (10p), or a secured residential care center for children and
5 youth, as defined in s. 938.02 (15g).

6 **(7) CRISIS ASSISTANCE PROGRAM.** A household eligible for water utility assistance
7 under sub. (4) may also be eligible for a crisis assistance payment. The department
8 shall define the circumstances constituting a crisis for which an assistance payment
9 may be made and shall establish the amount of payment to an eligible household.
10 The department may delegate a portion of its responsibility under this subsection to
11 a county department, another local governmental agency, or a private nonprofit
12 organization.

13 **SECTION 110.** 16.295 (5) (b) 4. of the statutes is created to read:

14 16.295 **(5)** (b) 4. Unless otherwise directed by the department, the gross
15 proceeds from all investments of the moneys designated in subd. 1.

16 **SECTION 111.** 16.295 (6) of the statutes is repealed.

17 **SECTION 112.** 16.3065 of the statutes is created to read:

18 **16.3065 Affordable workforce housing grants. (1) DEFINITION.** In this
19 section, “municipality” means a city, village, or town.

20 **(2) GRANTS.** From the appropriation under s. 20.505 (7) (fq), the department
21 shall award grants to municipalities for the purpose of increasing the availability of
22 affordable workforce housing within the municipality, including by funding
23 infrastructure for new affordable housing developments, creating or enhancing an
24 affordable housing trust fund, or providing additional incentives for land use and
25 zoning changes. The department may promulgate rules establishing eligibility

ASSEMBLY BILL 43**SECTION 112**

1 requirements and other program guidelines for the grant program under this
2 subsection, including guidelines designed to ensure that housing created with grant
3 funds under the program remains affordable.

4 **SECTION 113.** 16.3067 of the statutes is created to read:

5 **16.3067 Rental housing safety grants. (1) GRANTS.** From the appropriation
6 under s. 20.505 (7) (fs), the department shall award one or more grants to a 1st class
7 city for activities that support the improvement of rental housing safety in the city,
8 including the enhancement or creation of a property inspection program and the
9 development and launch of a searchable online database that discloses the history
10 of rental properties within the city. The department may establish program
11 guidelines for the grant program under this subsection.

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

13 **SECTION 114.** 16.3069 of the statutes is created to read:

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

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

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

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

ASSEMBLY BILL 43**SECTION 115**

1 **SECTION 115.** 16.3077 of the statutes is created to read:

2 **16.3077 Housing quality standards grants.** From the appropriation under
3 s. 20.505 (7) (bp), the department shall award grants to owners of rental housing
4 units in this state for purposes of satisfying applicable housing quality standards.

5 **SECTION 116.** 16.3078 of the statutes is created to read:

6 **16.3078 Rental assistance grants for homeless veterans.** From the
7 appropriation under s. 20.505 (7) (bq), the department shall award grants to each
8 continuum of care organization in this state designated by the federal department
9 of housing and urban development. All grant funds shall be used to provide
10 tenant-based rental assistance to homeless veterans in this state.

11 **SECTION 117.** 16.3085 (2) (a) of the statutes is amended to read:

12 16.3085 (2) (a) From the appropriation under s. 20.505 (7) (kg), the department
13 may award up to 10 grants, of up to ~~\$50,000~~ \$75,000 each, annually to any shelter
14 facility.

15 **SECTION 118.** 16.3095 of the statutes is created to read:

16 **16.3095 Municipal home rehabilitation grants.** (1) From the
17 appropriation under s. 20.505 (7) (d), the department shall award grants to
18 municipalities to fund initiatives to rehabilitate and restore blighted residential
19 properties within the municipality.

20 (2) The department may establish eligibility requirements and other program
21 guidelines for the grant program under this section.

22 **SECTION 119.** 16.316 of the statutes is created to read:

23 **16.316 Neighborhood capital investment grant program.** From the
24 appropriation under s. 20.505 (1) (fn), the department shall administer a grant
25 program to provide grants to local governmental units and tribal governments to

ASSEMBLY BILL 43**SECTION 119**

1 invest in community and regionally based solutions to deliver innovative public
2 services, including new and improved facilities and projects to build affordable
3 housing, increase access to transit and transportation, and expand access to
4 childcare, or other local workforce needs.

5 **SECTION 120.** 16.317 of the statutes is created to read:

6 **16.317 Health-care infrastructure capital grant program.** From the
7 appropriation under s. 20.505 (1) (fn), the department shall administer a grant
8 program to provide grants to local governmental units, tribal governments,
9 nonprofit health-care organizations, and health centers that qualify under section
10 1905 (1) (2) (B) of the federal Social Security Act for capital investments in health
11 care, including infrastructure necessary to expand access to affordable health care,
12 build facilities in areas of high need, and reduce disparities in health-care outcomes
13 and services statewide.

14 **SECTION 121.** 16.318 of the statutes is created to read:

15 **16.318 Tourism capital investment grant program.** From the
16 appropriation under s. 20.505 (1) (fn), the department shall administer a grant
17 program to provide grants to local governmental units, tribal governments, and
18 nonprofit organizations to strengthen the state's tourism, travel, and lodging
19 economies.

20 **SECTION 122.** 16.51 (7) of the statutes is amended to read:

21 16.51 (7) AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS AND
22 JUVENILES IN JUVENILE CORRECTIONAL FACILITIES. Receive, examine, determine, and
23 audit claims, duly certified and approved by the department of corrections, from the
24 county clerk of any county in, city, village, or town on behalf of the county, city, village,
25 or town, which are presented for ~~payment to reimburse the county~~ reimbursement

ASSEMBLY BILL 43**SECTION 122**

1 for certain expenses incurred or paid by it in reference to all matters growing out of
2 actions and proceedings involving prisoners in state prisons, as defined in s. 302.01,
3 or juveniles in juvenile correctional facilities, as defined in s. 938.02 (10p), including
4 prisoners or juveniles transferred to a mental health institute for observation or
5 treatment, when the. The department shall reimburse under this subsection a
6 county in which a state prison or juvenile correctional facility is located for expenses
7 relating to actions or proceedings involving a prisoner in the state prison or a juvenile
8 in the juvenile correctional facility that are commenced in counties in which the
9 prisons or juvenile correctional facilities are located by a district attorney or by the
10 prisoner or juvenile as a postconviction remedy or a matter involving the prisoner's
11 status as a prisoner or the juvenile's status as a resident of a juvenile correctional
12 facility and for certain expenses incurred or paid by it the county in reference to
13 holding those juveniles in secure custody while those actions or proceedings are
14 pending. The department shall reimburse a county, city, village, or town under this
15 subsection for expenses relating to law enforcement investigative services that it
16 provided for an incident involving a prisoner in a state prison or a juvenile in a
17 juvenile correctional facility within its jurisdiction. Expenses shall only include the
18 amounts that were necessarily incurred and actually paid and shall be no more than
19 the legitimate cost would be to any other county jurisdiction had the offense or crime
20 occurred therein.

21 **SECTION 123.** 16.5185 (3) of the statutes is created to read:

22 16.5185 (3) On December 30, 2024, the secretary shall transfer from the
23 general fund to the transportation fund \$9,000,000. On December 30, 2025, and on
24 each December 30 thereafter, the secretary shall transfer from the general fund to

ASSEMBLY BILL 43**SECTION 123**

1 the transportation fund an amount equal to the amount transferred under this
2 subsection in the previous fiscal year, increased by 1.25 percent

3 **SECTION 124.** 16.5185 (4) of the statutes is created to read:

4 16.5185 (4) (a) Subject to par. (b), beginning on June 30, 2024, in each fiscal
5 year, the secretary shall transfer from the general fund to the transportation fund
6 an amount equal to the amount calculated by the department approximating the
7 amount of sales tax generated by the sale of electric vehicles in this state.

8 (b) Beginning in fiscal year 2025-26, the transfer under par. (a) may not exceed
9 120 percent of the amount transferred in the previous year, or \$75,000,000,
10 whichever is less.

11 **SECTION 125.** 16.5185 (5) of the statutes is created to read:

12 16.5185 (5) Beginning on June 30, 2024, in each fiscal year, the secretary shall
13 transfer from the general fund to the transportation fund an amount equal to the
14 amount calculated by the department approximating the marginal difference
15 between the sales tax generated from the sale of automotive parts, accessories, tires,
16 and repair and maintenance services in fiscal year 2020-21 and the fiscal year of the
17 transfer.

18 **SECTION 126.** 16.61 (2) (b) 1. of the statutes is repealed.

19 **SECTION 127.** 16.705 (1b) (d) of the statutes is amended to read:

20 16.705 (1b) (d) The department of financial institutions under s. 224.51 or the
21 small business retirement savings board under s. 224.56.

22 **SECTION 128.** 16.71 (5r) of the statutes is amended to read:

23 16.71 (5r) The department shall delegate authority to the department of
24 financial institutions to enter into vendor contracts under s. 224.51 and to the small
25 business retirement savings board to enter into vendor contracts under s. 224.56.

ASSEMBLY BILL 43**SECTION 129**

1 **SECTION 129.** 16.75 (1p) of the statutes is repealed.

2 **SECTION 130.** 16.75 (3m) (a) 1. of the statutes is renumbered 16.75 (3m) (a) 5.
3 and amended to read:

4 16.75 **(3m)** (a) 5. “~~Disabled veteran-owned~~ Veteran-owned business” means
5 a business certified by the department of administration under s. 16.283 (3).

6 **SECTION 131.** 16.75 (3m) (a) 1e. of the statutes is created to read:

7 16.75 **(3m)** (a) 1e. “Disability-owned business” means a business, other than
8 a financial adviser or investment firm, certified by the department under s. 16.289
9 (3).

10 **SECTION 132.** 16.75 (3m) (a) 1f. of the statutes is created to read:

11 16.75 **(3m)** (a) 1f. “Disability-owned financial adviser” means a financial
12 adviser certified by the department under s. 16.289 (3).

13 **SECTION 133.** 16.75 (3m) (a) 1g. of the statutes is created to read:

14 16.75 **(3m)** (a) 1g. “Disability-owned investment firm” means an investment
15 firm certified by the department under s. 16.289 (3).

16 **SECTION 134.** 16.75 (3m) (a) 2. of the statutes is renumbered 16.75 (3m) (a) 6.

17 and amended to read:

18 16.75 **(3m)** (a) 6. “~~Disabled veteran-owned~~ Veteran-owned financial adviser”
19 means a financial adviser certified by the department of administration under s.
20 16.283 (3).

21 **SECTION 135.** 16.75 (3m) (a) 3. of the statutes is renumbered 16.75 (3m) (a) 7.

22 and amended to read:

23 16.75 **(3m)** (a) 7. “~~Disabled veteran-owned~~ Veteran-owned investment firm”
24 means an investment firm certified by the department of administration under s.
25 16.283 (3).

ASSEMBLY BILL 43**SECTION 136**

1 **SECTION 136.** 16.75 (3m) (a) 3q. of the statutes is created to read:

2 16.75 **(3m)** (a) 3q. “Lesbian, gay, bisexual, or transgender-owned business”
3 means a business, other than a financial adviser or investment firm, certified by the
4 department under s. 16.288 (3).

5 **SECTION 137.** 16.75 (3m) (a) 3r. of the statutes is created to read:

6 16.75 **(3m)** (a) 3r. “Lesbian, gay, bisexual, or transgender-owned financial
7 adviser” means a financial adviser certified by the department under s. 16.288 (3).

8 **SECTION 138.** 16.75 (3m) (a) 3s. of the statutes is created to read:

9 16.75 **(3m)** (a) 3s. “Lesbian, gay, bisexual, or transgender-owned investment
10 firm” means an investment firm certified by the department under s. 16.288 (3).

11 **SECTION 139.** 16.75 (3m) (b) 2. of the statutes is amended to read:

12 16.75 **(3m)** (b) 2. The department, any agency to which the department
13 delegates purchasing authority under s. 16.71 (1), and any agency making purchases
14 under s. 16.74 shall attempt to ensure that at least ~~1~~ an aggregate amount of 5
15 percent of the total amount expended under this subchapter in each fiscal year is
16 paid to ~~disabled~~ veteran-owned businesses, disability-owned businesses, and
17 lesbian, gay, bisexual or transgender-owned businesses.

18 **SECTION 140.** 16.75 (3m) (b) 3. of the statutes is amended to read:

19 16.75 **(3m)** (b) 3. Except as provided under sub. (7), the department, any agency
20 to which the department delegates purchasing authority under s. 16.71 (1), and any
21 agency making purchases under s. 16.74 may purchase materials, supplies,
22 equipment, and contractual services from any minority business ~~or disabled,~~
23 veteran-owned business, lesbian, gay, bisexual, or transgender-owned business, or
24 disability-owned business, or a business that is both a minority business and a
25 disabled veteran-owned business any combination of those, submitting a qualified

ASSEMBLY BILL 43**SECTION 140**

1 responsible competitive bid that is no more than 5 percent higher than the apparent
2 low bid or competitive proposal that is no more than 5 percent higher than the most
3 advantageous proposal. In administering the preference for minority businesses ~~or~~
4 ~~disabled,~~ veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
5 businesses, and disability-owned businesses established in this paragraph, the
6 department, the delegated agency, and any agency making purchases under s. 16.74
7 shall maximize the use of minority businesses ~~or disabled,~~ veteran-owned
8 businesses which, lesbian, gay, bisexual, or transgender-owned businesses, and
9 disability-owned businesses that are incorporated under ch. 180 or ~~which~~ that have
10 their principal place of business in this state.

11 **SECTION 141.** 16.75 (3m) (c) 1. of the statutes is amended to read:

12 16.75 (3m) (c) 1. After completing any contract under this subchapter, the
13 contractor shall report to the agency that awarded the contract any amount of the
14 contract that was subcontracted to minority businesses ~~and,~~ any amount of the
15 contract that was subcontracted to ~~disabled~~ veteran-owned businesses, any amount
16 of the contract that was subcontracted to lesbian, gay, bisexual, or
17 transgender-owned businesses, and any amount of the contract that was
18 subcontracted to disability-owned businesses.

19 **SECTION 142.** 16.75 (3m) (c) 2. b. of the statutes is amended to read:

20 16.75 (3m) (c) 2. b. The total amount of money and the percentage of the total
21 amount of money it has expended for contracts and orders awarded to ~~disabled~~
22 veteran-owned businesses.

23 **SECTION 143.** 16.75 (3m) (c) 2. d. of the statutes is amended to read:

24 16.75 (3m) (c) 2. d. The number of contacts with ~~disabled~~ veteran-owned
25 businesses in connection with proposed purchases.

ASSEMBLY BILL 43**SECTION 144**

1 **SECTION 144.** 16.75 (3m) (c) 2. e. of the statutes is created to read:

2 16.75 **(3m)** (c) 2. e. The total amount of money and the percentage of the total
3 amount of money it has expended for contracts and orders awarded to lesbian, gay,
4 bisexual, or transgender-owned businesses.

5 **SECTION 145.** 16.75 (3m) (c) 2. f. of the statutes is created to read:

6 16.75 **(3m)** (c) 2. f. The number of contacts with lesbian, gay, bisexual, or
7 transgender-owned businesses in connection with proposed purchases.

8 **SECTION 146.** 16.75 (3m) (c) 2. g. of the statutes is created to read:

9 16.75 **(3m)** (c) 2. g. The total amount of money and the percentage of the total
10 amount of money it has expended for contracts and orders awarded to
11 disability-owned businesses.

12 **SECTION 147.** 16.75 (3m) (c) 2. h. of the statutes is created to read:

13 16.75 **(3m)** (c) 2. h. The number of contacts with disability-owned businesses
14 in connection with proposed purchases.

15 **SECTION 148.** 16.75 (3m) (c) 3. of the statutes is amended to read:

16 16.75 **(3m)** (c) 3. The department shall maintain and annually publish data on
17 state purchases from minority businesses and ~~on state purchases from disabled,~~
18 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
19 businesses, and disability-owned businesses, including amounts expended and the
20 percentage of total expenditures awarded to minority businesses and ~~amounts~~
21 ~~expended and the percentage of total expenditures awarded to disabled,~~
22 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
23 businesses, and disability-owned businesses.

24 **SECTION 149.** 16.75 (3m) (c) 4. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 149**

1 16.75 (3m) (c) 4. The department shall annually prepare and submit a report
2 to the governor and to the chief clerk of each house of the legislature, for distribution
3 to the appropriate standing committees under s. 13.172 (3), on the total amount of
4 money paid to and the amount of indebtedness or other obligations underwritten by
5 minority businesses, ~~minority~~ financial advisers, ~~minority~~ and investment firms,
6 ~~disabled~~; veteran-owned businesses, ~~disabled~~ ~~veteran-owned~~ financial advisers,
7 and ~~disabled~~ ~~veteran-owned~~ investment firms; lesbian, gay, bisexual, or
8 transgender-owned businesses, financial advisers, and investment firms; and
9 disability-owned businesses, financial advisers, and investment firms under the
10 requirements of this subsection and ss. 16.855 (10m), 16.87 (2), 25.185, 84.075 and
11 565.25 (2) (a) 3. and on this state's progress toward achieving compliance with par.
12 (b) and ss. 16.855 (10m) (am) and (10n), 16.87 (2), 25.185, and 84.075 (1m). The
13 report shall also include the percentage of the total amount of money paid to and the
14 percentage of the total amount of indebtedness or other obligations underwritten by
15 ~~disabled~~ veteran-owned businesses, ~~disabled~~ ~~veteran-owned~~ financial advisers,
16 and ~~disabled~~ ~~veteran-owned~~ investment firms; lesbian, gay, bisexual, or
17 transgender-owned businesses, financial advisers, and investment firms; and
18 disability-owned businesses, financial advisers, and investment firms. In
19 calculating the percentages to be reported under this subsection, the department
20 shall exclude any purchase or contract for which a preference would violate any
21 federal law or regulation or any contract between an agency and a federal agency or
22 any contract that would result in a reduction in the amount of federal aids received
23 by this state.

24 **SECTION 150.** 16.75 (3m) (c) 5. a. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 150**

1 16.75 (3m) (c) 5. a. In determining whether a purchase, contract, or subcontract
2 complies with the goal established under par. (b) 1. or 2. or s. 16.855 (10m) (am) 1.
3 or 2., 16.87 (2) (b) or (c), or 25.185 (2) (a) or (b), the department shall include only
4 amounts paid to businesses, financial advisers, and investment firms certified by the
5 department of administration under s. 16.283 ~~or~~, 16.287 (2), 16.288 (3), or 16.289 (3),
6 whichever is appropriate.

7 **SECTION 151.** 16.75 (3m) (c) 5. b. of the statutes is amended to read:

8 16.75 (3m) (c) 5. b. In determining whether a purchase, contract, or subcontract
9 is made with a ~~disabled~~ veteran-owned business, the department shall include only
10 amounts paid to ~~disabled~~ veteran-owned businesses certified by the department of
11 administration under s. 16.283 (3).

12 **SECTION 152.** 16.765 (1) of the statutes is amended to read:

13 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
14 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
15 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
16 Economic Development Corporation, and the Bradley Center Sports and
17 Entertainment Corporation shall include in all contracts executed by them a
18 provision obligating the contractor not to discriminate against any employee or
19 applicant for employment because of age, race, religion, color, handicap, sex, physical
20 condition, developmental disability, as defined in s. 51.01 (5), sexual orientation, as
21 defined in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender
22 identity, as defined in s. 111.32 (7k), or national origin and, except with respect to
23 sexual orientation, gender expression, and gender identity, obligating the contractor
24 to take affirmative action to ensure equal employment opportunities.

25 **SECTION 153.** 16.765 (2) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 153**

1 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and
2 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
3 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
4 Economic Development Corporation, and the Bradley Center Sports and
5 Entertainment Corporation shall include the following provision in every contract
6 executed by them: “In connection with the performance of work under this contract,
7 the contractor agrees not to discriminate against any employee or applicant for
8 employment because of age, race, religion, color, handicap, sex, physical condition,
9 developmental disability, as defined in s. 51.01 (5), sexual orientation, gender
10 expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k),
11 or national origin. This provision shall include, ~~but not be limited to, the following:~~
12 employment, upgrading, demotion, or transfer; recruitment or recruitment
13 advertising; layoff or termination; rates of pay or other forms of compensation; and
14 selection for training, including apprenticeship. Except with respect to sexual
15 orientation, gender expression, and gender identity, the contractor further agrees to
16 take affirmative action to ensure equal employment opportunities. The contractor
17 agrees to post in conspicuous places, available for employees and applicants for
18 employment, notices to be provided by the contracting officer setting forth the
19 provisions of the nondiscrimination-~~clause~~”. clause.”

20 **SECTION 154.** 16.84 (2m) of the statutes is repealed.

21 **SECTION 155.** 16.854 (2) (intro.) of the statutes is amended to read:

22 16.854 (2) (intro.) Subject to the requirements of s. 16.82 (7), the department
23 may, upon request of any local professional baseball park district, if the district has
24 entered into a lease agreement with the department under s. 16.82 (7), take charge
25 of and supervise engineering or architectural services or construction work, as

ASSEMBLY BILL 43**SECTION 155**

1 defined in s. 16.87 (1) (a), performed by, or for, the district for compensation to be
2 agreed upon between the department and the district. In connection with such
3 services or work, the department may furnish engineering, architectural, project
4 management and other building construction services whenever requisitions
5 therefor are presented to the department by the district. If the district has entered
6 into a lease agreement with the department under s. 16.82 (7), the department may
7 also assist the district, upon request of the district, in letting contracts for
8 engineering, architectural or construction work authorized by law and in
9 supervising the work done thereunder. The department may award any such
10 contract for any combination or division of work it designates and may consider any
11 factors in awarding a contract including price, time for completion of work and the
12 qualifications and past performance of a contractor. In awarding contracts under
13 this section for the construction of baseball park facilities, as defined in s. 229.65 ~~(1)~~
14 (1s), the department shall ensure that any person who is awarded a contract agrees,
15 as a condition to receiving the contract, that his or her goal shall be to ensure that
16 at least 25 percent of the employees hired because of the contract will be minority
17 group members and at least 5 percent of the employees hired because of the contract
18 will be women. It shall also be a goal of the department to ensure that at least 25
19 percent of the aggregate dollar value of contracts awarded for the construction of
20 such facilities in the following areas are awarded to minority businesses and at least
21 5 percent of the aggregate dollar value of contracts awarded for the construction of
22 such facilities in the following areas are awarded to women's businesses:

23 **SECTION 156.** 16.855 (1p) of the statutes is repealed.

24 **SECTION 157.** 16.855 (10m) (ac) of the statutes is renumbered 16.855 (10m) (ac)
25 (intro.) and amended to read:

ASSEMBLY BILL 43**SECTION 157**

1 16.855 (10m) (ac) (intro.) In this subsection, ~~“disabled veteran-owned;~~
2 4. ~~“Veteran-owned business”~~ means a business certified by the department of
3 administration under s. 16.283 (3).

4 **SECTION 158.** 16.855 (10m) (ac) 1. of the statutes is created to read:

5 16.855 (10m) (ac) 1. “Disability-owned business” means a business certified
6 by the department under s. 16.289 (3).

7 **SECTION 159.** 16.855 (10m) (ac) 3. of the statutes is created to read:

8 16.855 (10m) (ac) 3. “Lesbian, gay, bisexual, or transgender-owned business”
9 means a business certified by the department under s. 16.288 (3).

10 **SECTION 160.** 16.855 (10m) (am) 2. of the statutes is amended to read:

11 16.855 (10m) (am) 2. In awarding construction contracts, the department shall
12 attempt to ensure that at least ~~1~~ an aggregate amount of 5 percent of the total
13 amount expended in each fiscal year is awarded to contractors and subcontractors
14 that are ~~disabled veteran-owned businesses, disability-owned businesses, and~~
15 lesbian, gay, bisexual, or transgender-owned businesses.

16 **SECTION 161.** 16.855 (10m) (am) 3. of the statutes is amended to read:

17 16.855 (10m) (am) 3. The department may award any contract to a minority
18 business ~~or disabled, veteran-owned business, lesbian, gay, bisexual, or~~
19 transgender-owned business, or disability-owned business, or a business that is
20 ~~both a minority business and a disabled veteran-owned business~~ any combination
21 of these, if the business is a qualified responsible bidder and the business submits
22 a bid that is no more than 5 percent higher than the apparent low bid.

23 **SECTION 162.** 16.855 (10m) (b) of the statutes is amended to read:

24 16.855 (10m) (b) Upon completion of any contract, the contractor shall report
25 to the department any amount of the contract that was subcontracted to minority

ASSEMBLY BILL 43**SECTION 162**

1 ~~businesses or disabled,~~ veteran-owned businesses, lesbian, gay, bisexual, or
2 transgender-owned businesses, and disability-owned businesses.

3 **SECTION 163.** 16.855 (10m) (c) of the statutes is amended to read:

4 16.855 (10m) (c) The department shall maintain and annually publish data on
5 contracts awarded to minority businesses ~~and disabled,~~ veteran-owned businesses,
6 lesbian, gay, bisexual, or transgender-owned businesses, and disability-owned
7 businesses under this subsection and ss. 16.87 and 84.075.

8 **SECTION 164.** 16.87 (1) (aL) of the statutes is created to read:

9 16.87 (1) (aL) “Disability-owned business” means a business certified by the
10 department under s. 16.289 (3).

11 **SECTION 165.** 16.87 (1) (am) of the statutes is amended to read:

12 16.87 (1) (am) “~~Disabled veteran-owned~~ Veteran-owned business” means a
13 business certified by the department of administration under s. 16.283 (3).

14 **SECTION 166.** 16.87 (1) (br) of the statutes is created to read:

15 16.87 (1) (br) “Lesbian, gay, bisexual, or transgender-owned business” means
16 a business, financial adviser, or investment firm certified by the department under
17 s. 16.288 (3).

18 **SECTION 167.** 16.87 (2) (c) of the statutes is amended to read:

19 16.87 (2) (c) The department shall attempt to ensure that at least ~~1~~ an
20 aggregate amount of 5 percent of the total amount expended under this section in
21 each fiscal year is paid to ~~disabled~~ veteran-owned businesses, disability-owned
22 businesses, and lesbian, gay, bisexual, or transgender-owned businesses.

23 **SECTION 168.** 16.954 of the statutes is created to read:

24 **16.954 Office of sustainability and clean energy. (1) DEFINITIONS.** In this
25 section:

ASSEMBLY BILL 43**SECTION 168**

1 (a) “Office” means the office of sustainability and clean energy.

2 (b) “Public utility” has the meaning given in s. 196.01 (5).

3 **(2) INITIATIVES.** The office shall work on initiatives that have the following
4 goals:

5 (a) Promoting the development and use of clean and renewable energy across
6 this state.

7 (b) Advancing innovative sustainability solutions in ways that improve this
8 state’s economy and environment, including energy initiatives that reduce carbon
9 emissions, accelerate economic growth, and lower customer energy costs.

10 (c) Diversifying the resources used to reliably meet the energy needs of
11 consumers in this state and generate family-supporting jobs through the expansion
12 of this state’s clean energy economy.

13 **(3) OTHER DUTIES.** The office shall do all of the following:

14 (a) Provide advice and support to state agencies in developing or retrofitting
15 sustainable infrastructure to reduce energy use and lessen negative impacts on this
16 state’s air and water quality.

17 (b) Study and report on the status of existing clean and renewable energy
18 efforts by the state, including economic development initiatives, and develop future
19 energy policy opportunities for consideration by the governor and state agencies.

20 (c) Serve as a single point of contact to assist businesses, local units of
21 government, and nongovernmental organizations that are pursuing clean energy
22 opportunities.

23 (d) Identify and share information about clean energy funding and
24 employment opportunities for private and state and local governmental entities.

ASSEMBLY BILL 43**SECTION 168**

1 (e) Take other steps necessary to facilitate the implementation of the initiatives
2 specified in sub. (2) and to identify and address barriers to the implementation of
3 those initiatives.

4 (4) CLEAN ENERGY GRANTS. The office shall establish a program for making
5 grants from the appropriation under s. 20.505 (4) (cm) to fund research in support
6 of clean energy production.

7 (5) TECHNICAL ASSISTANCE. (a) The office may provide technical assistance to
8 local governmental units and private entities to assist in the planning and
9 implementation of energy efficiency and renewable resources and may charge for
10 those services. The office may request technical and staff assistance from other state
11 agencies in providing technical assistance to those units of government and private
12 entities.

13 (b) The office may require a public utility to provide energy billing and use data
14 regarding public schools, if the office determines that the data are necessary to
15 provide technical assistance under par. (a) in public schools, including those with the
16 highest energy costs.

17 (c) The office shall consult with the public service commission in implementing
18 this subsection.

19 **SECTION 169.** 16.955 of the statutes is created to read:

20 **16.955 Clean energy small business incubator. (1) INCUBATOR.** The office
21 of sustainability and clean energy in the department shall operate a small business
22 incubator.

23 (2) DUTIES. The incubator operated under sub. (1) shall provide business
24 development, mentorship, and expertise to small businesses with their primary
25 place of business in this state that operates in the clean energy sector.

ASSEMBLY BILL 43**SECTION 169**

1 **(3) GRANTS.** From the appropriation under s. 20.505 (4) (cn), the incubator shall
2 award grants to small business start-up companies with their primary place of
3 business in this state that operate in the clean energy sector. The office of
4 sustainability and clean energy shall establish requirements for grant recipients
5 under this subsection.

6 **SECTION 170.** 16.969 (title) of the statutes is renumbered 196.492 (title).

7 **SECTION 171.** 16.969 (1) (intro.) and (b) of the statutes are consolidated,
8 renumbered 196.492 (1) and amended to read:

9 196.492 (1) In this section: (b) ~~“High-voltage, “high-voltage transmission line”~~
10 means a high-voltage transmission line, as defined in s. 196.491 (1) (f), that is
11 designed for operation at a nominal voltage of 345 kilovolts or more.

12 **SECTION 172.** 16.969 (1) (a) of the statutes is repealed.

13 **SECTION 173.** 16.969 (2) of the statutes is renumbered 196.492 (2), and 196.492
14 (2) (intro.), as renumbered, is amended to read:

15 196.492 (2) (intro.) The department commission shall promulgate rules that
16 require a person who is issued a certificate of public convenience and necessity by the
17 commission under s. 196.491 (3) for a high-voltage transmission line to pay the
18 department commission the following fees:

19 **SECTION 174.** 16.969 (3) of the statutes is renumbered 196.492 (3), and 196.492
20 (3) (a) and (b) 1. and 2., as renumbered, are amended to read:

21 196.492 (3) (a) The department commission shall distribute the fees that are
22 paid by a person under the rules promulgated under sub. (2) (a) to each town, village
23 and city that is identified by the commission under s. 196.491 (3) (gm) in proportion
24 to the amount of investment that is allocated by the commission under s. 196.491 (3)
25 (gm) to each such town, village and city.

ASSEMBLY BILL 43**SECTION 174**

1 (b) 1. The ~~department~~ commission shall pay 50 percent of the fee to each county
2 that is identified by the commission under s. 196.491 (3) (gm) in proportion to the
3 amount of investment that is allocated by the commission under s. 196.491 (3) (gm)
4 to each such county.

5 2. The ~~department~~ commission shall pay 50 percent of the fee to each town,
6 village and city that is identified by the commission under s. 196.491 (3) (gm) in
7 proportion to the amount of investment that is allocated by the commission under
8 s. 196.491 (3) (gm) to each such town, village and city.

9 **SECTION 175.** 16.969 (4) of the statutes is renumbered 196.492 (4).

10 **SECTION 176.** 16.971 (2) (a) of the statutes is amended to read:

11 16.971 (2) (a) Ensure that an adequate level of information technology services
12 is made available to all agencies by providing systems analysis and application
13 programming services to augment agency resources, as requested. The department
14 shall also ensure that executive branch agencies, other than the board of regents of
15 the University of Wisconsin System except for purposes of s. 16.978, make effective
16 and efficient use of the information technology resources of the state. The
17 department shall, in cooperation with agencies, including the board of regents for
18 purposes of s. 16.978, establish policies, procedures and planning processes, for the
19 administration of information technology services, which executive branch agencies,
20 including the board of regents for purposes of s. 16.978, shall follow. The policies,
21 procedures and processes shall address the needs of agencies, other than the board
22 of regents of the University of Wisconsin System except for purposes of s. 16.978, to
23 carry out their functions. The department shall monitor adherence to these policies,
24 procedures and processes.

25 **SECTION 177.** 16.971 (2) (c) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 177**

1 16.971 (2) (c) Develop and maintain procedures to ensure information
2 technology resource planning and sharing between executive branch agencies,
3 including the board of regents of the University of Wisconsin System for purposes of
4 s. 16.978. The procedures shall ensure the interconnection of information technology
5 resources of executive branch agencies, if interconnection is consistent with the
6 strategic plans formulated under pars. (L) and (m).

7 **SECTION 178.** 16.971 (2) (j) of the statutes is amended to read:

8 16.971 (2) (j) Ensure that all executive branch agencies, including the board
9 of regents of the University of Wisconsin System for purposes of s. 16.978, develop
10 and operate with clear guidelines and standards in the areas of information
11 technology systems development and that they employ good management practices
12 and cost-benefit justifications.

13 **SECTION 179.** 16.971 (2) (o) of the statutes is created to read:

14 16.971 (2) (o) Assist the elections commission with information technology
15 systems development for purposes of facilitating the registration of eligible electors
16 under s. 6.256.

17 **SECTION 180.** 16.971 (4) (a) of the statutes is amended to read:

18 16.971 (4) (a) The department may license or authorize executive branch
19 agencies to license computer programs developed by executive branch agencies or
20 security operations centers and regional security operations centers under s. 16.978
21 to the federal government, other states and municipalities. Any agency other than
22 an executive branch agency may license a computer program developed by that
23 agency to the federal government, other states and municipalities.

24 **SECTION 181.** 16.971 (9) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 181**

1 16.971 (9) In conjunction with the public defender board, the director of state
2 courts, the departments of corrections and justice, and district attorneys, the
3 department may maintain, promote, and coordinate automated justice information
4 systems that are compatible among counties and the officers and agencies specified
5 in this subsection, using the moneys appropriated under s. 20.505 (1) (dm), (kh), and
6 (kq). The department shall annually report to the legislature under s. 13.172 (2)
7 concerning the department's efforts to improve and increase the efficiency of
8 integration of justice information systems.

9 **SECTION 182.** 16.972 (2) (g) of the statutes is amended to read:

10 16.972 (2) (g) Assume direct responsibility for the planning and development
11 of any information technology system in the executive branch of state government
12 outside of the University of Wisconsin System, but including the University of
13 Wisconsin System for purposes of s. 16.978, that the department determines to be
14 necessary to effectively develop or manage the system, with or without the consent
15 of any affected executive branch agency and the board of regents of the University
16 of Wisconsin System for purposes of s. 16.978. The department may charge any
17 executive branch agency and the board of regents for the department's reasonable
18 costs incurred in carrying out its functions under this paragraph on behalf of that
19 agency or a security operations center or regional security operations center under
20 s. 16.978.

21 **SECTION 183.** 16.973 (3) of the statutes is amended to read:

22 16.973 (3) Facilitate the implementation of statewide initiatives, including
23 development and maintenance of policies and programs to protect the privacy of
24 individuals who are the subjects of information contained in the databases of
25 agencies or security operations centers and regional security operations centers

ASSEMBLY BILL 43**SECTION 183**

1 under s. 16.978, and of technical standards and sharing of applications among
2 agencies, security operations centers and regional security operations centers, and
3 any participating local governmental units or other eligible entities, as defined in s.
4 16.978 (1) (c), or entities in the private sector.

5 **SECTION 184.** 16.973 (8) of the statutes is amended to read:

6 16.973 (8) Offer the opportunity to local governmental units and other eligible
7 entities, as defined in s. 16.978 (1) (c), as determined by the department, to
8 voluntarily obtain computer or supercomputer services from the department or a
9 security operations center or regional security operations center under s. 16.978
10 when those services are provided under s. 16.972 (2) (b) or (c) or 16.978, and to
11 voluntarily participate in any master contract established by the department or a
12 security operations center or regional security operations center under s. 16.972 (2)
13 (h) or 16.978 or in the use of any informational system or device provided by the
14 department or a security operations center or regional security operations center
15 under s. 16.974 (3) or 16.978.

16 **SECTION 185.** 16.978 of the statutes is created to read:

17 **16.978 Security operations centers. (1) DEFINITIONS.** In this section:

18 (a) Notwithstanding s. 16.97 (1m), “agency” includes each authority.

19 (b) “Division” means the division of enterprise technology in the department.

20 (c) “Eligible entity” means all of the following:

21 1. An agency.

22 2. A local governmental unit.

23 3. An educational agency, as defined in s. 16.99 (2g).

24 4. A federally recognized American Indian tribe or band located in this state.

25 5. A critical infrastructure entity, as determined by the division.

ASSEMBLY BILL 43**SECTION 185**

1 6. Any other entity identified by the department by rule.

2 (d) "Managed security services" means services intended to reduce the impact
3 of cybersecurity threats.

4 **(2) ESTABLISHMENT OF SECURITY OPERATIONS CENTERS.** (a) The department shall
5 establish one or more security operations centers or one or more regional security
6 operations centers, or both, to provide for the cybersecurity of information technology
7 systems maintained by eligible entities.

8 (b) All security operations centers, including regional centers, established by
9 the department shall be under the supervision and control of the division. The
10 department shall include the centers in carrying out its responsibilities, powers, and
11 duties under ss. 16.971 (2) (b), (c), (cm), (g), (h), and (k), 16.972 (2) (d) and (e), and
12 16.973 (1), (3), (4), and (5), as determined by the department.

13 (c) The department may coordinate with any of the following entities in the
14 establishment of a security operations center or regional security operations center:

- 15 1. A campus, as defined in s. 36.05 (3).
- 16 2. A college campus, as defined in s. 36.05 (6m).
- 17 3. An institution, as defined in s. 36.05 (9).
- 18 4. A university, as defined in s. 36.05 (13).

19 **(3) DUTIES OF THE DIVISION.** (a) The division shall manage the operation of each
20 security operations center and regional security operations center established under
21 sub. (2), including by establishing managed security services guidelines and
22 standard operating procedures for the operation of the centers.

23 (b) As appropriate and in coordination with participating eligible entities, the
24 division may provide, and if provided, shall oversee the provision of, managed

ASSEMBLY BILL 43**SECTION 185**

1 security services and other support through each security operations center and
2 regional security operations center, including all of the following:

3 1. Real-time security monitoring to detect and respond to cybersecurity events
4 that may jeopardize this state or the residents of this state.

5 2. Continuous, 24-hour alerts and guidance for defeating cybersecurity
6 threats.

7 3. Immediate incident response to counter cyber activity that exposes this state
8 or the residents of this state to cybersecurity risks.

9 4. Educational services regarding cybersecurity.

10 5. Dissemination of incident-related information to supported eligible entities,
11 constituents, and external parties.

12 (c) In operating the security operations centers and regional security
13 operations centers, including functions such as detecting, analyzing, responding to,
14 and prioritizing responses to cybersecurity incidents, the division shall do all of the
15 following:

16 1. Collaborate with any relevant state, local, federal, critical infrastructure, or
17 tribal entity in accordance with statewide plans.

18 2. Lead executive branch agencies through cybersecurity incidents, including
19 by directing and prioritizing cybersecurity incident responses, and provide guidance
20 and expertise to other eligible entities that may be affected by such events.

21 3. If needed to respond to a substantial external cybersecurity threat, take any
22 action, including disconnecting the computer network of an eligible entity receiving
23 managed security services.

24 (d) The division shall ensure that each agency in the executive branch of state
25 government uses the division's managed security services to the extent practicable.

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1 No executive branch agency may purchase managed security services from a person
2 other than the department unless the division determines that the division cannot
3 provide comparable managed security services at a reasonable cost and the division
4 approves the purchase. The division shall establish a process for making such
5 determinations and approvals.

6 (4) POWERS OF THE DIVISION. The division may do all of the following:

7 (a) Enter into contracts and interagency agreements as necessary to
8 administer this section.

9 (b) Apply for and use the proceeds from grants to administer this section.

10 (c) Charge fees to recover costs associated with the division's provision of
11 managed security services and other cybersecurity support services provided under
12 this section, including via an assessment to agencies or as a component of any
13 services provided.

14 (5) CENTER FACILITIES. The division may establish a security operations center,
15 including a regional center, only at a facility that satisfies all of the following:

16 (a) The facility is a secure and restricted facility that contains cybersecurity
17 infrastructure, an available trained workforce, and supportive educational
18 capabilities.

19 (b) All entrances and critical areas can be controlled and monitored to prevent
20 unauthorized entry.

21 (c) Access can be limited to only authorized individuals.

22 (d) Security alarms can be monitored by local law enforcement or security
23 companies according to service availability.

ASSEMBLY BILL 43**SECTION 185**

1 (e) Operational information can be restricted to personnel at the facility, except
2 as coordinated and approved by both the division and the participating eligible
3 entity.

4 **SECTION 186.** 16.9945 of the statutes is repealed.

5 **SECTION 187.** 17.03 (10m) of the statutes is created to read:

6 17.03 (10m) If the office is filled by appointment of the governor for a fixed term
7 by and with the advice and consent of the senate, the incumbent's term expires or,
8 if later, the governor submits his or her nomination for the office to the senate.

9 **SECTION 188.** 17.18 of the statutes is amended to read:

10 **17.18 Vacancies, U.S. senator and representative in congress; how**
11 **filled.** Vacancies in the office of U.S. senator or representative in congress from this
12 state shall be filled by election, as provided in s. 8.50 (4) ~~(b)~~, for the residue of the
13 ~~unexpired term (4m).~~

14 **SECTION 189.** 18.08 (7) of the statutes is created to read:

15 18.08 (7) Notwithstanding sub. (3), no moneys transferred under 2023
16 Wisconsin Act (this act), section 9251 (1), may be commingled with other moneys
17 in the capital improvement fund and all earnings on or income from investments of
18 the moneys transferred under 2023 Wisconsin Act (this act), section 9251 (1), and
19 all excess moneys so transferred that are not used to fund building projects
20 authorized in the 2023-25 Authorized State Building Program, shall be deposited in
21 or transferred to the general fund.

22 **SECTION 190.** 18.16 (title) of the statutes is amended to read:

23 **18.16 (title) ~~Minority financial advisers and investment firms;~~**
24 **~~disabled; veteran-owned; lesbian, gay, bisexual, or transgender-owned;~~**
25 **and disability-owned financial advisers and investment firms.**

ASSEMBLY BILL 43**SECTION 191**

1 **SECTION 191.** 18.16 (1) (a) of the statutes is renumbered 18.16 (1) (e) and
2 amended to read:

3 18.16 (1) (e) “~~Disabled-veteran-owned~~ Veteran-owned financial adviser”
4 means a financial adviser certified by the department of administration under s.
5 16.283 (3).

6 **SECTION 192.** 18.16 (1) (ae) of the statutes is created to read:

7 18.16 (1) (ae) “Disability-owned financial adviser” means a financial adviser
8 certified by the department of administration under s. 16.289 (3).

9 **SECTION 193.** 18.16 (1) (af) of the statutes is created to read:

10 18.16 (1) (af) “Disability-owned investment firm” means an investment firm
11 certified by the department of administration under s. 16.289 (3).

12 **SECTION 194.** 18.16 (1) (b) of the statutes is renumbered 18.16 (1) (f) and
13 amended to read:

14 18.16 (1) (f) “~~Disabled-veteran-owned~~ Veteran-owned investment firm” means
15 an investment firm certified by the department of administration under s. 16.283 (3).

16 **SECTION 195.** 18.16 (1) (br) of the statutes is created to read:

17 18.16 (1) (br) “Lesbian, gay, bisexual, or transgender-owned financial adviser”
18 means a financial adviser certified by the department of administration under s.
19 16.288 (3).

20 **SECTION 196.** 18.16 (1) (bs) of the statutes is created to read:

21 18.16 (1) (bs) “Lesbian, gay, bisexual, or transgender-owned investment firm”
22 means an investment firm certified by the department of administration under s.
23 16.288 (3).

24 **SECTION 197.** 18.16 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 197**

1 18.16 (2) (b) Except as provided in sub. (7), in contracting public debt by
2 competitive sale, the commission shall make efforts to ensure that at least 1 percent
3 of the total public indebtedness contracted in each fiscal year is underwritten by
4 disabled veteran-owned investment firms.

5 **SECTION 198.** 18.16 (2) (c) of the statutes is created to read:

6 18.16 (2) (c) Except as provided in sub. (7), in contracting public debt by
7 competitive sale, the commission shall make efforts to ensure that at least 1 percent
8 of the total public indebtedness contracted in each fiscal year is underwritten by
9 lesbian, gay, bisexual, or transgender-owned investment firms.

10 **SECTION 199.** 18.16 (2) (d) of the statutes is created to read:

11 18.16 (2) (d) Except as provided in sub. (7), in contracting public debt by
12 competitive sale, the commission shall make efforts to ensure that at least 1 percent
13 of the total public indebtedness contracted in each fiscal year is underwritten by
14 disability-owned investment firms.

15 **SECTION 200.** 18.16 (3) (b) of the statutes is amended to read:

16 18.16 (3) (b) Except as provided under sub. (7), in contracting public debt by
17 negotiated sale, the commission shall make efforts to ensure that at least 1 percent
18 of total public indebtedness contracted in each fiscal year is underwritten by disabled
19 veteran-owned investment firms.

20 **SECTION 201.** 18.16 (3) (c) of the statutes is created to read:

21 18.16 (3) (c) Except as provided under sub. (7), in contracting public debt by
22 negotiated sale, the commission shall make efforts to ensure that at least 1 percent
23 of total public indebtedness contracted in each fiscal year is underwritten by lesbian,
24 gay, bisexual, or transgender-owned investment firms.

25 **SECTION 202.** 18.16 (3) (d) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 202**

1 18.16 (3) (d) Except as provided under sub. (7), in contracting public debt by
2 negotiated sale, the commission shall make efforts to ensure that at least 1 percent
3 of total public indebtedness contracted in each fiscal year is underwritten by
4 disability-owned investment firms.

5 **SECTION 203.** 18.16 (4) (b) of the statutes is amended to read:

6 18.16 (4) (b) Except as provided under sub. (7), in contracting public debt by
7 competitive sale or negotiated sale, the commission shall make efforts to ensure that
8 at least 1 percent of the total moneys expended in each fiscal year for the services of
9 financial advisers are expended for the services of disabled veteran-owned financial
10 advisers.

11 **SECTION 204.** 18.16 (4) (c) of the statutes is created to read:

12 18.16 (4) (c) Except as provided under sub. (7), in contracting public debt by
13 competitive sale or negotiated sale, the commission shall make efforts to ensure that
14 at least 1 percent of the total moneys expended in each fiscal year for the services of
15 financial advisers are expended for the services of lesbian, gay, bisexual, or
16 transgender-owned financial advisers.

17 **SECTION 205.** 18.16 (4) (d) of the statutes is created to read:

18 18.16 (4) (d) Except as provided under sub. (7), in contracting public debt by
19 competitive sale or negotiated sale, the commission shall make efforts to ensure that
20 at least 1 percent of the total moneys expended in each fiscal year for the services of
21 financial advisers are expended for the services of disability-owned financial
22 advisers.

23 **SECTION 206.** 18.16 (5) (b) of the statutes is amended to read:

24 18.16 (5) (b) Except as provided under s. 18.06 (9) and sub. (7), an individual
25 underwriter or syndicate of underwriters shall make efforts to ensure that each bid

ASSEMBLY BILL 43**SECTION 206**

1 or proposal, submitted by that individual or syndicate in a competitive or negotiated
2 sale of public debt, provides for at least 1 percent of sales to disabled veteran-owned
3 investment firms.

4 **SECTION 207.** 18.16 (5) (c) of the statutes is created to read:

5 18.16 (5) (c) Except as provided under sub. (7) and s. 18.06 (9), an individual
6 underwriter or syndicate of underwriters shall make efforts to ensure that each bid
7 or proposal, submitted by that individual or syndicate in a competitive or negotiated
8 sale of public debt, provides for at least 1 percent of sales to lesbian, gay, bisexual,
9 or transgender-owned investment firms.

10 **SECTION 208.** 18.16 (5) (d) of the statutes is created to read:

11 18.16 (5) (d) Except as provided under sub. (7) and s. 18.06 (9), an individual
12 underwriter or syndicate of underwriters shall make efforts to ensure that each bid
13 or proposal, submitted by that individual or syndicate in a competitive or negotiated
14 sale of public debt, provides for at least 1 percent of sales to disability-owned
15 investment firms.

16 **SECTION 209.** 18.16 (6) of the statutes is amended to read:

17 18.16 (6) The commission shall annually report to the department of
18 administration the total amount of public indebtedness contracted with the
19 underwriting services of minority ~~investment firms and disabled,~~ veteran-owned,
20 lesbian, gay, bisexual, or transgender-owned, and disability-owned investment
21 firms and the total amount of moneys expended for the services of minority ~~financial~~
22 ~~advisers and disabled,~~ veteran-owned, lesbian, gay, bisexual, or
23 transgender-owned, and disability-owned financial advisers during the preceding
24 fiscal year.

25 **SECTION 210.** 18.64 (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 210**

1 **18.64 (title) ~~Minority financial advisers and investment firms; disabled;~~**
2 **~~veteran-owned; lesbian, gay, bisexual, or transgender-owned; and~~**
3 **~~disability-owned financial advisers and investment firms.~~**

4 **SECTION 211.** 18.64 (1) (a) of the statutes is renumbered 18.64 (1) (e) and
5 amended to read:

6 18.64 (1) (e) “~~Disabled veteran-owned~~ Veteran-owned financial adviser”
7 means a financial adviser certified by the department of administration under s.
8 16.283 (3).

9 **SECTION 212.** 18.64 (1) (ae) of the statutes is created to read:

10 18.64 (1) (ae) “Disability-owned financial adviser” means a financial adviser
11 certified by the department of administration under s. 16.289 (3).

12 **SECTION 213.** 18.64 (1) (af) of the statutes is created to read:

13 18.64 (1) (af) “Disability-owned investment firm” means an investment firm
14 certified by the department of administration under s. 16.289 (3).

15 **SECTION 214.** 18.64 (1) (b) of the statutes is renumbered 18.64 (1) (f) and
16 amended to read:

17 18.64 (1) (f) “~~Disabled veteran-owned~~ Veteran-owned investment firm” means
18 an investment firm certified by the department of administration under s. 16.283 (3).

19 **SECTION 215.** 18.64 (1) (br) of the statutes is created to read:

20 18.64 (1) (br) “Lesbian, gay, bisexual, or transgender-owned financial adviser”
21 means a financial adviser certified by the department of administration under s.
22 16.288 (3).

23 **SECTION 216.** 18.64 (1) (bs) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 216**

1 18.64 (1) (bs) “Lesbian, gay, bisexual, or transgender-owned investment firm”
2 means an investment firm certified by the department of administration under s.
3 16.288 (3).

4 **SECTION 217.** 18.64 (2) (b) of the statutes is amended to read:

5 18.64 (2) (b) Except as provided under sub. (7), in issuing evidences of revenue
6 obligations by competitive sale, the commission shall make efforts to ensure that at
7 least 1 percent of the total of revenue obligations contracted in each fiscal year is
8 underwritten by disabled veteran-owned investment firms.

9 **SECTION 218.** 18.64 (2) (c) of the statutes is created to read:

10 18.64 (2) (c) Except as provided under sub. (7), in issuing evidences of revenue
11 obligations by competitive sale, the commission shall make efforts to ensure that at
12 least 1 percent of the total of revenue obligations contracted in each fiscal year is
13 underwritten by lesbian, gay, bisexual, or transgender-owned investment firms.

14 **SECTION 219.** 18.64 (2) (d) of the statutes is created to read:

15 18.64 (2) (d) Except as provided under sub. (7), in issuing evidences of revenue
16 obligations by competitive sale, the commission shall make efforts to ensure that at
17 least 1 percent of the total of revenue obligations contracted in each fiscal year is
18 underwritten by disability-owned investment firms.

19 **SECTION 220.** 18.64 (3) (b) of the statutes is amended to read:

20 18.64 (3) (b) Except as provided under sub. (7), in issuing evidences of revenue
21 obligations by negotiated sale, the commission shall make efforts to ensure that at
22 least 1 percent of the total of revenue obligations contracted in each fiscal year is
23 underwritten by disabled veteran-owned investment firms.

24 **SECTION 221.** 18.64 (3) (c) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 221**

1 18.64 (3) (c) Except as provided under sub. (7), in issuing evidences of revenue
2 obligations by negotiated sale, the commission shall make efforts to ensure that at
3 least 1 percent of the total of revenue obligations contracted in each fiscal year is
4 underwritten by lesbian, gay, bisexual, or transgender-owned investment firms.

5 **SECTION 222.** 18.64 (3) (d) of the statutes is created to read:

6 18.64 (3) (d) Except as provided under sub. (7), in issuing evidences of revenue
7 obligations by negotiated sale, the commission shall make efforts to ensure that at
8 least 1 percent of the total of revenue obligations contracted in each fiscal year is
9 underwritten by disability-owned investment firms.

10 **SECTION 223.** 18.64 (4) (b) of the statutes is amended to read:

11 18.64 (4) (b) Except as provided under sub. (7), in issuing evidences of revenue
12 obligations by competitive sale or negotiated sale, the commission shall make efforts
13 to ensure that at least 1 percent of the total moneys expended in each fiscal year for
14 the services of financial advisers are expended for the services of disabled
15 veteran-owned financial advisers.

16 **SECTION 224.** 18.64 (4) (c) of the statutes is created to read:

17 18.64 (4) (c) Except as provided under sub. (7), in issuing evidences of revenue
18 obligations by competitive sale or negotiated sale, the commission shall make efforts
19 to ensure that at least 1 percent of the total moneys expended in each fiscal year for
20 the services of financial advisers are expended for the services of lesbian, gay,
21 bisexual, or transgender-owned financial advisers.

22 **SECTION 225.** 18.64 (4) (d) of the statutes is created to read:

23 18.64 (4) (d) Except as provided under sub. (7), in issuing evidences of revenue
24 obligations by competitive sale or negotiated sale, the commission shall make efforts
25 to ensure that at least 1 percent of the total moneys expended in each fiscal year for

ASSEMBLY BILL 43**SECTION 225**

1 the services of financial advisers are expended for the services of disability-owned
2 financial advisers.

3 **SECTION 226.** 18.64 (5) (b) of the statutes is amended to read:

4 18.64 (5) (b) Except as provided under sub. (7), an individual underwriter or
5 syndicate of underwriters shall make efforts to ensure that each bid or proposal,
6 submitted by that individual or syndicate in a competitive or negotiated sale of a
7 revenue obligation, provides for at least 1 percent of sales to ~~disabled~~ veteran-owned
8 investment firms.

9 **SECTION 227.** 18.64 (5) (c) of the statutes is created to read:

10 18.64 (5) (c) Except as provided under sub. (7), an individual underwriter or
11 syndicate of underwriters shall make efforts to ensure that each bid or proposal,
12 submitted by that individual or syndicate in a competitive or negotiated sale of a
13 revenue obligation, provides for at least 1 percent of sales to lesbian, gay, bisexual,
14 or transgender-owned investment firms.

15 **SECTION 228.** 18.64 (5) (d) of the statutes is created to read:

16 18.64 (5) (d) Except as provided under sub. (7), an individual underwriter or
17 syndicate of underwriters shall make efforts to ensure that each bid or proposal,
18 submitted by that individual or syndicate in a competitive or negotiated sale of a
19 revenue obligation, provides for at least 1 percent of sales to disability-owned
20 investment firms.

21 **SECTION 229.** 18.64 (6) of the statutes is amended to read:

22 18.64 (6) The commission shall annually report to the department of
23 administration the total amount of revenue obligations contracted with the
24 underwriting services of minority ~~investment firms and disabled,~~ veteran-owned,
25 lesbian, gay, bisexual, or transgender-owned, and disability-owned investment

ASSEMBLY BILL 43**SECTION 229**

1 firms and the total amount of moneys expended for the services of minority financial
2 advisers ~~and disabled, veteran-owned, lesbian, gay, bisexual, or~~
3 ~~transgender-owned, and disability-owned~~ financial advisers during the preceding
4 fiscal year.

5 **SECTION 230.** 18.77 (title) of the statutes is amended to read:

6 **18.77 (title) ~~Minority financial advisers and investment firms;~~**
7 **~~disabled; veteran-owned; lesbian, gay, bisexual, or transgender-owned;~~**
8 **and disability-owned financial advisers and investment firms.**

9 **SECTION 231.** 18.77 (1) (a) of the statutes is renumbered 18.77 (1) (e) and
10 amended to read:

11 18.77 (1) (e) “~~Disabled veteran-owned~~ Veteran-owned financial adviser”
12 means a financial adviser certified by the department of administration under s.
13 16.283 (3).

14 **SECTION 232.** 18.77 (1) (ae) of the statutes is created to read:

15 18.77 (1) (ae) “Disability-owned financial adviser” means a financial adviser
16 certified by the department of administration under s. 16.289 (3).

17 **SECTION 233.** 18.77 (1) (af) of the statutes is created to read:

18 18.77 (1) (af) “Disability-owned investment firm” means an investment firm
19 certified by the department of administration under s. 16.289 (3).

20 **SECTION 234.** 18.77 (1) (b) of the statutes is renumbered 18.77 (1) (f) and
21 amended to read:

22 18.77 (1) (f) “~~Disabled veteran-owned~~ Veteran-owned investment firm” means
23 an investment firm certified by the department of administration under s. 16.283 (3).

24 **SECTION 235.** 18.77 (1) (br) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 235**

1 18.77 (1) (br) “Lesbian, gay, bisexual, or transgender-owned financial adviser”
2 means a financial adviser certified by the department of administration under s.
3 16.288 (3).

4 **SECTION 236.** 18.77 (1) (bs) of the statutes is created to read:

5 18.77 (1) (bs) “Lesbian, gay, bisexual, or transgender-owned investment firm”
6 means an investment firm certified by the department of administration under s.
7 16.288 (3).

8 **SECTION 237.** 18.77 (2) (b) of the statutes is amended to read:

9 18.77 (2) (b) Except as provided under sub. (7), in contracting operating notes
10 by competitive sale, the commission shall make efforts to ensure that at least 1
11 percent of total operating note indebtedness contracted in each fiscal year is
12 underwritten by disabled veteran-owned investment firms.

13 **SECTION 238.** 18.77 (2) (c) of the statutes is created to read:

14 18.77 (2) (c) Except as provided under sub. (7), in contracting operating notes
15 by competitive sale, the commission shall make efforts to ensure that at least 1
16 percent of total operating note indebtedness contracted in each fiscal year is
17 underwritten by lesbian, gay, bisexual, or transgender-owned investment firms.

18 **SECTION 239.** 18.77 (2) (d) of the statutes is created to read:

19 18.77 (2) (d) Except as provided under sub. (7), in contracting operating notes
20 by competitive sale, the commission shall make efforts to ensure that at least 1
21 percent of total operating note indebtedness contracted in each fiscal year is
22 underwritten by disability-owned investment firms.

23 **SECTION 240.** 18.77 (3) (b) of the statutes is amended to read:

24 18.77 (3) (b) Except as provided under sub. (7), in contracting operating notes
25 by negotiated sale, the commission shall make efforts to ensure that at least 1

ASSEMBLY BILL 43**SECTION 240**

1 percent of total operating note indebtedness contracted in each fiscal year is
2 underwritten by disabled veteran-owned investment firms.

3 **SECTION 241.** 18.77 (3) (c) of the statutes is created to read:

4 18.77 (3) (c) Except as provided under sub. (7), in contracting operating notes
5 by negotiated sale, the commission shall make efforts to ensure that at least 1
6 percent of total operating note indebtedness contracted in each fiscal year is
7 underwritten by lesbian, gay, bisexual, or transgender-owned investment firms.

8 **SECTION 242.** 18.77 (3) (d) of the statutes is created to read:

9 18.77 (3) (d) Except as provided under sub. (7), in contracting operating notes
10 by negotiated sale, the commission shall make efforts to ensure that at least 1
11 percent of total operating note indebtedness contracted in each fiscal year is
12 underwritten by disability-owned investment firms.

13 **SECTION 243.** 18.77 (4) (b) of the statutes is amended to read:

14 18.77 (4) (b) Except as provided under sub. (7), in contracting operating notes
15 by competitive sale or negotiated sale, the commission shall make efforts to ensure
16 that at least 1 percent of the total moneys expended in such fiscal year for the services
17 of financial advisers are expended for the services of disabled veteran-owned
18 financial advisers.

19 **SECTION 244.** 18.77 (4) (c) of the statutes is created to read:

20 18.77 (4) (c) Except as provided under sub. (7), in contracting operating notes
21 by competitive sale or negotiated sale, the commission shall make efforts to ensure
22 that at least 1 percent of the total moneys expended in such fiscal year for the services
23 of financial advisers are expended for the services of lesbian, gay, bisexual, or
24 transgender-owned financial advisers.

25 **SECTION 245.** 18.77 (4) (d) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 245**

1 18.77 (4) (d) Except as provided under sub. (7), in contracting operating notes
2 by competitive sale or negotiated sale, the commission shall make efforts to ensure
3 that at least 1 percent of the total moneys expended in such fiscal year for the services
4 of financial advisers are expended for the services of disability-owned financial
5 advisers.

6 **SECTION 246.** 18.77 (5) (b) of the statutes is amended to read:

7 18.77 (5) (b) Except as provided under sub. (7), an individual underwriter or
8 syndicate of underwriters shall make efforts to ensure that each bid or proposal,
9 submitted by that individual or syndicate in a competitive or negotiated sale of an
10 operating note, provides for at least 1 percent of sales to disabled veteran-owned
11 investment firms.

12 **SECTION 247.** 18.77 (5) (c) of the statutes is created to read:

13 18.77 (5) (c) Except as provided under sub. (7), an individual underwriter or
14 syndicate of underwriters shall make efforts to ensure that each bid or proposal,
15 submitted by that individual or syndicate in a competitive or negotiated sale of an
16 operating note, provides for at least 1 percent of sales to lesbian, gay, bisexual, or
17 transgender-owned investment firms.

18 **SECTION 248.** 18.77 (5) (d) of the statutes is created to read:

19 18.77 (5) (d) Except as provided under sub. (7), an individual underwriter or
20 syndicate of underwriters shall make efforts to ensure that each bid or proposal,
21 submitted by that individual or syndicate in a competitive or negotiated sale of an
22 operating note, provides for at least 1 percent of sales to disability-owned
23 investment firms.

24 **SECTION 249.** 18.77 (6) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 249**

1 18.77 (6) The commission shall annually report to the department of
2 administration the total amount of operating note indebtedness contracted with the
3 underwriting services of minority, veteran-owned, lesbian, gay, bisexual, or
4 transgender-owned, and disability-owned investment firms and the total amount
5 of moneys expended for the services of minority ~~financial advisers and disabled,~~
6 ~~veteran-owned, lesbian, gay, bisexual, or transgender-owned, and disability-owned~~
7 financial advisers during the preceding fiscal year.

8 **SECTION 250.** 19.01 (4) (b) 1. of the statutes is amended to read:

9 19.01 (4) (b) 1. The secretary of state and assistant secretary of state.

10 **SECTION 251.** 19.35 (3) (c) of the statutes is amended to read:

11 19.35 (3) (c) Except as otherwise provided by law or as authorized to be
12 prescribed by law, an authority may impose a fee upon a requester for locating a
13 record, not exceeding the actual, necessary and direct cost of location, if the cost is
14 \$50 \$100 or more.

15 **SECTION 252.** 19.36 (12) of the statutes is created to read:

16 19.36 (12) INFORMATION RELATING TO CERTAIN EMPLOYEES. Unless access is
17 specifically authorized or required by statute, an authority may not provide access
18 to a record prepared or provided by an employer performing work on a project to
19 which s. 66.0903, 103.49, or 103.50 applies, or on which the employer is otherwise
20 required to pay prevailing wages, if that record contains the name or other personally
21 identifiable information relating to an employee of that employer, unless the
22 employee authorizes the authority to provide access to that information. In this
23 subsection, “personally identifiable information” does not include an employee’s
24 work classification, hours of work, or wage or benefit payments received for work on
25 such a project.

ASSEMBLY BILL 43**SECTION 253**

1 **SECTION 253.** 20.003 (4) (L) of the statutes is amended to read:

2 20.003 (4) (L) For fiscal year years 2017-18 and each fiscal year thereafter to
3 2022-23, an amount equal to the prior fiscal year's required statutory balance plus
4 \$5,000,000, but not to exceed 2 percent.

5 **SECTION 254.** 20.003 (4) (m) of the statutes is created to read:

6 20.003 (4) (m) For fiscal year 2023-24 and each fiscal year thereafter,
7 \$600,000,000.

8 **SECTION 255.** 20.005 (1) of the statutes is repealed and recreated to read:

9 20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for
10 the state of Wisconsin for all funds beginning on July 1, 2023, and ending on June
11 30, 2025, is summarized as follows: [See Figure 20.005 (1) following]

12 **Figure: 20.005 (1)**

13

GENERAL FUND SUMMARY

	2023-24	2024-25
Opening Balance, July 1	\$ 7,098,760,500	\$ 1,908,279,500
Revenues		
Taxes	\$ 21,730,547,000	\$ 22,545,187,900
Departmental Revenues		
Tribal Gaming Revenues		
Other	<u>715,552,200</u>	<u>566,394,800</u>
Total Available	\$ 29,544,859,700	\$ 25,019,862,200
Appropriations, Transfers, and Reserves		
Gross Appropriations	\$ 24,227,525,300	\$ 23,934,929,700
Transfers to:		
Transportation Fund	137,252,100	173,358,500

ASSEMBLY BILL 43**SECTION 255**

	2023-24	2024-25
Capital Improvement Fund	1,955,000,000	--
Budget Stabilization Fund	500,000,000	--
Transportation Facilities Revenue Obliga- tion Repayment Fund	379,369,800	--
Family and Medical Leave Benefits Insur- ance Fund	243,413,400	--
Artistic Endowment Fund	100,000,000	--
Veterans Homes Institutional Operations Account	10,000,000	--
Compensation Reserves	365,260,700	581,614,700
Less Lapses	<u>(281,241,100)</u>	<u>(303,921,700)</u>
Net Appropriations	\$ 27,636,580,200	\$ 24,385,981,200
Balances		
Gross Balance	\$ 1,908,279,500	\$ 633,881,000
Less Required Statutory Balance	<u>(600,000,000)</u>	<u>(600,000,000)</u>
Net Balance, June 30	\$ 1,308,279,500	\$ 33,881,000

1

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	2023-24	2024-25
General Purpose Revenue	\$ 24,227,525,300	\$ 23,934,929,700
Federal Revenue	\$ 15,551,696,500	\$ 15,626,912,600
Program	(14,354,482,000)	(14,410,801,400)
Segregated	(1,197,214,500)	(1,216,111,200)
Program Revenue	\$ 7,573,848,600	\$ 7,444,701,300
State	(6,451,579,000)	(6,346,101,200)
Service	(1,122,269,600)	(1,098,600,100)
Segregated Revenue	\$ 4,727,804,600	\$ 4,664,985,500

ASSEMBLY BILL 43**SECTION 255**

	2023-24	2024-25
State	(4,458,133,400)	(4,394,796,700)
Local	(152,100,700)	(152,618,300)
Service	(117,570,500)	(117,570,500)
GRAND TOTAL	\$ 52,080,875,000	\$ 51,671,529,100

1 **SUMMARY OF COMPENSATION RESERVES — ALL FUNDS**

	2023-24	2024-25
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>
TOTAL	\$ 667,480,900	\$ 1,001,825,800

2 **LOTTERY FUND SUMMARY**

	2023-24	2024-25
Gross Revenue		
Ticket Sales	\$ 912,117,200	\$ 912,117,200
Miscellaneous Revenue	<u>262,800</u>	<u>262,800</u>
	\$ 912,380,000	\$ 912,380,000
Expenses—SEG		
Prizes	\$ 578,485,100	\$ 578,485,100
Administrative Expenses	<u>37,794,200</u>	<u>38,168,000</u>
	\$ 616,279,300	\$ 616,653,100
Expenses—GPR		
Administrative Expenses	<u>\$ 72,875,000</u>	<u>\$ 72,875,000</u>

ASSEMBLY BILL 43

SECTION 255

	2023-24	2024-25
	\$ 72,875,000	\$ 72,875,000
Net SEG Proceeds	\$ 296,100,700	\$ 295,726,900
Total Available for Property Tax Relief		
Opening Balance	\$ 18,247,600	\$ 18,247,600
Net SEG Proceeds	296,100,700	295,726,900
Interest Earnings	3,600,000	2,200,000
Gaming-Related Revenue	<u>0</u>	<u>0</u>
	\$ 317,948,300	\$ 316,174,500
Property Tax Relief	\$ 299,700,700	\$ 297,926,900
Gross Closing Balance	\$ 18,247,600	\$ 18,247,600
Reserve	\$ 18,247,600	\$ 18,247,600
Net Balance	\$ 0	\$ 0

1 **SECTION 256.** 20.005 (2) of the statutes is repealed and recreated to read:
2 20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets
3 forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b)
4 following]

5 **Figure: 20.005 (2) (a)**

6 **SUMMARY OF BONDING AUTHORITY MODIFICATIONS**
7 **2023-25 FISCAL BIENNIUM**

Source and Purpose	Amount
---------------------------	---------------

GENERAL OBLIGATIONS

ASSEMBLY BILL 43**SECTION 256**

Source and Purpose	Amount
Agriculture, Trade and Consumer Protection	
Soil and water	\$ 7,000,000
Natural Resources	
Contaminated sediment removal	15,000,000
Dam safety projects	10,000,000
Nonpoint source	10,000,000
Urban nonpoint source cost-sharing	11,000,000
Transportation	
Freight rail	20,000,000
Fox River Brown County southern bridge	50,000,000
Blatnik major interstate bridge	47,200,000
Harbor assistance	16,000,000
Southeastern Wisconsin mega-projects	<u>140,873,000</u>
TOTAL General Obligation Bonds	\$ 327,073,000*

*Excludes \$1,725,000,000 of economic refunding bonds authorized.

REVENUE OBLIGATIONS

Environmental Improvement Program	
Clean water and safe drinking water	\$ 372,000,000
Transportation	
Transportation facilities and major highway projects	<u>167,714,300</u>
TOTAL Revenue Obligation Bonds	\$ 539,714,300
GRAND TOTAL	\$ 1,697,323,200

1 **Figure: 20.005 (2) (b)**

2 **GENERAL OBLIGATION DEBT SERVICE**
3 **FISCAL YEARS 2023-24 AND 2024-25**

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
<i>20.115 Agriculture, trade and consumer protection, department of</i>			
(2) (d) Principal repayment and interest	GPR	\$ 700	\$ 300
(7) (b) Principal repayment and interest, conservation reserve enhancement	GPR	1,060,600	912,400
<i>20.190 State fair park board</i>			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	121,800	94,000
(1) (d) Principal repayment and interest	GPR	1,108,000	1,209,000
<i>20.225 Educational communications board</i>			
(1) (c) Principal repayment and interest	GPR	1,768,300	1,541,000
<i>20.245 Historical society</i>			
(1) (e) Principal repayment, interest, and rebates	GPR	3,999,500	3,960,500
<i>20.250 Medical College of Wisconsin</i>			
(1) (c) Principal repayment, interest, and rebates; biomedical research and technology incubator	GPR	2,679,500	2,191,000
(1) (e) Principal repayment and interest	GPR	517,000	463,800
<i>20.255 Public instruction, department of</i>			
(1) (d) Principal repayment and interest	GPR	835,500	958,400
<i>20.285 University of Wisconsin System</i>			
(1) (d) Principal repayment and interest	GPR	193,786,000	224,509,600

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
<i>20.320 Environmental improvement program</i>			
(1) (c) Principal repayment and interest — clean water fund program	GPR	2,154,400	3,451,800
(2) (c) Principal repayment and interest — safe drinking water loan program	GPR	3,354,900	3,377,700
<i>20.370 Natural resources, department of</i>			
(7) (aa) Resource acquisition and development — principal repayment and interest	GPR	57,234,900	53,187,800
(7) (cb) Principal repayment and interest — pollution abatement bonds	GPR	0	0
(7) (cc) Principal repayment and interest — combined sewer overflow; pollution abatement bonds	GPR	198,800	40,900
(7) (cd) Principal repayment and interest — municipal clean drinking water grants	GPR	1,500	300
(7) (ea) Administrative facilities — principal repayment and interest	GPR	407,800	456,300
<i>20.395 Transportation, department of</i>			
(6) (ad) Principal repayment and interest, contingent funding of southeast Wisconsin freeway megaprojects, state funds	GPR	17,758,800	14,509,800
(6) (ae) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	GPR	12,271,300	12,477,100

ASSEMBLY BILL 43**SECTION 256**

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
(6) (af) Principal repayment and interest, local roads for job preservation program, major highway and rehabilitation projects, southeast megaprojects, state funds	GPR	60,247,100	51,021,800
<i>20.410 Corrections, department of</i>			
(1) (e) Principal repayment and interest	GPR	31,775,500	30,300,100
(1) (ec) Prison industries principal, interest and rebates	GPR	0	0
(3) (e) Principal repayment and interest	GPR	1,761,000	1,514,000
(3) (fm) Secured residential care centers for children and youth	GPR	132,200	942,400
<i>20.435 Health services, department of</i>			
(2) (ee) Principal repayment and interest	GPR	17,526,000	18,834,100
<i>20.465 Military affairs, department of</i>			
(1) (d) Principal repayment and interest	GPR	5,963,300	6,017,700
<i>20.485 Veterans affairs, department of</i>			
(1) (f) Principal repayment and interest	GPR	1,329,100	1,593,000
<i>20.505 Administration, department of</i>			
(4) (es) Principal, interest, and rebates; general purpose revenue — schools	GPR	344,200	98,200
(4) (et) Principal, interest, and rebates; general purpose revenue — public library boards	GPR	3,600	1,100
(5) (c) Principal repayment and interest; Black Point Estate	GPR	227,900	152,700

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
<i>20.855 Miscellaneous appropriations</i>			
(8) (a) Dental clinic and education facility; principal repayment, interest and rebates	GPR	702,700	738,600
<i>20.867 Building commission</i>			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	0	0
(1) (b) Principal repayment and interest; capitol and executive residence	GPR	2,528,300	1,638,800
(3) (a) Principal repayment and interest	GPR	33,417,500	86,210,700
(3) (b) Principal repayment and interest	GPR	1,272,100	1,495,900
(3) (bb) Principal repayment, interest, and rebates; AIDS Network, Inc.	GPR	21,400	18,500
(3) (bc) Principal repayment, interest, and rebates; Grand Opera House in Oshkosh	GPR	35,600	35,900
(3) (bd) Principal repayment, interest, and rebates; Aldo Leopold climate change classroom and interactive laboratory	GPR	28,800	35,200
(3) (be) Principal repayment, interest, and rebates; Bradley Center Sports and Entertainment Corporation	GPR	587,300	532,600
(3) (bf) Principal repayment, interest, and rebates; AIDS Resource Center of Wisconsin, Inc.	GPR	56,900	49,100
(3) (bg) Principal repayment, interest, and rebates; Madison Children's Museum	GPR	17,800	15,400

ASSEMBLY BILL 43**SECTION 256**

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
(3) (bh) Principal repayment, interest, and rebates; Myrick Hixon EcoPark, Inc.	GPR	47,000	44,900
(3) (bj) Principal repayment, interest, and rebates; Lac du Flambeau Indian Tribal Cultural Center	GPR	7,000	15,600
(3) (bL) Principal repayment, interest and rebates; family justice center	GPR	632,400	645,800
(3) (bm) Principal repayment, interest, and rebates; HR Academy, Inc.	GPR	62,800	133,900
(3) (bn) Principal repayment, interest and rebates; Hmong cultural center	GPR	19,800	19,300
(3) (bq) Principal repayment, interest and rebates; children's research institute	GPR	1,046,800	689,000
(3) (br) Principal repayment, interest and rebates	GPR	9,900	2,300
(3) (bt) Principal repayment, interest, and rebates; Wisconsin Agriculture Education Center, Inc.	GPR	345,600	307,700
(3) (bu) Principal repayment, interest and rebates; Civil War exhibit at the Kenosha Public Museums	GPR	1,106,300	978,100
(3) (bv) Principal repayment, interest, and rebates; Bond Health Center	GPR	120,300	77,100
(3) (bw) Principal repayment, interest, and rebates; Eau Claire Confluence Arts, Inc.	GPR	0	0
(3) (bx) Principal repayment, interest, and rebates; Carroll University	GPR	154,600	161,100

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
(3) (cb) Principal repayment, interest and rebates; Domestic Abuse Intervention Services, Inc.	GPR	22,100	34,200
(3) (cd) Principal repayment, interest and rebates; K I Convention Center	GPR	112,300	117,300
(3) (cf) Principal repayment, interest and rebates; Dane County; livestock facilities	GPR	251,500	558,200
(3) (ch) Principal repayment, interest, and rebates; Wisconsin Maritime Center of Excellence	GPR	334,600	336,300
(3) (cj) Principal repayment, interest, and rebates; Norskedalen Nature and Heritage Center	GPR	8,800	56,100
(3) (cq) Principal repayment, interest, and rebates; La Crosse Center	GPR	321,900	317,100
(3) (cr) Principal repayment, interest, and rebates; St. Ann Center for Intergenerational Care, Inc.; Bucyrus Campus	GPR	334,000	330,800
(3) (cs) Principal repayment, interest, and rebates; Brown County innovation center	GPR	319,200	315,600
(3) (cv) Principal repayment, interest, and rebates; Beyond Vision; VisABILITY Center	GPR	401,300	401,300
(3) (cw) Principal repayment, interest, and rebates; projects	GPR	274,200	386,300
(3) (cx) Principal repayment, interest, and rebates; center	GPR	545,000	758,000

ASSEMBLY BILL 43**SECTION 256**

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
(3) (e) Principal repayment, interest, and rebates; parking ramp	GPR	0	0
TOTAL General Purpose Revenue Debt Service		\$ 463,715,000	\$ 531,273,500
 <i>20.190 State fair park board</i>			
(1) (j) State fair principal repayment, interest and rebates	PR	\$ 1,214,200	\$ 1,114,600
 <i>20.225 Educational communications board</i>			
(1) (i) Program revenue facilities; principal repayment, interest, and rebates	PR	0	0
 <i>20.245 Historical society</i>			
(1) (j) Self-amortizing facilities; principal repayment, interest, and rebates	PR	2,000	2,400
 <i>20.285 University of Wisconsin System</i>			
(1) (gj) Self-amortizing facilities principal and interest	PR	175,487,200	164,871,200
 <i>20.370 Natural resources, department of</i>			
(7) (ad) Land sales — principal repayment	PR	0	0
(7) (ag) Land acquisition — principal repayment and interest	PR	0	0
(7) (cg) Principal repayment and interest — nonpoint repayments	PR	0	0
 <i>20.410 Corrections, department of</i>			
(1) (ko) Prison industries principal repayment, interest and rebates	PR	1,600	4,700
 <i>20.485 Veterans affairs, department of</i>			
(1) (go) Self-amortizing facilities; principal repayment and interest	PR	3,725,300	4,245,500

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
<i>20.505 Administration, department of</i>			
(4) (ha) Principal, interest, and rebates; program revenue — schools	PR	0	0
(4) (hb) Principal, interest, and rebates; program revenue — public library boards	PR	0	0
(5) (g) Principal repayment, interest and rebates; parking	PR	1,932,100	1,891,200
(5) (kc) Principal repayment, interest and rebates	PR	22,085,700	22,290,500
<i>20.867 Building commission</i>			
(3) (g) Principal repayment, interest and rebates; program revenues	PR	0	0
(3) (h) Principal repayment, interest, and rebates	PR	0	0
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	0	0
(3) (kd) Energy conservation construction projects; principal repayment, interest and rebates	PR	618,200	1,764,200
(3) (km) Aquaculture demonstration facility; principal repayment and interest	PR	<u>293,000</u>	<u>318,900</u>
TOTAL Program Revenue Debt Service		\$ 205,359,300	\$ 196,503,200
<i>20.115 Agriculture, trade and consumer protection, department of</i>			
(7) (s) Principal repayment and interest; soil and water, environmental fund	SEG	\$ 4,943,700	\$ 5,598,700
<i>20.320 Environmental improvement program</i>			
(1) (t) Principal repayment and interest — clean water fund program bonds	SEG	6,000,000	4,500,000

ASSEMBLY BILL 43**SECTION 256**

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
20.370 Natural resources, department of			
(7) (aq) Resource acquisition and development — principal repayment and interest	SEG	0	0
(7) (ar) Dam repair and removal — principal repayment and interest	SEG	62,500	68,400
(7) (at) Recreation development — principal repayment and interest	SEG	81,100	115,100
(7) (au) State forest acquisition and development — principal repayment and interest	SEG	13,500,000	13,500,000
(7) (bq) Principal repayment and interest — remedial action	SEG	1,433,700	1,763,500
(7) (br) Principal repayment and interest — contaminated sediment	SEG	1,934,700	2,009,400
(7) (cq) Principal repayment and interest — nonpoint source grants	SEG	2,686,000	2,114,100
(7) (cr) Principal repayment and interest — nonpoint source	SEG	2,995,200	4,869,800
(7) (cs) Principal repayment and interest — urban nonpoint source cost-sharing	SEG	3,068,900	3,927,100
(7) (ct) Principal repayment and interest — pollution abatement, environmental fund	SEG	899,000	243,800
(7) (eq) Administrative facilities — principal repayment and interest	SEG	6,421,700	7,142,700
(7) (er) Administrative facilities — principal repayment and interest; environmental fund	SEG	1,132,700	1,194,000

ASSEMBLY BILL 43

SECTION 256

STATUTE, AGENCY AND PURPOSE	SOURCE	2023-24	2024-25
<i>20.395 Transportation, department of</i>			
(6) (aq) Principal repayment and interest, transportation facilities, state highway rehabilitation, major highway projects, state funds	SEG	56,277,700	61,046,700
(6) (ar) Principal repayment and interest, buildings, state funds	SEG	27,800	25,200
(6) (au) Principal repayment and interest, southeast rehabilitation projects, southeast megaprojects, and high-cost bridge projects, state funds	SEG	84,655,200	90,571,400
(6) (av) Principal repayment and interest, contingent funding of major highway and rehabilitation projects, state funds	SEG	11,682,800	11,657,300
<i>20.485 Veterans affairs, department of</i>			
(4) (qm) Repayment of principal and interest	SEG	100	100
<i>20.866 Public debt</i>			
(1) (u) Principal repayment and interest	SEG	0	0
<i>20.867 Building commission</i>			
(3) (q) Principal repayment and interest; segregated revenues	SEG	<u>0</u>	<u>0</u>
TOTAL Segregated Revenue Debt Service		\$ 197,802,800	\$ 210,347,300
GRAND TOTAL All Debt Service		\$ 866,877,100	\$ 938,124,000

1 **SECTION 257.** 20.005 (3) of the statutes is repealed and recreated to read:
2 20.005 (3) APPROPRIATIONS. The following schedule sets forth all annual,
3 biennial, and sum certain continuing appropriations and anticipated expenditures

ASSEMBLY BILL 43**SECTION 257**

1 from other appropriations for the programs and other purposes indicated. All
 2 appropriations are made from the general fund unless otherwise indicated. The
 3 letter abbreviations shown designating the type of appropriation apply to both fiscal
 4 years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

5 Figure: 20.005 (3)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
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Commerce

6 20.115 Agriculture, Trade and Consumer Protection, Department of
7 (1) FOOD SAFETY AND CONSUMER PROTECTION

8 (a) General program operations	GPR	A	-0-	-0-
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9 Food inspection	GPR	A	4,328,400	4,311,000
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10 Meat and poultry inspection	GPR	A	5,823,400	5,820,800
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11 Trade and consumer protection	GPR	A	2,351,200	2,281,100
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12 NET APPROPRIATION			12,503,000	12,412,900
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13 (c) Petroleum products; storage tank				
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14 inventory	GPR	A	-0-	-0-
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15 (g) Related services	PR	A	57,700	57,700
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16 (gb) Food, lodging, and recreation	PR	A	11,904,500	11,904,300
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17 (gc) Testing of petroleum products	PR	C	-0-	-0-
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18 (gf) Fruit and vegetable inspection	PR	C	596,200	595,600
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19 (gh) Public warehouse regulation	PR	A	116,100	115,500
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20 (gm) Dairy trade regulation	PR	A	124,200	123,600
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21 (h) Grain inspection and certification	PR	C	1,303,000	1,303,000
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ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hm) Ozone-depleting refrigerants and				
2	products regulation	PR	A	-0-	-0-
3	(i) Sale of supplies	PR	A	10,400	10,400
4	(im) Consumer protection; telephone				
5	solicitor fees	PR	A	368,700	367,700
6	(ip) Bisphenol A enforcement	PR	C	-0-	-0-
7	(j) Weights and measures inspection	PR	A	2,269,800	2,266,700
8	(jb) Consumer protection,				
9	information, and education	PR	A	147,800	147,800
10	(jm) Telecommunications utility trade				
11	practices	PR	A	571,700	595,200
12	(m) Federal funds	PR-F	C	7,151,300	6,967,000
13	(q) Dairy, grain, and vegetable				
14	security	SEG	A	1,372,700	1,370,000
15	(r) Unfair sales act enforcement	SEG	A	311,100	310,400
16	(s) Weights and measures; petroleum				
17	inspection fund	SEG	A	914,600	907,700
18	(t) Petroleum products; petroleum				
19	inspection fund	SEG	A	5,106,200	5,099,700
20	(u) Recyclable and nonrecyclable				
21	products regulation	SEG	A	-0-	-0-
22	(v) Agricultural producer security;				
23	contingent financial backing	SEG	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(w) Agricultural producer security;				
2	payments	SEG	S	200,000	200,000
3	(wb) Agricultural producer security;				
4	proceeds of contingent financial				
5	backing	SEG	C	-0-	-0-
6	(wc) Agricultural producer security;				
7	repayment of contingent financial				
8	backing	SEG	S	-0-	-0-
9		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			12,503,000	12,412,900
	PROGRAM REVENUE			24,621,400	24,454,500
	FEDERAL			(7,151,300)	(6,967,000)
	OTHER			(17,470,100)	(17,487,500)
	SEGREGATED REVENUE			7,904,600	7,887,800
	OTHER			(7,904,600)	(7,887,800)
	TOTAL-ALL SOURCES			45,029,000	44,755,200
10	(2) ANIMAL HEALTH SERVICES				
11	(a) General program operations	GPR	A	3,819,100	3,818,200
12	(b) Animal disease indemnities	GPR	S	108,600	108,600
13	(c) Financial assistance for				
14	paratuberculosis testing	GPR	A	-0-	-0-
15	(d) Principal repayment and interest	GPR	S	700	300
16	(e) Livestock premises registration	GPR	A	437,500	437,500
17	(g) Related services	PR	C	-0-	-0-
18	(h) Sale of supplies	PR	A	28,400	28,400
19	(ha) Inspection, testing and				
20	enforcement	PR	C	638,600	638,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(j) Dog licenses, rabies control, and				
2	related services	PR	C	344,200	343,800
3	(jm) Veterinary examining board	PR	C	397,500	396,300
4	(m) Federal funds	PR-F	C	338,500	338,500
5	(q) Animal health inspection, testing				
6	and enforcement	SEG	A	382,800	382,800
7		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			4,365,900	4,364,600
	PROGRAM REVENUE			1,747,200	1,745,000
	FEDERAL			(338,500)	(338,500)
	OTHER			(1,408,700)	(1,406,500)
	SEGREGATED REVENUE			382,800	382,800
	OTHER			(382,800)	(382,800)
	TOTAL-ALL SOURCES			6,495,900	6,492,400
8	(3) AGRICULTURAL DEVELOPMENT SERVICES				
9	(a) General program operations	GPR	A	2,613,000	2,637,700
10	(at) Farm to school program				
11	administration	GPR	A	88,000	88,000
12	(b) Agricultural exports	GPR	C	1,883,200	1,000,000
13	(c) Farmer mental health assistance	GPR	A	100,000	100,000
14	(e) Food waste reduction grants	GPR	A	100,000	100,000
15	(f) Meat processing tuition and				
16	curriculum development grants	GPR	A	-0-	1,237,500
17	(g) Related services	PR	A	-0-	-0-
18	(h) Loans and grants for rural				
19	development and dairy exports				
20	promotion	PR	C	58,700	58,700

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(i) Marketing orders and agreements	PR	C	124,800	124,400
2	(j) Stray voltage program	PR	A	259,900	259,900
3	(ja) Agricultural development services				
4	and materials	PR	C	97,800	97,600
5	(jm) Stray voltage program; rural				
6	electric cooperatives	PR	A	26,300	26,300
7	(L) Something special from Wisconsin				
8	promotion	PR	A	57,700	57,700
9	(m) Federal funds	PR-F	C	714,200	713,100
10		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			4,784,200	5,163,200
	PROGRAM REVENUE			1,339,400	1,337,700
	FEDERAL			(714,200)	(713,100)
	OTHER			(625,200)	(624,600)
	TOTAL-ALL SOURCES			6,123,600	6,500,900
11	(4) AGRICULTURAL ASSISTANCE				
12	(a) Aid to Wisconsin livestock				
13	breeders association	GPR	A	-0-	-0-
14	(as) Farm to school grants	GPR	A	-0-	-0-
15	(b) Aids to county and district fairs	GPR	A	456,400	456,400
16	(c) Agricultural investment aids	GPR	B	-0-	-0-
17	(cm) Water stewardship certification				
18	grants	GPR	C	250,000	250,000
19	(e) Aids to World Dairy Expo, Inc.	GPR	A	20,100	20,100
20	(f) Agricultural assistance programs	GPR	B	18,100,000	18,100,000

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(k) Tribal elder community food box				
2	program	PR-S	A	2,000,000	2,000,000
3	(q) Grants for agriculture in the				
4	classroom program	SEG	A	93,900	93,900
5	(r) Agricultural investment aids,				
6	agricultural management fund	SEG	B	-0-	-0-
7		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			18,826,500	18,826,500
	PROGRAM REVENUE			2,000,000	2,000,000
	SERVICE			(2,000,000)	(2,000,000)
	SEGREGATED REVENUE			93,900	93,900
	OTHER			(93,900)	(93,900)
	TOTAL-ALL SOURCES			20,920,400	20,920,400
8	(7) AGRICULTURAL RESOURCE MANAGEMENT				
9	(a) General program operations	GPR	A	945,900	934,900
10	(b) Principal repayment and interest,				
11	conservation reserve				
12	enhancement	GPR	S	1,060,600	912,400
13	(c) Soil and water resource				
14	management program	GPR	C	5,794,000	5,998,000
15	(da) Biodigester operator certification				
16	grants	GPR	A	50,000	50,000
17	(dm) Farmland preservation planning				
18	grants	GPR	A	210,000	210,000
19	(g) Agricultural impact statements	PR	C	187,400	187,400
20	(ga) Related services	PR	C	588,700	587,500
21	(gc) Industrial hemp and marijuana	PR	C	208,900	258,600

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ge) Marijuana producers and				
2	processors; official logotype	PR	C	-0-	-0-
3	(gm) Seed testing and labeling	PR	C	99,300	98,900
4	(h) Fertilizer research assessments	PR	C	255,600	255,600
5	(ha) Liming material research funds	PR	C	21,100	21,100
6	(i) Agricultural conservation				
7	easements; gifts and grants	PR	C	-0-	-0-
8	(ja) Plant protection	PR	C	206,700	206,200
9	(k) Agricultural resource				
10	management services	PR-S	C	316,400	316,400
11	(m) Federal funds	PR-F	C	1,362,300	1,362,300
12	(qc) Plant protection; conservation				
13	fund	SEG	A	1,794,100	1,791,100
14	(qd) Soil and water administration;				
15	environmental fund	SEG	A	2,570,100	2,569,800
16	(qe) Soil and water management; local				
17	assistance	SEG	A	9,306,000	9,702,000
18	(qf) Soil and water management; aids	SEG	A	7,175,000	7,175,000
19	(r) General program operations;				
20	agrichemical management	SEG	A	7,602,100	7,590,200
21	(s) Principal repayment and interest;				
22	soil and water, environmental				
23	fund	SEG	S	4,943,700	5,598,700

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(tg) Agricultural conservation				
2	easements	SEG	A	-0-	-0-
3	(tm) Farmland preservation planning				
4	grants, working lands fund	SEG	A	-0-	-0-
5	(ts) Working lands programs	SEG	A	12,000	12,000
6	(u) Planning grants for regional				
7	biodigesters	SEG	A	250,000	250,000
8	(va) Clean sweep grants	SEG	A	1,000,000	1,000,000
9	(wm) Agricultural chemical cleanup				
10	reimbursement	SEG	C	900,000	900,000
11		(7) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			8,060,500	8,105,300
	PROGRAM REVENUE			3,246,400	3,294,000
	FEDERAL			(1,362,300)	(1,362,300)
	OTHER			(1,567,700)	(1,615,300)
	SERVICE			(316,400)	(316,400)
	SEGREGATED REVENUE			35,553,000	36,588,800
	OTHER			(35,553,000)	(36,588,800)
	TOTAL-ALL SOURCES			46,859,900	47,988,100
12	(8) CENTRAL ADMINISTRATIVE SERVICES				
13	(a) General program operations	GPR	A	7,323,500	7,288,100
14	(g) Gifts and grants	PR	C	722,300	721,900
15	(gm) Enforcement cost recovery	PR	A	11,000	11,000
16	(h) Sale of material and supplies	PR	C	9,600	9,600
17	(ha) General laboratory related				
18	services	PR	C	44,200	44,200
19	(hm) Restitution	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(i) Related services	PR	A	15,200	15,200
2	(j) Electronic processing	PR	C	-0-	-0-
3	(jm) Telephone solicitation regulation	PR	C	944,600	939,500
4	(k) Computer system equipment,				
5	staff and services	PR-S	A	3,871,600	3,868,900
6	(kL) Central services	PR-S	C	683,000	682,400
7	(km) General laboratory services	PR-S	B	4,258,200	4,255,700
8	(ks) State services	PR-S	C	214,900	214,200
9	(m) Federal funds	PR-F	C	403,900	314,300
10	(pz) Indirect cost reimbursements	PR-F	C	2,002,900	2,002,900
11		(8) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			7,323,500	7,288,100
	PROGRAM REVENUE			13,181,400	13,079,800
	FEDERAL			(2,406,800)	(2,317,200)
	OTHER			(1,746,900)	(1,741,400)
	SERVICE			(9,027,700)	(9,021,200)
	TOTAL-ALL SOURCES			20,504,900	20,367,900
12		20.115 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			55,863,600	56,160,600
	PROGRAM REVENUE			46,135,800	45,911,000
	FEDERAL			(11,973,100)	(11,698,100)
	OTHER			(22,818,600)	(22,875,300)
	SERVICE			(11,344,100)	(11,337,600)
	SEGREGATED REVENUE			43,934,300	44,953,300
	OTHER			(43,934,300)	(44,953,300)
	TOTAL-ALL SOURCES			145,933,700	147,024,900
13	20.144 Financial Institutions, Department of				
14	(1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REGULATION AND OTHER FUNCTIONS				
15	(a) Losses on public deposits	GPR	S	-0-	-0-
16	(g) General program operations	PR	A	22,056,700	23,542,700

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(h) Gifts, grants, settlements, and				
2	publications	PR	C	58,500	58,500
3	(i) Investor education and training				
4	fund	PR	A	84,500	84,500
5	(j) Payday loan database and				
6	financial literacy	PR	C	900,000	900,000
7	(m) Credit union examinations,				
8	federal funds	PR-F	C	-0-	-0-
9	(u) State deposit fund	SEG	S	-0-	-0-
10		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			23,099,700	24,585,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(23,099,700)	(24,585,700)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			23,099,700	24,585,700
11	(3) COLLEGE TUITION AND EXPENSES AND COLLEGE SAVINGS PROGRAMS				
12	(tb) Payment of qualified higher				
13	education expenses and refunds;				
14	college tuition and expenses				
15	program	SEG	S	-0-	-0-
16	(td) Administrative expenses; college				
17	tuition and expenses program	SEG	A	118,300	118,300
18	(tf) Payment of qualified higher				
19	education expenses and refunds;				
20	college savings program trust				
21	fund	SEG	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(th) Administrative expenses; college				
2	savings program trust fund	SEG	A	831,200	831,200
3	(tj) Payment of qualified higher				
4	education expenses and refunds;				
5	college savings program bank				
6	deposit trust fund	SEG	S	-0-	-0-
7	(tL) Administrative expenses; college				
8	savings program bank deposit				
9	trust fund	SEG	A	-0-	-0-
10	(tn) Payment of qualified higher				
11	education expenses and refunds;				
12	college savings program credit				
13	union deposit trust fund	SEG	S	-0-	-0-
14	(tp) Administrative expenses; college				
15	savings program credit union				
16	deposit trust fund	SEG	A	-0-	-0-
17		(3) PROGRAM TOTALS			
	SEGREGATED REVENUE			949,500	949,500
	OTHER			(949,500)	(949,500)
	TOTAL-ALL SOURCES			949,500	949,500
18	(4) SMALL BUSINESS RETIREMENT SAVINGS PROGRAM				
19	(a) General program operations	GPR	A	2,000,000	-0-
20	(g) Program operations; other funds	PR	C	-0-	-0-
21		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			2,000,000	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,000,000	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1		20.144 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			2,000,000	-0-
	PROGRAM REVENUE			23,099,700	24,585,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(23,099,700)	(24,585,700)
	SEGREGATED REVENUE			949,500	949,500
	OTHER			(949,500)	(949,500)
	TOTAL-ALL SOURCES			26,049,200	25,535,200
2	20.145 Insurance, Office of the Commissioner of				
3	(1) SUPERVISION OF THE INSURANCE INDUSTRY				
4	(a) State operations	GPR	A	1,982,400	1,264,900
5	(g) General program operations	PR	A	24,014,400	28,216,100
6	(gm) Gifts and grants	PR	C	-0-	-0-
7	(h) Holding company restructuring				
8	expenses	PR	C	-0-	-0-
9	(m) Federal funds	PR-F	C	-0-	-0-
10		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,982,400	1,264,900
	PROGRAM REVENUE			24,014,400	28,216,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(24,014,400)	(28,216,100)
	TOTAL-ALL SOURCES			25,996,800	29,481,000
11	(2) INJURED PATIENTS AND FAMILIES COMPENSATION FUND				
12	(a) Supplement for claims payable	GPR	S	-0-	-0-
13	(q) Interest earned on future medical				
14	expenses	SEG	S	-0-	-0-
15	(u) Administration	SEG	A	3,031,700	3,031,700
16	(um) Peer review council	SEG	A	152,700	152,700

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(v) Specified responsibilities,				
2	investment board payments, and				
3	future medical expenses	SEG	C	54,150,400	54,150,400
4		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			57,334,800	57,334,800
	OTHER			(57,334,800)	(57,334,800)
	TOTAL-ALL SOURCES			57,334,800	57,334,800
5	(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
6	(u) Administration	SEG	A	-0-	-0-
7	(v) Specified payments, fire dues and				
8	reinsurance	SEG	C	500,000	500,000
9		(3) PROGRAM TOTALS			
	SEGREGATED REVENUE			500,000	500,000
	OTHER			(500,000)	(500,000)
	TOTAL-ALL SOURCES			500,000	500,000
10	(4) STATE LIFE INSURANCE FUND				
11	(u) Administration	SEG	A	720,400	720,400
12	(v) Specified payments and losses	SEG	C	4,493,000	4,493,000
13		(4) PROGRAM TOTALS			
	SEGREGATED REVENUE			5,213,400	5,213,400
	OTHER			(5,213,400)	(5,213,400)
	TOTAL-ALL SOURCES			5,213,400	5,213,400
14	(5) WISCONSIN HEALTHCARE STABILITY PLAN				
15	(b) Reinsurance plan; state subsidy	GPR	S	21,733,500	58,200,000
16	(m) Federal funds; reinsurance plan	PR-F	C	208,266,500	171,800,000
17		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			21,733,500	58,200,000
	PROGRAM REVENUE			208,266,500	171,800,000
	FEDERAL			(208,266,500)	(171,800,000)

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	TOTAL-ALL SOURCES			230,000,000	230,000,000
1		20.145 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			23,715,900	59,464,900
	PROGRAM REVENUE			232,280,900	200,016,100
	FEDERAL			(208,266,500)	(171,800,000)
	OTHER			(24,014,400)	(28,216,100)
	SEGREGATED REVENUE			63,048,200	63,048,200
	OTHER			(63,048,200)	(63,048,200)
	TOTAL-ALL SOURCES			319,045,000	322,529,200
2	20.155 Public Service Commission				
3	(1) REGULATION OF PUBLIC UTILITIES				
4	(g) Utility regulation	PR	A	17,814,800	17,780,500
5	(gg) High-voltage transmission line				
6	annual impact fee distributions	PR	C	-0-	-0-
7	(gr) High-voltage transmission line				
8	environmental impact fee				
9	distributions	PR	C	-0-	-0-
10	(h) Holding company and nonutility				
11	affiliate regulation	PR	C	834,700	834,700
12	(i) Relay service	PR	A	2,874,800	2,874,800
13	(j) Intervenor financing and grants	PR	B	542,500	542,500
14	(L) Stray voltage program	PR	A	298,000	298,000
15	(Lb) Gifts for stray voltage program	PR	C	-0-	-0-
16	(Lm) Consumer education and				
17	awareness	PR	C	-0-	-0-
18	(m) Federal funds	PR-F	C	3,487,300	3,487,300
19	(n) Indirect costs reimbursement	PR-F	C	50,000	50,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(q) Universal telecommunications				
2	service; broadband service; digital				
3	equity	SEG	A	5,940,000	5,940,000
4	(r) Nuclear waste escrow fund	SEG	S	-0-	-0-
5		(1) PROGRAM TOTALS			
	PROGRAM REVENUE			25,902,100	25,867,800
	FEDERAL			(3,537,300)	(3,537,300)
	OTHER			(22,364,800)	(22,330,500)
	SEGREGATED REVENUE			5,940,000	5,940,000
	OTHER			(5,940,000)	(5,940,000)
	TOTAL-ALL SOURCES			31,842,100	31,807,800
6	(2) OFFICE OF THE COMMISSIONER OF RAILROADS				
7	(g) Railroad and water carrier				
8	regulation and general program				
9	operations	PR	A	648,500	648,500
10	(m) Railroad and water carrier				
11	regulation; federal funds	PR-F	C	-0-	-0-
12		(2) PROGRAM TOTALS			
	PROGRAM REVENUE			648,500	648,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(648,500)	(648,500)
	TOTAL-ALL SOURCES			648,500	648,500
13	(3) AFFILIATED GRANT PROGRAMS				
14	(b) Broadband line extension grants	GPR	A	1,750,000	3,500,000
15	(c) Broadband expansion grant				
16	program	GPR	C	750,000,000	-0-
17	(r) Broadband expansion grants;				
18	transfers	SEG-S	C	2,000,000	2,000,000
19	(rm) Broadband grants; other funding	SEG	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(s) Energy efficiency and renewable				
2	resource programs	SEG	A	475,600	475,600
3	(t) Police and fire protection fee				
4	administration	SEG	A	166,600	166,600
5		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			751,750,000	3,500,000
	SEGREGATED REVENUE			2,642,200	2,642,200
	OTHER			(642,200)	(642,200)
	SERVICE			(2,000,000)	(2,000,000)
	TOTAL-ALL SOURCES			754,392,200	6,142,200
6		20.155 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			751,750,000	3,500,000
	PROGRAM REVENUE			26,550,600	26,516,300
	FEDERAL			(3,537,300)	(3,537,300)
	OTHER			(23,013,300)	(22,979,000)
	SEGREGATED REVENUE			8,582,200	8,582,200
	OTHER			(6,582,200)	(6,582,200)
	SERVICE			(2,000,000)	(2,000,000)
	TOTAL-ALL SOURCES			786,882,800	38,598,500
7	20.165 Safety and Professional Services, Department of				
8	(1) PROFESSIONAL REGULATION AND ADMINISTRATIVE SERVICES				
9	(a) General program operations -				
10	executive and administrative				
11	services	GPR	A	-0-	-0-
12	(g) General program operations	PR	A	14,854,100	14,889,200
13	(gm) Applicant investigation				
14	reimbursement	PR	C	113,000	113,000
15	(h) Technical assistance; nonstate				
16	agencies and organizations	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hg) General program operations;				
2	medical examining board;				
3	interstate medical licensure				
4	compact; prescription drug				
5	monitoring program	PR	B	5,108,500	6,081,200
6	(i) Examinations; general program				
7	operations	PR	C	1,949,400	1,949,100
8	(im) Boxing and unarmed combat				
9	sports; enforcement	PR	C	-0-	-0-
10	(jm) Nursing workforce survey				
11	administration	PR	B	9,000	9,000
12	(jr) Proprietary school programs	PR	A	792,100	792,100
13	(jt) Student protection	PR	C	56,600	56,600
14	(jv) Closed schools; preservation of				
15	student records	PR	C	12,100	12,100
16	(k) Technical assistance; state				
17	agencies	PR-S	C	-0-	-0-
18	(ka) Sale of materials and services -				
19	local assistance	PR-S	C	-0-	-0-
20	(kb) Sale of materials and services -				
21	individuals and organizations	PR-S	C	-0-	-0-
22	(kc) Sale of materials or services	PR-S	C	35,600	35,600
23	(ke) Transfer of unappropriated				
24	balances	PR-S	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(m) Federal funds	PR-F	C	82,000	81,200
2	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
3	(o) Federal aid, individuals and				
4	organizations	PR-F	C	-0-	-0-
5	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
6	(s) Wholesale drug distributor				
7	bonding	SEG	C	-0-	-0-
8		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			23,012,400	24,019,100
	FEDERAL			(82,000)	(81,200)
	OTHER			(22,894,800)	(23,902,300)
	SERVICE			(35,600)	(35,600)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			23,012,400	24,019,100
9	(2) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS				
10	(a) General program operations	GPR	A	-0-	-0-
11	(g) Gifts and grants	PR	C	-0-	-0-
12	(ga) Publications and seminars	PR	C	21,000	21,000
13	(gb) Local agreements	PR	C	-0-	-0-
14	(h) Local energy resource system fees	PR	A	-0-	-0-
15	(j) Safety and building operations	PR	A	20,842,600	21,741,200
16	(jm) Contractor payments received for				
17	regulation	PR	C	-0-	-0-
18	(ka) Interagency agreements	PR-S	C	100,300	100,300
19	(kd) Administrative services	PR-S	A	3,099,600	3,100,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kf) Private on-site wastewater				
2	treatment system replacement				
3	and rehabilitation	PR-S	C	840,000	840,000
4	(ks) Data processing	PR-S	C	-0-	-0-
5	(L) Fire dues distribution	PR	C	24,720,000	24,720,000
6	(La) Fire prevention and fire dues				
7	administration	PR	A	794,500	794,500
8	(m) Federal funds	PR-F	C	461,100	461,100
9	(ma) Federal aid - program				
10	administration	PR-F	C	-0-	-0-
11	(q) Groundwater - standards;				
12	implementation	SEG	A	-0-	-0-
13		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			50,879,100	51,778,100
	FEDERAL			(461,100)	(461,100)
	OTHER			(46,378,100)	(47,276,700)
	SERVICE			(4,039,900)	(4,040,300)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			50,879,100	51,778,100
14		20.165 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			73,891,500	75,797,200
	FEDERAL			(543,100)	(542,300)
	OTHER			(69,272,900)	(71,179,000)
	SERVICE			(4,075,500)	(4,075,900)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			73,891,500	75,797,200
15	20.190 State Fair Park Board				
16	(1) STATE FAIR PARK				

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(c) Housing facilities principal				
2	repayment, interest and rebates	GPR	S	121,800	94,000
3	(d) Principal repayment and interest	GPR	S	1,108,000	1,209,000
4	(h) State fair operations	PR	C	19,176,200	19,176,200
5	(i) State fair capital expenses	PR	C	180,000	180,000
6	(j) State fair principal repayment,				
7	interest and rebates	PR	S	1,214,200	1,114,600
8	(jm) Gifts and grants	PR	C	-0-	-0-
9	(m) Federal funds	PR-F	C	-0-	-0-
10		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,229,800	1,303,000
	PROGRAM REVENUE			20,570,400	20,470,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(20,570,400)	(20,470,800)
	TOTAL-ALL SOURCES			21,800,200	21,773,800
11		20.190 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			1,229,800	1,303,000
	PROGRAM REVENUE			20,570,400	20,470,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(20,570,400)	(20,470,800)
	TOTAL-ALL SOURCES			21,800,200	21,773,800
12	20.192 Wisconsin Economic Development Corporation				
13	(1) PROMOTION OF ECONOMIC DEVELOPMENT				
14	(a) Operations and programs	GPR	S	52,050,700	12,050,700
15	(b) Talent attraction and retention				
16	initiatives	GPR	C	5,000,000	5,000,000
17	(br) Main street bounceback grants	GPR	A	25,000,000	25,000,000

ASSEMBLY BILL 43

SECTION 257

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(c) Venture capital fund of funds				
2	program	GPR	C	75,000,000	-0-
3	(k) Transferred general fund moneys				
4	from department of commerce	PR-S	C	-0-	-0-
5	(m) Federal aids; programs	PR-F	C	-0-	-0-
6	(r) Economic development fund;				
7	operations and programs	SEG	C	38,500,000	38,500,000
8	(s) Brownfield site assessment				
9	grants	SEG	B	1,000,000	1,000,000
10		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			157,050,700	42,050,700
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			39,500,000	39,500,000
	OTHER			(39,500,000)	(39,500,000)
	TOTAL-ALL SOURCES			196,550,700	81,550,700
11		20.192 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			157,050,700	42,050,700
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			39,500,000	39,500,000
	OTHER			(39,500,000)	(39,500,000)
	TOTAL-ALL SOURCES			196,550,700	81,550,700
12		Commerce			
13		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			991,610,000	162,479,200
	PROGRAM REVENUE			422,528,900	393,297,100
	FEDERAL			(224,320,000)	(187,577,700)
	OTHER			(182,789,300)	(190,305,900)
	SERVICE			(15,419,600)	(15,413,500)
	SEGREGATED REVENUE			156,014,200	157,033,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(154,014,200)	(155,033,200)
	SERVICE			(2,000,000)	(2,000,000)
	LOCAL			(-0-)	(-0-)

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
TOTAL-ALL SOURCES			1,570,153,100	712,809,500

Education**1 20.220 Wisconsin Artistic Endowment Foundation****2 (1) SUPPORT OF THE ARTS**

3	(a)	Education and marketing	GPR	C	-0-	-0-
4	(q)	General program operations	SEG	A	-0-	-0-
5	(r)	Support of the arts	SEG	C	1,500,000	3,000,000

6 (1) PROGRAM TOTALS

GENERAL PURPOSE REVENUE	-0-	-0-
SEGREGATED REVENUE	1,500,000	3,000,000
OTHER	(1,500,000)	(3,000,000)
TOTAL-ALL SOURCES	1,500,000	3,000,000

7 20.220 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUE	-0-	-0-
SEGREGATED REVENUE	1,500,000	3,000,000
OTHER	(1,500,000)	(3,000,000)
TOTAL-ALL SOURCES	1,500,000	3,000,000

8 20.225 Educational Communications Board**9 (1) INSTRUCTIONAL TECHNOLOGY**

10	(a)	General program operations	GPR	A	3,320,700	3,324,100
11	(b)	Energy costs; energy-related				
12		assessments	GPR	A	860,100	872,700
13	(c)	Principal repayment and interest	GPR	S	1,768,300	1,541,000
14	(eg)	Transmitter construction	GPR	C	-0-	-0-
15	(er)	Transmitter operation	GPR	A	16,800	16,800

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(g) Gifts, grants, contracts, leases,				
2	instructional material, and				
3	copyrights	PR	C	15,349,100	15,359,800
4	(i) Program revenue facilities;				
5	principal repayment, interest,				
6	and rebates	PR	S	-0-	-0-
7	(k) Funds received from other state				
8	agencies	PR-S	C	-0-	-0-
9	(kb) Emergency weather warning				
10	system operation	PR-S	A	152,500	153,000
11	(m) Federal grants	PR-F	C	-0-	-0-
12		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			5,965,900	5,754,600
	PROGRAM REVENUE			15,501,600	15,512,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(15,349,100)	(15,359,800)
	SERVICE			(152,500)	(153,000)
	TOTAL-ALL SOURCES			21,467,500	21,267,400
13		20.225 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			5,965,900	5,754,600
	PROGRAM REVENUE			15,501,600	15,512,800
	FEDERAL			(-0-)	(-0-)
	OTHER			(15,349,100)	(15,359,800)
	SERVICE			(152,500)	(153,000)
	TOTAL-ALL SOURCES			21,467,500	21,267,400
14	20.235 Higher Educational Aids Board				
15	(1) STUDENT SUPPORT ACTIVITIES				
16	(a) Private institution grants for				
17	veterans and dependents	GPR	B	2,500,000	2,500,000

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(b) Wisconsin grants; private,				
2	nonprofit college students	GPR	B	29,929,900	31,426,400
3	(c) Dual enrollment credential grants	GPR	A	500,000	500,000
4	(cg) Nursing student loans	GPR	A	-0-	-0-
5	(cm) Nursing student loan program	GPR	A	445,500	445,500
6	(co) Nurse educators	GPR	C	10,000,000	10,000,000
7	(cr) Minority teacher loans	GPR	A	259,500	259,500
8	(ct) Teacher loan program	GPR	A	272,200	272,200
9	(cu) School leadership loan program	GPR	C	-0-	-0-
10	(cx) Loan program for teachers and				
11	orientation and mobility				
12	instructors of visually impaired				
13	pupils	GPR	A	99,000	99,000
14	(d) Dental education contract	GPR	A	1,733,000	1,733,000
15	(dg) Scholarship program;				
16	scholarships	GPR	A	800,000	800,000
17	(e) Minnesota-Wisconsin public				
18	vocational school student				
19	reciprocity agreement	GPR	S	6,500,000	6,500,000
20	(fc) Independent student grants				
21	program	GPR	B	-0-	-0-
22	(fd) Talent incentive grants	GPR	B	4,458,800	4,458,800
23	(fe) Wisconsin grants; University of				
24	Wisconsin System students	GPR	B	64,988,900	68,238,400

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ff) Wisconsin grants; technical				
2	college students	GPR	B	24,120,300	25,326,400
3	(fg) Minority undergraduate retention				
4	grants program	GPR	B	819,000	819,000
5	(fj) Impaired student grants	GPR	B	122,600	122,600
6	(fm) Wisconsin covenant scholars				
7	grants	GPR	S	-0-	-0-
8	(fp) Primary care and psychiatry				
9	shortage grant program	GPR	C	-0-	-0-
10	(fw) Technical excellence higher				
11	education scholarships	GPR	S	1,100,000	1,100,000
12	(fy) Academic excellence higher				
13	education scholarships	GPR	S	3,022,000	3,022,000
14	(fz) Remission of fees and				
15	reimbursement for veterans and				
16	dependents	GPR	B	6,496,700	6,496,700
17	(g) Student loans	PR	A	-0-	-0-
18	(gg) Nursing student loan repayments	PR	C	-0-	-0-
19	(gm) Indian student assistance;				
20	contributions	PR	C	-0-	-0-
21	(i) Gifts and grants	PR	C	-0-	-0-
22	(k) Indian student assistance	PR-S	B	779,700	779,700
23	(kc) Tribal college payments	PR-S	A	405,000	405,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(km) Wisconsin grants; tribal college				
2	students	PR-S	B	505,900	531,200
3	(no) Federal aid; aids to individuals				
4	and organizations	PR-F	C	150,000	150,000
5		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			158,167,400	164,119,500
	PROGRAM REVENUE			1,840,600	1,865,900
	FEDERAL			(150,000)	(150,000)
	OTHER			(-0-)	(-0-)
	SERVICE			(1,690,600)	(1,715,900)
	TOTAL-ALL SOURCES			160,008,000	165,985,400
6	(2) ADMINISTRATION				
7	(aa) General program operations	GPR	A	2,084,400	2,057,800
8	(bb) Student loan interest, loans sold				
9	or conveyed	GPR	S	-0-	-0-
10	(bc) Write-off of uncollectible student				
11	loans	GPR	A	-0-	-0-
12	(bd) Purchase of defective student				
13	loans	GPR	S	-0-	-0-
14	(ga) Student interest payments	PR	C	900	900
15	(gb) Student interest payments, loans				
16	sold or conveyed	PR	C	-0-	-0-
17	(ia) Student loans; collection and				
18	administration	PR	C	-0-	-0-
19	(ja) Write-off of defaulted student				
20	loans	PR	A	-0-	-0-
21	(n) Federal aid; state operations	PR-F	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(qa) Student loan revenue obligation				
2	repayment	SEG	C	-0-	-0-
3		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			2,084,400	2,057,800
	PROGRAM REVENUE			900	900
	FEDERAL			(-0-)	(-0-)
	OTHER			(900)	(900)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,085,300	2,058,700
4		20.235 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			160,251,800	166,177,300
	PROGRAM REVENUE			1,841,500	1,866,800
	FEDERAL			(150,000)	(150,000)
	OTHER			(900)	(900)
	SERVICE			(1,690,600)	(1,715,900)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			162,093,300	168,044,100
5	20.245 Historical Society				
6	(1) HISTORY SERVICES				
7	(a) General program operations	GPR	A	21,860,200	19,415,400
8	(b) Wisconsin Black Historical				
9	Society and Museum	GPR	A	1,084,500	1,084,500
10	(c) Energy costs; energy-related				
11	assessments	GPR	A	1,208,900	1,233,300
12	(e) Principal repayment, interest,				
13	and rebates	GPR	S	3,999,500	3,960,500
14	(h) Gifts, grants, and membership				
15	sales	PR	C	2,717,200	2,737,200

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(j) Self-amortizing facilities;				
2	principal repayment, interest,				
3	and rebates	PR	S	2,000	2,400
4	(k) Storage facility	PR-S	B	341,600	341,600
5	(km) Northern Great Lakes Center	PR-S	A	236,800	236,800
6	(ks) General program operations -				
7	service funds	PR-S	C	2,100,200	2,101,700
8	(kw) Records management - service				
9	funds	PR-S	C	282,700	282,700
10	(m) General program operations;				
11	federal funds	PR-F	C	2,303,400	2,397,200
12	(n) Federal aids	PR-F	C	-0-	-0-
13	(pz) Indirect cost reimbursements	PR-F	C	300,000	320,000
14	(q) Endowment	SEG	C	726,700	770,200
15	(r) History preservation partnership				
16	trust fund	SEG	C	4,918,600	5,868,600
17	(y) Northern great lakes center;				
18	interpretive programming	SEG	A	82,800	82,800
19		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			28,153,100	25,693,700
	PROGRAM REVENUE			8,283,900	8,419,600
	FEDERAL			(2,603,400)	(2,717,200)
	OTHER			(2,719,200)	(2,739,600)
	SERVICE			(2,961,300)	(2,962,800)
	SEGREGATED REVENUE			5,728,100	6,721,600
	OTHER			(5,728,100)	(6,721,600)
	TOTAL-ALL SOURCES			42,165,100	40,834,900
20		20.245 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			28,153,100	25,693,700

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2023-2024	2024-2025
	PROGRAM REVENUE			8,283,900	8,419,600
	FEDERAL			(2,603,400)	(2,717,200)
	OTHER			(2,719,200)	(2,739,600)
	SERVICE			(2,961,300)	(2,962,800)
	SEGREGATED REVENUE			5,728,100	6,721,600
	OTHER			(5,728,100)	(6,721,600)
	TOTAL-ALL SOURCES			42,165,100	40,834,900
1	20.250 Medical College of Wisconsin				
2	(1) TRAINING OF HEALTH PERSONNEL				
3	(a) Medical student tuition				
4	assistance	GPR	A	1,926,600	1,926,600
5	(b) Family medicine education	GPR	A	5,611,400	5,611,400
6	(c) Principal repayment, interest,				
7	and rebates; biomedical research				
8	and technology incubator	GPR	S	2,679,500	2,191,000
9	(e) Principal repayment and interest	GPR	S	517,000	463,800
10	(f) Psychiatry and behavioral health				
11	residency program	GPR	A	3,500,000	3,500,000
12	(k) Tobacco-related illnesses	PR-S	C	-0-	-0-
13		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			14,234,500	13,692,800
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			14,234,500	13,692,800
14	(2) RESEARCH AND COMMUNITY SUPPORT				
15	(a) Violence prevention grants	GPR	B	7,500,000	7,500,000
16	(g) Cancer research	PR	C	247,500	247,500
17	(h) Prostate cancer research	PR	C	-0-	-0-
18		(2) PROGRAM TOTALS			

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	GENERAL PURPOSE REVENUE			7,500,000	7,500,000
	PROGRAM REVENUE			247,500	247,500
	OTHER			(247,500)	(247,500)
	TOTAL-ALL SOURCES			7,747,500	7,747,500
1		20.250 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			21,734,500	21,192,800
	PROGRAM REVENUE			247,500	247,500
	OTHER			(247,500)	(247,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			21,982,000	21,440,300
2	20.255 Public Instruction, Department of				
3	(1) EDUCATIONAL LEADERSHIP				
4	(a) General program operations	GPR	A	13,469,500	13,587,000
5	(b) General program operations;				
6	Wisconsin Educational Services				
7	Program for the Deaf and Hard of				
8	Hearing and Wisconsin Center for				
9	the Blind and Visually Impaired	GPR	A	13,699,400	13,699,400
10	(c) Energy costs; Wisconsin				
11	Educational Services Program for				
12	the Deaf and Hard of Hearing				
13	and Wisconsin Center for the				
14	Blind and Visually Impaired;				
15	energy-related assessments	GPR	A	503,000	507,600
16	(cm) Electric energy derived from				
17	renewable resources	GPR	A	1,900	1,900
18	(d) Principal repayment and interest	GPR	S	835,500	958,400
19	(dw) Pupil assessment	GPR	A	16,558,400	16,558,400

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(e) Student information system, data				
2	collection and maintenance	GPR	C	3,400,000	3,400,000
3	(ee) Educator effectiveness evaluation				
4	system	GPR	A	1,022,000	1,022,000
5	(eg) Rural school teacher talent pilot				
6	program	GPR	A	1,500,000	1,500,000
7	(ek) Longitudinal data system, data				
8	collection and maintenance	GPR	A	3,038,100	3,038,100
9	(eL) WISElearn	GPR	A	1,159,000	1,159,000
10	(em) Academic and career planning	GPR	C	1,422,500	1,481,500
11	(ep) Mental health and school climate				
12	training programs and grants	GPR	A	1,000,000	1,000,000
13	(er) Early literacy and reading				
14	improvement	GPR	A	9,195,000	9,195,000
15	(f) Assessments of reading readiness	GPR	A	2,151,000	2,151,000
16	(fc) Seal of biliteracy	GPR	A	26,500	284,000
17	(fd) General education development				
18	test fee payments	GPR	S	-0-	500,000
19	(fm) Value-Added Research Center	GPR	A	-0-	-0-
20	(g) Student activity therapy	PR	A	100	100

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gb) Wisconsin Educational Services				
2	Program for the Deaf and Hard of				
3	Hearing and Wisconsin Center for				
4	the Blind and Visually Impaired;				
5	nonresident fees	PR	C	-0-	-0-
6	(ge) Educator effectiveness evaluation				
7	system; fees	PR	C	4,309,500	4,309,500
8	(gL) Wisconsin Educational Services				
9	Program for the Deaf and Hard of				
10	Hearing and Wisconsin Center for				
11	the Blind and Visually Impaired;				
12	leasing of space	PR	C	12,000	12,000
13	(gs) Wisconsin Educational Services				
14	Program for the Deaf and Hard of				
15	Hearing and Wisconsin Center for				
16	the Blind and Visually Impaired;				
17	services	PR	C	7,000	7,000
18	(gt) Wisconsin Educational Services				
19	Program for the Deaf and Hard of				
20	Hearing and Wisconsin Center for				
21	the Blind and Visually Impaired;				
22	pupil transportation	PR	A	1,210,000	1,210,000
23	(he) Student information system; fees	PR	C	-0-	-0-
24	(hg) Personnel licensure, teacher				
25	supply, information and analysis				
26	and teacher improvement	PR	C	4,875,000	4,875,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hj) General educational development				
2	and high school graduation				
3	equivalency	PR	C	124,300	124,300
4	(hm) Services for drivers	PR-S	A	160,900	160,900
5	(i) Publications	PR	C	137,700	137,700
6	(im) Library products and services	PR	C	141,100	141,100
7	(j) Milwaukee Parental Choice				
8	Program and the parental choice				
9	program for eligible school				
10	districts and other school				
11	districts; financial audits	PR	C	143,100	143,100
12	(jg) School lunch handling charges	PR	A	9,999,900	9,999,900
13	(jm) Professional services center				
14	charges	PR	A	106,300	106,300
15	(jr) Gifts, grants and trust funds	PR	C	1,500,000	1,500,000
16	(jz) School district boundary appeal				
17	proceedings	PR	C	10,000	10,000
18	(kd) Alcohol and other drug abuse				
19	program	PR-S	A	641,400	641,400
20	(ke) Funds transferred from other				
21	state agencies; program				
22	operations	PR-S	C	3,131,300	3,076,800
23	(km) State agency library processing				
24	center	PR-S	A	8,100	8,100

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ks) Data processing	PR-S	C	10,999,900	10,999,900
2	(me) Federal aids; program operations	PR-F	C	53,893,300	53,893,300
3	(pz) Indirect cost reimbursements	PR-F	C	5,342,300	5,342,300
4	(q) Digital learning collaborative	SEG	A	1,000,000	1,000,000
5		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			68,981,800	70,043,300
	PROGRAM REVENUE			96,753,200	96,698,700
	FEDERAL			(59,235,600)	(59,235,600)
	OTHER			(22,576,000)	(22,576,000)
	SERVICE			(14,941,600)	(14,887,100)
	SEGREGATED REVENUE			1,000,000	1,000,000
	OTHER			(1,000,000)	(1,000,000)
	TOTAL-ALL SOURCES			166,735,000	167,742,000
6	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
7	(ac) General equalization aids	GPR	A	5,431,295,000	6,011,367,400
8	(ad) Supplemental aid	GPR	A	100,000	100,000
9	(ae) Sparsity aid	GPR	A	28,614,000	28,614,000
10	(af) Belmont school library aid	GPR	A	-0-	-0-
11	(aq) Per pupil aid	GPR	S	608,973,800	640,224,200
12	(ar) Low revenue adjustment aid	GPR	A	-0-	-0-
13	(aw) Personal electronic computing				
14	devices; grant program	GPR	A	-0-	-0-
15	(az) Special Needs Scholarship				
16	Program	GPR	S	34,112,900	36,030,000
17	(b) Aids for special education and				
18	school age parents programs	GPR	S	1,009,278,600	1,039,556,900
19	(bc) Aid for children-at-risk programs	GPR	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bd) Additional special education aid	GPR	S	13,032,000	17,376,000
2	(bf) Aid for special education				
3	transition grants	GPR	A	3,600,000	3,600,000
4	(bg) Special education transition				
5	readiness grants	GPR	A	1,500,000	1,500,000
6	(bh) Aid to county children with				
7	disabilities education boards	GPR	A	4,067,300	4,067,300
8	(bj) Grants for milk coolers and				
9	dispensers	GPR	A	-0-	50,000
10	(bk) Locally sourced food incentive				
11	payments	GPR	A	-0-	2,750,000
12	(br) School district consolidation aid	GPR	S	-0-	-0-
13	(bs) School district consolidation				
14	grants	GPR	A	-0-	-0-
15	(cc) Bilingual-bicultural education				
16	aids	GPR	S	16,788,900	22,743,000
17	(cd) Aid for English language				
18	acquisition	GPR	S	25,992,000	25,992,000
19	(cg) Tuition payments; full-time open				
20	enrollment transfer payments	GPR	A	8,242,900	8,242,900
21	(ch) Grow your own programs; teacher				
22	pipeline capacity building	GPR	A	-0-	5,000,000
23	(cm) Reimbursement for school				
24	breakfast programs	GPR	C	6,837,300	7,173,500

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cn) Aids for school lunches and				
2	nutritional improvement	GPR	A	4,218,100	4,218,100
3	(co) Supplemental nutrition aid	GPR	S	-0-	120,168,500
4	(cp) Wisconsin school day milk				
5	program	GPR	A	1,000,000	1,000,000
6	(cq) High cost transportation aid	GPR	A	27,360,000	27,360,000
7	(cr) Aid for pupil transportation	GPR	A	24,000,000	24,000,000
8	(cs) Aid for debt service	GPR	A	133,700	133,700
9	(cu) Achievement gap reduction				
10	contracts	GPR	A	109,184,500	109,184,500
11	(cv) Driver education aid	GPR	A	-0-	6,500,000
12	(cy) Aid for transportation; open				
13	enrollment and early college				
14	credit program	GPR	A	454,200	454,200
15	(db) Aid for school-based mental				
16	health professionals; staff	GPR	A	30,000,000	30,000,000
17	(dc) Aid for comprehensive school				
18	mental health services	GPR	A	127,914,300	127,914,300
19	(de) Mathematics partnership grant	GPR	A	-0-	10,000,000
20	(dj) Summer school programs; grants	GPR	A	1,400,000	1,400,000
21	(dk) Out-of-school-time programs;				
22	grants	GPR	C	-0-	20,000,000
23	(dp) Four-year-old kindergarten				
24	grants	GPR	A	1,350,000	1,350,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(dr) Robotics league participation				
2	grants	GPR	A	500,000	500,000
3	(ds) Computer science education				
4	grants	GPR	A	5,000,000	5,000,000
5	(du) Peer-to-peer suicide prevention				
6	programs; grants	GPR	A	250,000	250,000
7	(eb) Grant for information technology				
8	education	GPR	A	875,000	875,000
9	(ef) Personal financial literacy grants	GPR	B	2,500,000	2,500,000
10	(eh) Head start supplement	GPR	A	6,264,100	6,264,100
11	(ek) Educator effectiveness evaluation				
12	system; grants to school districts	GPR	A	5,746,000	5,746,000
13	(er) Early literacy and reading				
14	improvement; stipends	GPR	A	805,000	805,000
15	(fg) Aid for cooperative educational				
16	service agencies	GPR	A	-0-	-0-
17	(fk) Grant program for peer review				
18	and mentoring	GPR	A	1,606,700	1,606,700
19	(fm) Charter schools	GPR	S	92,502,500	101,814,500
20	(fp) Charter schools; office of				
21	educational opportunity	GPR	S	15,122,000	16,625,800
22	(fq) Charter schools; office of				
23	educational opportunity recovery				
24	charter schools	GPR	S	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(fr) Parental choice program for				
2	eligible school districts and other				
3	school districts	GPR	S	203,552,100	219,476,900
4	(fs) Opportunity schools and				
5	partnership programs	GPR	S	-0-	-0-
6	(fu) Milwaukee parental choice				
7	program	GPR	S	254,244,500	274,063,000
8	(fv) Milwaukee Parental Choice				
9	Program and the parental choice				
10	program for eligible school				
11	districts and other school				
12	districts; transfer pupils	GPR	S	-0-	-0-
13	(fy) Grants to support gifted and				
14	talented pupils	GPR	A	474,400	474,400
15	(k) Funds transferred from other				
16	state agencies; local aids	PR-S	C	16,000,000	16,000,000
17	(kd) Aid for alcohol and other drug				
18	abuse programs	PR-S	A	1,284,700	1,284,700
19	(kg) Grants to replace certain				
20	race-based nicknames, logos,				
21	mascots, and team names	PR-S	A	-0-	-0-
22	(km) Tribal language revitalization				
23	grants	PR-S	A	222,800	222,800
24	(m) Federal aids; local aid	PR-F	C	760,633,500	760,633,500
25	(s) School library aids	SEG	C	52,000,000	52,000,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			8,108,891,800	8,974,071,900
	PROGRAM REVENUE			778,141,000	778,141,000
	FEDERAL			(760,633,500)	(760,633,500)
	SERVICE			(17,507,500)	(17,507,500)
	SEGREGATED REVENUE			52,000,000	52,000,000
	OTHER			(52,000,000)	(52,000,000)
	TOTAL-ALL SOURCES			8,939,032,800	9,804,212,900
2	(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS				
3	(b) Adult literacy grants	GPR	A	825,700	825,700
4	(bm) General educational development				
5	test fee payments	GPR	S	-0-	-0-
6	(c) Grants for national teacher				
7	certification or master educator				
8	licensure	GPR	S	2,910,000	2,910,000
9	(ci) Teacher improvement program				
10	stipends	GPR	S	-0-	2,400,000
11	(cL) Library intern stipend payments	GPR	S	-0-	50,000
12	(cs) Student teacher stipends	GPR	S	-0-	7,000,000
13	(ct) Cooperating teacher stipends	GPR	S	-0-	2,033,000
14	(d) Elks and Easter Seals Center for				
15	Respite and Recreation	GPR	A	73,900	73,900
16	(df) Online early learning program;				
17	grant	GPR	A	500,000	500,000
18	(dn) Project Lead the Way grants	GPR	A	-0-	-0-
19	(eb) Grants for bullying prevention	GPR	A	150,000	150,000
20	(eg) Milwaukee Public Museum	GPR	A	42,200	42,200

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(f) Interstate compact on educational					
2	opportunity for military children	GPR	S	900	900	
3	(fa) Very special arts	GPR	A	100,000	100,000	
4	(fc) College Possible, Inc.	GPR	A	500,000	500,000	
5	(fg) Special Olympics	GPR	A	100,000	100,000	
6	(fr) Wisconsin Reading Corps	GPR	A	3,000,000	4,000,000	
7	(fs) The Literacy Lab	GPR	A	75,000	1,370,000	
8	(ft) Reach Out and Read	GPR	A	250,000	250,000	
9	(fv) Graduation Alliance	GPR	A	2,000,000	2,000,000	
10	(fw) Mentor Greater Milwaukee	GPR	B	100,000	-0-	
11	(fz) Precollege scholarships	GPR	A	1,931,500	1,931,500	
12	(ge) Special Olympics Wisconsin	PR	C	-0-	-0-	
13	(mm) Federal funds; local assistance	PR-F	C	1,300,000	1,300,000	
14	(ms) Federal funds; individuals and					
15	organizations	PR-F	C	62,868,500	62,868,500	
16	(q) Periodical and reference					
17	information databases; Newsline					
18	for the Blind	SEG	A	3,387,300	3,486,300	
19	(qm) Aid to public library systems	SEG	A	27,013,100	27,013,100	
20	(r) Library service contracts	SEG	A	1,367,700	1,397,500	
21	(s) Recollection Wisconsin	SEG	A	150,000	300,000	
22						
		(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			12,559,200	26,237,200	
	PROGRAM REVENUE			64,168,500	64,168,500	
	FEDERAL			(64,168,500)	(64,168,500)	
	OTHER			(-0-)	(-0-)	

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	SEGREGATED REVENUE			31,918,100	32,196,900
	OTHER			(31,918,100)	(32,196,900)
	TOTAL-ALL SOURCES			108,645,800	122,602,600
1		20.255 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			8,190,432,800	9,070,352,400
	PROGRAM REVENUE			939,062,700	939,008,200
	FEDERAL			(884,037,600)	(884,037,600)
	OTHER			(22,576,000)	(22,576,000)
	SERVICE			(32,449,100)	(32,394,600)
	SEGREGATED REVENUE			84,918,100	85,196,900
	OTHER			(84,918,100)	(85,196,900)
	TOTAL-ALL SOURCES			9,214,413,600	10,094,557,500
2	20.285 University of Wisconsin System				
3	(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
4	(a) General program operations	GPR	B	1,036,236,200	1,081,949,700
5	(am) Electric energy derived from				
6	renewable resources	GPR	A	4,367,000	4,367,000
7	(ar) Freshwater collaborative	GPR	C	2,500,000	2,500,000
8	(at) Financial futures incentive				
9	program	GPR	C	1,000,000	1,000,000
10	(av) Veterans services	GPR	C	1,209,500	1,612,500
11	(aw) Rural Wisconsin				
12	entrepreneurship initiative	GPR	C	-0-	254,100
13	(ax) Farm and industry short course				
14	at the University of				
15	Wisconsin-River Falls	GPR	B	402,300	297,700
16	(b) Tommy G. Thompson Center on				
17	Public Leadership	GPR	A	1,534,500	1,534,500

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(br) Wisconsin health care provider				
2	loan assistance program	GPR	C	500,000	500,000
3	(bt) Missing-in-Action Recovery and				
4	Identification Project	GPR	C	500,000	500,000
5	(c) Graduate psychiatric nursing				
6	education	GPR	A	261,500	261,500
7	(cr) Foster youth programming	GPR	A	500,000	500,000
8	(d) Principal repayment and interest	GPR	S	193,786,000	224,509,600
9	(e) Grants to meet emergency				
10	financial need	GPR	C	130,000	130,000
11	(fd) State laboratory of hygiene;				
12	general program operations	GPR	A	17,090,200	17,100,700
13	(fj) Veterinary diagnostic laboratory	GPR	A	5,982,000	6,129,800
14	(fm) UniverCity alliance program	GPR	A	300,000	300,000
15	(gb) General program operations	PR	C	2,967,003,300	2,967,006,700
16	(ge) Gifts and nonfederal grants and				
17	contracts	PR	C	717,083,200	717,083,200
18	(gj) Self-amortizing facilities				
19	principal and interest	PR	S	175,487,200	164,871,200
20	(i) State laboratory of hygiene	PR	C	34,293,800	34,293,800
21	(ia) State laboratory of hygiene,				
22	drivers	PR-S	C	1,619,200	1,619,200
23	(je) Veterinary diagnostic laboratory;				
24	fees	PR	C	6,838,600	6,838,600

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(k) Funds transferred from other				
2	state agencies	PR-S	C	56,696,300	56,696,300
3	(kg) Veterinary diagnostic laboratory;				
4	state agencies	PR-S	C	784,300	784,300
5	(Li) General fund interest	PR	C	-0-	-0-
6	(m) Federal aid	PR-F	C	1,637,609,000	1,637,609,000
7	(mc) Veterinary diagnostic laboratory;				
8	federal funds	PR-F	C	367,700	367,700
9	(q) Telecommunications services	SEG	A	1,054,800	1,054,800
10	(qe) Rural physician residency				
11	assistance program	SEG	B	868,000	868,000
12	(qj) Physician and dentist and health				
13	care provider loan assistance				
14	programs; critical access hospital				
15	assessment fund	SEG	B	310,000	310,000
16	(qm) Grants for forestry programs	SEG	A	141,600	141,600
17	(qr) Discovery farm grants	SEG	A	262,000	262,000
18	(rm) Environmental program grants				
19	and scholarships; Wisconsin				
20	Merit scholarships	SEG	C	311,900	311,900
21	(sp) Wisconsin Institute for				
22	Sustainable Technology	SEG	A	-0-	-0-
23	(u) Trust fund income	SEG	C	27,064,600	27,064,600
24	(w) Trust fund operations	SEG	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,266,299,200	1,343,447,100
	PROGRAM REVENUE			5,597,782,600	5,587,170,000
	FEDERAL			(1,637,976,700)	(1,637,976,700)
	OTHER			(3,900,706,100)	(3,890,093,500)
	SERVICE			(59,099,800)	(59,099,800)
	SEGREGATED REVENUE			30,012,900	30,012,900
	OTHER			(30,012,900)	(30,012,900)
	TOTAL-ALL SOURCES			6,894,094,700	6,960,630,000
2		20.285 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			1,266,299,200	1,343,447,100
	PROGRAM REVENUE			5,597,782,600	5,587,170,000
	FEDERAL			(1,637,976,700)	(1,637,976,700)
	OTHER			(3,900,706,100)	(3,890,093,500)
	SERVICE			(59,099,800)	(59,099,800)
	SEGREGATED REVENUE			30,012,900	30,012,900
	OTHER			(30,012,900)	(30,012,900)
	TOTAL-ALL SOURCES			6,894,094,700	6,960,630,000
3	20.292 Technical College System Board				
4	(1) TECHNICAL COLLEGE SYSTEM				
5	(a) General program operations	GPR	A	4,050,400	4,050,400
6	(am) Fee remissions	GPR	A	14,200	14,200
7	(c) Grants to technical colleges for				
8	dual enrollment courses related to				
9	health care	GPR	A	2,000,000	2,000,000
10	(d) State aid for technical colleges;				
11	statewide guide	GPR	A	136,184,900	136,184,900
12	(dp) Property tax relief aid	GPR	S	449,000,000	449,000,000
13	(e) Grants to meet emergency				
14	financial need	GPR	C	320,000	320,000
15	(f) Grants to district boards	GPR	C	31,374,200	26,374,200

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(g) Text materials	PR	A	115,500	115,500
2	(ga) Auxiliary services	PR	C	15,200	15,200
3	(gm) Fire schools; state operations	PR	A	471,900	471,900
4	(gr) Fire schools; local assistance	PR	A	600,000	600,000
5	(h) Gifts and grants	PR	C	20,600	20,600
6	(hm) Truck driver training	PR-S	C	150,000	150,000
7	(i) Conferences	PR	C	72,600	72,600
8	(j) Personnel certification	PR	A	285,900	285,900
9	(k) Gifts and grants	PR	C	30,200	30,200
10	(ka) Interagency projects; local				
11	assistance	PR-S	A	2,000,000	2,000,000
12	(kb) Interagency projects; state				
13	operations	PR-S	A	251,700	251,700
14	(kd) Transfer of Indian gaming				
15	receipts; work-based learning				
16	programs	PR-S	A	594,000	594,000
17	(km) Master logger apprenticeship				
18	grants	PR-S	C	-0-	-0-
19	(kx) Interagency and intra-agency				
20	programs	PR-S	C	57,900	57,900
21	(L) Services for district boards	PR	A	48,500	48,500
22	(m) Federal aid, state operations	PR-F	C	3,501,000	3,501,000
23	(n) Federal aid, local assistance	PR-F	C	28,424,300	28,424,300

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(o) Federal aid, aids to individuals				
2	and organizations	PR-F	C	800,000	800,000
3	(pz) Indirect cost reimbursements	PR-F	C	196,000	196,000
4	(q) Agricultural education consultant	GPR	A	81,200	81,200
5	(r) Veteran grant jobs pilot program	SEG	A	-0-	-0-
6		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			623,024,900	618,024,900
	PROGRAM REVENUE			37,635,300	37,635,300
	FEDERAL			(32,921,300)	(32,921,300)
	OTHER			(1,660,400)	(1,660,400)
	SERVICE			(3,053,600)	(3,053,600)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			660,660,200	655,660,200
7		20.292 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			623,024,900	618,024,900
	PROGRAM REVENUE			37,635,300	37,635,300
	FEDERAL			(32,921,300)	(32,921,300)
	OTHER			(1,660,400)	(1,660,400)
	SERVICE			(3,053,600)	(3,053,600)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			660,660,200	655,660,200
8		Education			
9		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			10,295,862,200	11,250,642,800
	PROGRAM REVENUE			6,600,355,100	6,589,860,200
	FEDERAL			(2,557,689,000)	(2,557,802,800)
	OTHER			(3,943,259,200)	(3,932,677,700)
	SERVICE			(99,406,900)	(99,379,700)
	SEGREGATED REVENUE			122,159,100	124,931,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(122,159,100)	(124,931,400)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			17,018,376,400	17,965,434,400

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
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Environmental Resources

1	20.320 Environmental Improvement Program			
2	(1) CLEAN WATER FUND PROGRAM OPERATIONS			
3	(a) Environmental aids - clean water			
4	fund program	GPR	A	-0- -0-
5	(c) Principal repayment and interest			
6	- clean water fund program	GPR	S	2,154,400 3,451,800
7	(r) Clean water fund program			
8	repayment of revenue obligations	SEG	S	-0- -0-
9	(s) Clean water fund program			
10	financial assistance	SEG	S	-0- -0-
11	(sm) Land recycling loan program			
12	financial assistance	SEG	S	-0- -0-
13	(t) Principal repayment and interest			
14	- clean water fund program bonds	SEG	A	6,000,000 4,500,000
15	(u) Principal repayment and interest			
16	- clean water fund program			
17	revenue obligation repayment	SEG	C	-0- -0-
18	(x) Clean water fund program			
19	financial assistance; federal	SEG-F	C	-0- -0-
20	(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			2,154,400 3,451,800
	SEGREGATED REVENUE			6,000,000 4,500,000
	FEDERAL			(-0-) (-0-)
	OTHER			(6,000,000) (4,500,000)
	TOTAL-ALL SOURCES			8,154,400 7,951,800

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
2	(a) Lead service line replacement	GPR	C	200,000,000	-0-
3	(c) Principal repayment and interest				
4	- safe drinking water loan				
5	program	GPR	S	3,354,900	3,377,700
6	(r) Safe drinking water loan program				
7	repayment of revenue obligations	SEG	S	-0-	-0-
8	(s) Safe drinking water loan				
9	programs financial assistance	SEG	S	-0-	-0-
10	(u) Principal repayment and interest				
11	- safe drinking water loan				
12	program revenue obligation				
13	repayment	SEG	C	-0-	-0-
14	(x) Safe drinking water loan				
15	programs financial assistance;				
16	federal	SEG-F	C	-0-	-0-
17	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			203,354,900	3,377,700
	SEGREGATED REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			203,354,900	3,377,700
18	20.320 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			205,509,300	6,829,500
	SEGREGATED REVENUE			6,000,000	4,500,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(6,000,000)	(4,500,000)
	TOTAL-ALL SOURCES			211,509,300	11,329,500

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.360 Lower Wisconsin State Riverway Board				
2	(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY				
3	(g) Gifts and grants	PR	C	-0-	-0-
4	(q) General program operations -				
5	conservation fund	SEG	A	266,000	266,000
6		(1) PROGRAM TOTALS			
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			266,000	266,000
	OTHER			(266,000)	(266,000)
	TOTAL-ALL SOURCES			266,000	266,000
7		20.360 DEPARTMENT TOTALS			
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			266,000	266,000
	OTHER			(266,000)	(266,000)
	TOTAL-ALL SOURCES			266,000	266,000
8	20.370 Natural Resources, Department of				
9	(1) FISH, WILDLIFE, AND PARKS				
10	(ea) Parks - general program				
11	operations	GPR	A	-0-	-0-
12	(ed) Parks - admission receipt fee				
13	waivers	GPR	S	243,600	243,600
14	(eq) Parks and forests - operation and				
15	maintenance	SEG	S	-0-	-0-
16	(er) Parks - campground reservation				
17	fees	SEG	C	1,250,000	1,250,000
18	(es) Parks - interpretive programs	SEG	C	94,800	94,800

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(et) Parks and forests - online sales				
2	systems	SEG	C	338,000	338,000
3	(fb) Endangered resources - general				
4	program operations	GPR	A	-0-	-0-
5	(fc) Endangered resources -				
6	Wisconsin stewardship program	GPR	A	-0-	-0-
7	(fd) Endangered resources - natural				
8	heritage inventory program	GPR	A	361,000	361,000
9	(fe) Endangered resources - general				
10	fund	GPR	S	950,000	950,000
11	(fs) Endangered resources -				
12	voluntary payments; sales, leases,				
13	and fees	SEG	C	1,013,400	1,013,400
14	(ft) Endangered resources -				
15	application fees	SEG	C	-0-	-0-
16	(fu) Endangered resources program -				
17	gifts and grants; sale of				
18	state-owned lands	SEG	C	-0-	-0-
19	(gb) Education programs - program				
20	fees	PR	C	67,200	67,200
21	(gh) Horicon Marsh education and				
22	visitor center - program fees	PR	C	-0-	-0-
23	(gt) Habitat conservation plan fees	SEG	C	9,900	9,900
24	(hc) Indemnification agreements	GPR	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hk) Elk management	PR-S	A	108,000	108,000
2	(hq) Elk hunting fees	SEG	C	-0-	-0-
3	(hr) Pheasant restoration	SEG	C	236,400	236,400
4	(hs) Chronic wasting disease				
5	management	SEG	A	-0-	-0-
6	(ht) Wild turkey restoration	SEG	C	776,100	776,100
7	(hu) Wetlands habitat improvement	SEG	C	530,000	530,000
8	(hv) Aquatic and terrestrial resources				
9	inventory	SEG	A	121,600	121,600
10	(hw) Pheasant stocking and				
11	propagation	SEG	C	513,800	513,800
12	(hx) Bonus deer permit fees; chronic				
13	wasting disease	SEG	C	-0-	-0-
14	(iu) Gravel pit reclamation	SEG	C	-0-	-0-
15	(jr) Rental property and equipment -				
16	maintenance and replacement	SEG	C	271,600	271,600
17	(kb) Walleye production; contracts	GPR	A	500,000	500,000
18	(kc) Sea lamprey control	GPR	C	-0-	-0-
19	(kf) Wild rice stewardship in ceded				
20	territory waters	GPR	A	200,000	200,000
21	(kg) Walleye production; revenue	PR	C	-0-	-0-
22	(kk) Fishery resources for ceded				
23	territories	PR-S	A	201,800	201,800

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kq) Taxes and assessments;				
2	conservation fund	SEG	A	297,000	297,000
3	(kr) Commercial fish protection and				
4	Great Lakes resource surcharges	SEG	C	25,000	25,000
5	(kt) Great Lakes vessel rental costs	SEG	C	-0-	-0-
6	(ku) Great Lakes trout and salmon	SEG	C	1,671,800	1,671,800
7	(kv) Trout habitat improvement	SEG	C	1,749,700	1,719,100
8	(kw) Sturgeon stock and habitat	SEG	C	195,400	195,400
9	(ky) Sturgeon stock and habitat -				
10	inland waters	SEG	C	57,900	57,900
11	(Lk) Reintroduction of whooping				
12	cranes	PR-S	A	71,800	71,800
13	(Lq) Trapper education program	SEG	C	48,200	48,200
14	(Lr) Beaver control; fish and wildlife				
15	account	SEG	C	36,200	36,200
16	(Ls) Control of wild animals	SEG	C	324,100	324,100
17	(Lt) Wildlife management	SEG	A	-0-	-0-
18	(Lu) Fish and wildlife habitat	SEG	S	-0-	-0-
19	(Lv) Deer management assistance				
20	program	SEG	C	-0-	-0-
21	(ma) General program operations -				
22	state funds	GPR	A	1,365,100	1,315,100
23	(mi) General program operations -				
24	private and public sources	PR	C	754,200	754,200

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(mk) General program operations -				
2	service funds	PR-S	C	192,700	192,700
3	(mm) General program operations -				
4	federal funds	PR-F	C	321,200	321,200
5	(mq) General program operations -				
6	state snowmobile trails and areas	SEG	A	221,000	221,000
7	(ms) General program operations -				
8	state all-terrain vehicle and				
9	utility terrain vehicle projects	SEG	A	606,300	606,300
10	(mt) Land preservation and				
11	management - endowment fund	SEG	S	-0-	-0-
12	(mu) General program operations -				
13	state funds	SEG	A	-0-	-0-
14	Wildlife management	SEG	A	13,913,800	13,931,600
15	Southern forests	SEG	A	6,051,800	7,660,300
16	Parks and recreation	SEG	A	19,244,300	20,566,200
17	Natural Heritage Conservation	SEG	A	1,393,400	1,393,400
18	Fisheries management	SEG	A	19,183,400	18,987,400
19	Recreation and property				
20	management	SEG	A	6,744,100	6,745,400
21	Fish, wildlife and parks program				
22	management	SEG	A	962,100	962,100
23	NET APPROPRIATION			67,492,900	70,246,400

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(my) General program operations -				
2	federal funds	SEG-F	C	-0-	-0-
3	Wildlife management	SEG-F	C	9,582,500	9,582,500
4	Southern forests	SEG-F	C	206,400	206,400
5	Parks and recreation	SEG-F	C	788,500	788,500
6	Natural Heritage Conservation	SEG-F	C	2,618,600	2,562,000
7	Fisheries management	SEG-F	C	7,324,500	7,324,500
8	Recreation and property				
9	management	SEG-F	C	1,581,500	1,581,500
10	NET APPROPRIATION			22,102,000	22,045,400
11		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			3,619,700	3,569,700
	PROGRAM REVENUE			1,716,900	1,716,900
	FEDERAL			(321,200)	(321,200)
	OTHER			(821,400)	(821,400)
	SERVICE			(574,300)	(574,300)
	SEGREGATED REVENUE			99,983,100	102,649,400
	FEDERAL			(22,102,000)	(22,045,400)
	OTHER			(77,881,100)	(80,604,000)
	TOTAL-ALL SOURCES			105,319,700	107,936,000
12	(2) FORESTRY				
13	(cq) Forestry - reforestation	SEG	C	100,500	100,500
14	(cr) Forestry - recording fees	SEG	C	89,100	89,100
15	(cs) Forestry - forest fire emergencies	SEG	C	-0-	-0-
16	(ct) Timber sales contracts - repair				
17	and reimbursement costs	SEG	C	-0-	-0-
18	(cu) Forestry - forestry education				
19	curriculum	SEG	A	367,500	367,500

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cv) Forestry - forestry emergency				
2	reserve	SEG	C	-0-	-0-
3	(cw) Forestry - Pattison				
4	communications tower	SEG	C	-0-	-0-
5	(cx) Forestry - management plans	SEG	C	316,800	316,800
6	(cy) Forestry - cooperating foresters				
7	and private contractors	SEG	C	-0-	-0-
8	(cz) Forestry - management of				
9	national forest land	SEG	C	-0-	-0-
10	(jq) Forestry-industry-wide strategic				
11	plan	SEG	C	775,000	-0-
12	(jr) Rental property and equipment -				
13	maintenance and replacement	SEG	C	245,500	245,500
14	(mi) General program operations -				
15	private and public sources	PR	C	183,000	183,000
16	(mk) General program operations -				
17	service funds	PR-S	C	400,700	400,700
18	(mv) General program operations -				
19	state funds; forestry	SEG	A	58,174,100	57,598,500
20	(mz) Forest fire emergencies - federal				
21	funds	SEG-F	C	-0-	-0-
22	(nz) General program operations -				
23	federal funds	SEG-F	C	1,691,200	1,691,200
24		(2) PROGRAM TOTALS			
	PROGRAM REVENUE			583,700	583,700
	OTHER			(183,000)	(183,000)

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2023-2024	2024-2025
	SERVICE			(400,700)	(400,700)
	SEGREGATED REVENUE			61,759,700	60,409,100
	FEDERAL			(1,691,200)	(1,691,200)
	OTHER			(60,068,500)	(58,717,900)
	TOTAL-ALL SOURCES			62,343,400	60,992,800
1	(3) PUBLIC SAFETY				
2	(aq) Law enforcement - snowmobile				
3	enforcement and safety training	SEG	A	1,536,900	1,539,100
4	(ar) Law enforcement - boat				
5	enforcement and safety training	SEG	A	2,979,300	2,983,000
6	(as) Law enforcement - all-terrain				
7	vehicle and utility terrain vehicle				
8	enforcement	SEG	A	1,410,300	1,411,800
9	(at) Education and safety programs	SEG	C	337,600	337,600
10	(ax) Law enforcement - water				
11	resources enforcement	SEG	A	282,500	282,500
12	(ay) Off-highway motorcycle safety				
13	certification program	SEG	C	-0-	-0-
14	(bg) Enforcement - stationary sources	PR	A	-0-	-0-
15	(ca) Law enforcement - technology;				
16	state funds	GPR	B	-0-	-0-
17	(cq) Law enforcement - technology;				
18	environmental fund	SEG	B	-0-	-0-
19	(cr) Law enforcement - technology;				
20	conservation fund	SEG	B	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ma) General program operations -				
2	state funds	GPR	A	1,736,100	1,736,100
3	(mi) General program operations -				
4	private and public sources	PR	C	4,200	4,200
5	(mk) General program operations -				
6	service funds	PR-S	C	-0-	-0-
7	(mm) General program operations -				
8	federal funds	PR-F	C	844,800	844,800
9	(mq) General program operations -				
10	environmental fund	SEG	A	2,098,600	2,105,400
11	(mu) General program operations -				
12	state funds	SEG	A	24,391,500	24,447,500
13	(my) General program operations -				
14	federal funds	SEG-F	C	3,689,600	3,689,600
15		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,736,100	1,736,100
	PROGRAM REVENUE			849,000	849,000
	FEDERAL			(844,800)	(844,800)
	OTHER			(4,200)	(4,200)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			36,726,300	36,796,500
	FEDERAL			(3,689,600)	(3,689,600)
	OTHER			(33,036,700)	(33,106,900)
	TOTAL-ALL SOURCES			39,311,400	39,381,600
16	(4) ENVIRONMENTAL MANAGEMENT				
17	(ac) Wisconsin River monitoring and				
18	study	GPR	A	-0-	-0-
19	(af) Water resources - remedial action	GPR	C	50,000	50,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ag) Water resources - pollution				
2	credits	PR	C	-0-	-0-
3	(ah) Water resources - Great Lakes				
4	protection fund	PR	C	214,900	214,900
5	(ai) Water resources - water use fees	PR	C	907,600	907,600
6	(aj) Water resources commercial				
7	vessel arrival fees	PR	C	324,200	324,200
8	(aq) Water resources management -				
9	lake, river, and invasive species				
10	management	SEG	A	2,419,000	2,419,000
11	(ar) Water resources - groundwater				
12	management	SEG	B	91,900	91,900
13	(au) Cooperative remedial action;				
14	contributions	SEG	C	-0-	-0-
15	(av) Cooperative remedial action;				
16	interest on contributions	SEG	S	-0-	-0-
17	(bL) Wastewater management - fees	PR	C	174,400	174,400
18	(bn) Air management - emission				
19	analysis	PR	C	-0-	-0-
20	(bo) Air management - permit review				
21	and enforcement	PR	A	2,412,700	2,412,700
22	(bp) Air waste management -				
23	incinerator operator certification	PR	C	-0-	-0-
24	(bt) Air management - mobile sources	SEG	A	1,507,900	1,507,900

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cg) Groundwater quantity				
2	administration	PR	A	656,600	656,600
3	(ch) Groundwater quantity research	PR	B	84,500	84,500
4	(cL) Air management - recovery of				
5	ozone-depleting refrigerants	PR	A	154,700	154,700
6	(cm) Air management - state permit				
7	sources	PR	A	1,545,200	1,545,200
8	(cn) Air management - asbestos				
9	management	PR	C	825,000	825,000
10	(co) Air management - stationary				
11	sources	PR	A	5,139,000	5,139,000
12	(cq) River and stream monitoring and				
13	study	SEG	A	-0-	-0-
14	(cr) Hydrologic evaluation and				
15	modeling	SEG	C	-0-	-0-
16	(cv) Air quality monitoring stations	SEG	B	30,000	30,000
17	(cw) Air management - motor vehicle				
18	emission inspection and				
19	maintenance program, petroleum				
20	inspection fund	SEG	A	22,300	22,300
21	(dg) Solid waste management - solid				
22	and hazardous waste disposal				
23	administration	PR	C	2,758,500	2,758,500

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(dh) Solid waste management -				
2	remediated property	PR	C	991,600	991,600
3	(dq) Solid waste management - waste				
4	management fund	SEG	C	-0-	-0-
5	(dt) Solid waste management -				
6	closure and long-term care	SEG	C	-0-	-0-
7	(du) Solid waste management -				
8	site-specific remediation	SEG	C	-0-	-0-
9	(dv) Solid waste management -				
10	environmental repair; spills;				
11	abandoned containers	SEG	C	3,792,700	3,792,700
12	(dw) Solid waste management -				
13	environmental repair; petroleum				
14	spills; administration	SEG	A	4,066,400	4,066,400
15	(dy) Solid waste management -				
16	corrective action; proofs of				
17	financial responsibility	SEG	C	-0-	-0-
18	(dz) Solid waste management -				
19	corrective action; moneys				
20	recovered from assessments and				
21	legal action	SEG	C	-0-	-0-
22	(eg) Solid waste facility siting board				
23	fee	PR	C	-0-	-0-
24	(eh) Solid waste management - source				
25	reduction review	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(fq) Indemnification agreements	SEG	S	-0-	-0-
2	(gr) Solid waste management -				
3	mining programs	SEG	C	-0-	-0-
4	(hq) Recycling; administration	SEG	A	1,267,900	1,267,900
5	(hr) Electronic waste recycling	SEG	C	167,600	167,600
6	(hs) Electronic waste cleanup	SEG	C	-0-	-0-
7	(jq) Beaver Dam Lake restoration	SEG	B	-0-	-0-
8	(jr) Clam Falls dam project	SEG	B	-0-	-0-
9	(js) Dead Pike Lake restoration	SEG	B	-0-	-0-
10	(jt) Southeastern Wisconsin Fox				
11	River Commission grant	SEG	B	-0-	-0-
12	(ju) Nekoosa storm water project	SEG	B	-0-	-0-
13	(kg) Aquatic plant management	PR	C	-0-	-0-
14	(ks) Aquatic invasive species control;				
15	voluntary contributions	SEG	C	68,600	68,600
16	(ma) General program operations -				
17	state funds	GPR	A	-0-	-0-
18	Drinking water and groundwater	GPR	A	2,872,600	2,872,600
19	Water quality	GPR	A	6,924,900	6,894,300
20	Waste and materials				
21	management	GPR	A	541,200	541,200
22	Remediation and redevelopment	GPR	A	1,064,500	1,064,500

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	Environmental management				
2	program management	GPR	A	697,500	697,500
3	NET APPROPRIATION			12,100,700	12,070,100
4	(mi) General program operations -				
5	private and public sources	PR	C	117,200	117,200
6	(mk) General program operations -				
7	service funds	PR-S	C	62,800	82,300
8	(mm) General program operations -				
9	federal funds	PR-F	C	-0-	-0-
10	Drinking water and groundwater	PR-F	C	5,831,500	5,831,500
11	Water quality	PR-F	C	10,114,700	10,065,100
12	Air management	PR-F	C	3,616,400	3,616,400
13	Waste and materials				
14	management	PR-F	C	2,213,500	2,213,500
15	Remediation and redevelopment	PR-F	C	3,429,600	3,429,600
16	NET APPROPRIATION			25,205,700	25,156,100
17	(mq) General program operations -				
18	environmental fund	SEG	A	-0-	-0-
19	Drinking water and groundwater	SEG	A	3,988,700	3,288,000
20	Water quality	SEG	A	1,562,600	1,562,600
21	Air management	SEG	A	328,800	367,700
22	Waste and materials				
23	management	SEG	A	2,166,200	2,474,500

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	Remediation and redevelopment	SEG	A	2,832,200	2,890,500
2	Environmental management				
3	program management	SEG	A	481,900	481,900
4	NET APPROPRIATION			11,360,400	11,065,200
5	(mr) General program operations -				
6	nonpoint source	SEG	A	282,300	282,300
7	(ms) General program operations -				
8	environmental fund; federal				
9	funds	SEG-F	C	1,326,800	1,326,800
10	(mt) General program operations -				
11	environmental improvement				
12	programs; state funds	SEG	A	582,300	582,300
13	(mv) General program operations -				
14	brownfields	SEG	A	399,900	399,900
15	(mx) General program operations -				
16	clean water fund program; federal				
17	funds	SEG-F	C	842,000	842,000
18	(my) General program operations -				
19	environmental fund; federal				
20	funds	SEG-F	C	-0-	-0-
21	(nz) General program operations -				
22	safe drinking water loan				
23	programs; federal funds	SEG-F	C	3,746,300	3,746,300
24	(ps) PFAS-containing fire fighting				
25	foam	SEG	C	1,000,000	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			12,150,700	12,120,100
	PROGRAM REVENUE			41,574,600	41,544,500
	FEDERAL			(25,205,700)	(25,156,100)
	OTHER			(16,306,100)	(16,306,100)
	SERVICE			(62,800)	(82,300)
	SEGREGATED REVENUE			32,974,300	31,679,100
	FEDERAL			(5,915,100)	(5,915,100)
	OTHER			(27,059,200)	(25,764,000)
	TOTAL-ALL SOURCES			86,699,600	85,343,700
2	(5) CONSERVATION AIDS				
3	(af) Resource aids - walleye				
4	production; grants	GPR	B	-0-	-0-
5	(aq) Resource aids - Canadian				
6	agencies migratory waterfowl				
7	aids	SEG	C	254,000	254,000
8	(ar) Resource aids - county				
9	conservation aids	SEG	C	148,500	148,500
10	(as) Recreation aids - fish, wildlife				
11	and forestry recreation aids	SEG	C	240,500	240,500
12	(at) Ice age trail area grants	SEG	A	-0-	-0-
13	(au) Resource aids - Ducks Unlimited,				
14	Inc., payments	SEG	C	-0-	-0-
15	(av) Resource aids - forest grants	SEG	B	1,457,900	1,457,900
16	(aw) Resource aids - nonprofit				
17	conservation organizations	SEG	C	-0-	-0-
18	(ax) Resource aids - forestry	SEG	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ay) Resource aids - urban land				
2	conservation	SEG	A	-0-	-0-
3	(az) Resource aids - urban forestry				
4	grants	SEG	B	999,600	999,600
5	(bq) Resource aids - county forest				
6	loans; severance share payments	SEG	C	100,000	100,000
7	(br) Resource aids - forest croplands				
8	and managed forest land aids	SEG	A	1,237,500	1,237,500
9	(bs) Resource aids - county forest				
10	loans	SEG	A	616,200	616,200
11	(bt) Resource aids - county forest				
12	project loans	SEG	C	396,000	396,000
13	(bu) Resource aids - county forest				
14	project loans; severance share				
15	payments	SEG	C	350,000	350,000
16	(bv) Resource aids - county forests,				
17	forest croplands and managed				
18	forest land aids	SEG	S	2,200,300	2,200,300
19	(bw) Resource aids - county				
20	sustainable forestry	SEG	B	1,663,900	1,663,900
21	(bx) Resource aids - national forest				
22	income aids	SEG-F	C	782,200	782,200
23	(by) Resource aids - fire suppression				
24	grants	SEG	B	448,000	448,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bz) Resource aids - forestry outdoor				
2	activity grants	SEG	C	-0-	-0-
3	(cb) Recreation aids - snowmobile				
4	trail and area aids; general fund	GPR	A	-0-	-0-
5	(cq) Recreation aids - recreational				
6	boating and other projects	SEG	C	400,000	400,000
7	(cr) Recreation aids - county				
8	snowmobile trail and area aids	SEG	C	5,675,400	5,675,400
9	(cs) Recreation aids - snowmobile				
10	trail areas	SEG	C	5,331,900	5,331,900
11	(ct) Recreation aids - all-terrain				
12	vehicle and utility terrain vehicle				
13	project aids; gas tax payment	SEG	C	2,842,400	2,842,400
14	(cu) Recreation aids - all-terrain				
15	vehicle and utility terrain vehicle				
16	project aids	SEG	C	2,515,600	2,515,600
17	(cv) Recreation aids - Southeastern				
18	Wisconsin Fox River Commission	SEG	C	100,000	100,000
19	(cw) Recreation aids - supplemental				
20	snowmobile trail aids	SEG	C	982,300	982,300
21	(cx) Recreation aids - all-terrain				
22	vehicle and utility terrain vehicle				
23	safety enhancement program	SEG	S	297,000	297,000
24	(cy) Recreation and resource aids,				
25	federal funds	SEG-F	C	3,162,100	3,162,100

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cz) Resource aids - interpretive				
2	center	SEG	A	27,000	27,000
3	(da) Aids in lieu of taxes - general				
4	fund	GPR	S	9,872,100	9,872,100
5	(dq) Aids in lieu of taxes - lands				
6	acquired before a specified date	SEG	S	780,000	780,000
7	(dr) Aids in lieu of taxes - lands				
8	acquired after a specified date	SEG	S	6,570,100	6,570,100
9	(dx) Resource aids - payment in lieu				
10	of taxes; federal	SEG-F	C	440,000	440,000
11	(dy) Resource aids - distribution of				
12	closed acreage fees	SEG	A	-0-	-0-
13	(ea) Enforcement aids - spearfishing				
14	enforcement	GPR	C	-0-	-0-
15	(eq) Enforcement aids - boating				
16	enforcement	SEG	A	1,766,600	1,766,600
17	(er) Enforcement aids - all-terrain				
18	vehicle and utility terrain vehicle				
19	enforcement	SEG	A	750,000	750,000
20	(es) Enforcement aids - snowmobiling				
21	enforcement	SEG	A	396,000	396,000
22	(ex) Enforcement aids - federal funds	SEG-F	C	-0-	-0-
23	(fc) Summer tribal youth program	GPR	A	250,000	250,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(fq) Wildlife damage claims and					
2	abatement	SEG	C	2,950,000	2,950,000	
3	(fr) Wildlife abatement and control					
4	grants	SEG	B	24,700	24,700	
5	(fs) Venison and wild turkey					
6	processing	SEG	B	300,000	300,000	
7	(ft) Venison and wild turkey					
8	processing; voluntary					
9	contributions	SEG	C	14,800	14,800	
10	(fu) Deer carcass disposal sites	SEG	C	1,000,000	-0-	
11	(fv) Wolf depredation program	SEG	C	-0-	-0-	
12	(fw) Resource Aids - Natural					
13	Resources Foundation of					
14	Wisconsin payments	SEG	C	20,000	20,000	
15	(gs) Terrestrial invasive species					
16	prevention	SEG	A	589,500	589,500	
17	(hq) Department land acquisition	SEG	A	5,000,000	5,000,000	
18	(hr) County forest grants	SEG	A	3,000,000	3,000,000	
19	(hs) Public forest regeneration grants	SEG	A	667,500	667,500	
20	(ht) Resource aids - county forest					
21	administration grants	SEG	B	200,000	200,000	
22		(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,122,100	10,122,100	
	SEGREGATED REVENUE			56,697,500	55,697,500	
	FEDERAL			(4,384,300)	(4,384,300)	
	OTHER			(52,313,200)	(51,313,200)	

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STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2023-2024	2024-2025
TOTAL-ALL SOURCES				66,819,600	65,819,600
1	(6) ENVIRONMENTAL AIDS				
2	(aq) Environmental aids; nonpoint				
3	source	SEG	B	500,000	500,000
4	(ar) Environmental aids - lake				
5	protection	SEG	C	2,252,600	2,252,600
6	(as) Environmental aids - invasive				
7	aquatic species and lake				
8	monitoring and protection	SEG	B	4,029,100	4,029,100
9	(au) Environmental aids - river				
10	protection; environmental fund	SEG	A	-0-	-0-
11	(av) Environmental aids - river				
12	protection; lake monitoring and				
13	protection contracts; conservation				
14	fund	SEG	B	289,500	289,500
15	(aw) Environmental aids - river				
16	protection, nonprofit organization				
17	contracts	SEG	C	-0-	-0-
18	(bu) Financial assistance for				
19	responsible units	SEG	A	19,000,000	19,000,000
20	(bw) Recycling consolidation grants	SEG	A	1,000,000	1,000,000
21	(cf) Environmental aids -				
22	compensation for well				
23	contamination and abandonment				
24	- general fund	GPR	A	-0-	1,000,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cm) Environmental aids - federal				
2	funds	PR-F	C	800,000	800,000
3	(cr) Environmental aids -				
4	compensation for well				
5	contamination and abandonment	SEG	C	200,000	200,000
6	(da) Environmental planning aids -				
7	local water quality planning	GPR	A	196,400	196,400
8	(dm) Environmental planning aids -				
9	federal funds	PR-F	C	150,000	150,000
10	(dq) Environmental aids - urban				
11	nonpoint source	SEG	B	1,500,000	1,500,000
12	(ed) Environmental aids - PFAS				
13	municipal grant program -				
14	general fund	GPR	C	85,000,000	-0-
15	(ef) Brownfields revolving loan				
16	repayments	PR	C	-0-	-0-
17	(eg) Groundwater mitigation and local				
18	assistance	PR	C	-0-	-0-
19	(eh) Brownfields revolving loan funds				
20	administered for other entity	PR	C	-0-	-0-
21	(em) Federal brownfields revolving				
22	loan funds	PR-F	C	1,000,000	1,000,000
23	(er) Vapor control system removal				
24	grants	SEG	B	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(es) Environmental aids - PFAS				
2	municipal grant program -				
3	environmental fund	SEG	C	-0-	15,000,000
4	(et) Environmental aids - revitalize				
5	Wisconsin program	SEG	B	3,000,000	3,000,000
6	(eu) Environmental aids - waste				
7	removal and sampling	SEG	B	3,000,000	500,000
8	(ev) Reimbursement for disposal of				
9	contaminated sediment	SEG	A	-0-	-0-
10	(fr) Petroleum storage environmental				
11	remedial action; awards	SEG	B	-0-	-0-
12	(fv) Removal of underground				
13	petroleum storage tanks	SEG	A	100,000	100,000
14		(6) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			85,196,400	1,196,400
	PROGRAM REVENUE			1,950,000	1,950,000
	FEDERAL			(1,950,000)	(1,950,000)
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			34,871,200	47,371,200
	OTHER			(34,871,200)	(47,371,200)
	TOTAL-ALL SOURCES			122,017,600	50,517,600
15	(7) DEBT SERVICE AND DEVELOPMENT				
16	(aa) Resource acquisition and				
17	development - principal				
18	repayment and interest	GPR	S	57,234,900	53,187,800
19	(ad) Land sales - principal repayment	PR	C	-0-	-0-
20	(ag) Land acquisition - principal				
21	repayment and interest	PR	C	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(aq) Resource acquisition and				
2	development - principal				
3	repayment and interest	SEG	S	-0-	-0-
4	(ar) Dam repair and removal -				
5	principal repayment and interest	SEG	S	62,500	68,400
6	(at) Recreation development -				
7	principal repayment and interest	SEG	S	81,100	115,100
8	(au) State forest acquisition and				
9	development - principal				
10	repayment and interest	SEG	A	13,500,000	13,500,000
11	(bq) Principal repayment and interest				
12	- remedial action	SEG	S	1,433,700	1,763,500
13	(br) Principal repayment and interest				
14	- contaminated sediment	SEG	S	1,934,700	2,009,400
15	(cb) Principal repayment and interest				
16	- pollution abatement bonds	GPR	S	-0-	-0-
17	(cc) Principal repayment and interest				
18	- combined sewer overflow;				
19	pollution abatement bonds	GPR	S	198,800	40,900
20	(cd) Principal repayment and interest				
21	- municipal clean drinking water				
22	grants	GPR	S	1,500	300
23	(cg) Principal repayment and interest				
24	- nonpoint repayments	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cq) Principal repayment and interest				
2	- nonpoint source grants	SEG	S	2,686,000	2,114,100
3	(cr) Principal repayment and interest				
4	- nonpoint source	SEG	S	2,995,200	4,869,800
5	(cs) Principal repayment and interest				
6	- urban nonpoint source				
7	cost-sharing	SEG	S	3,068,900	3,927,100
8	(ct) Principal and interest - pollution				
9	abatement, environmental fund	SEG	S	899,000	243,800
10	(dr) Petroleum inspection fund -				
11	revenue obligation repayment	SEG	S	-0-	-0-
12	(ea) Administrative facilities -				
13	principal repayment and interest	GPR	S	407,800	456,300
14	(eq) Administrative facilities -				
15	principal repayment and interest	SEG	S	6,421,700	7,142,700
16	(er) Administrative facilities -				
17	principal repayment and interest;				
18	environmental fund	SEG	S	1,132,700	1,194,000
19	(fa) Resource maintenance and				
20	development - state funds	GPR	C	2,263,500	2,263,500
21	(fk) Resource acquisition and				
22	development - service funds;				
23	transportation moneys	PR-S	C	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(fr) Resource acquisition and				
2	development - boating access to				
3	southeastern lakes	SEG	C	92,400	92,400
4	(fs) Resource acquisition and				
5	development - state funds	SEG	C	1,069,500	1,069,500
6	(ft) Resource acquisition and				
7	development - boating access	SEG	C	184,800	184,800
8	(fu) Resource acquisition and				
9	development - nonmotorized				
10	boating improvements	SEG	C	-0-	-0-
11	(fw) Resource acquisition and				
12	development - Mississippi and St.				
13	Croix rivers management	SEG	C	57,700	57,700
14	(fy) Resource acquisition and				
15	development - federal funds	SEG-F	C	9,112,800	9,112,800
16	(gg) Ice age trail - gifts and grants	PR	C	-0-	-0-
17	(gq) State trails - gifts and grants	SEG	C	-0-	-0-
18	(ha) Facilities acquisition,				
19	development and maintenance	GPR	C	443,200	443,200
20	(hq) Facilities acquisition,				
21	development and maintenance -				
22	conservation fund	SEG	C	1,872,400	872,400
23	(ht) Property development -				
24	conservation fund	SEG	C	1,975,200	1,975,200

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hu) Parks and trails development -				
2	conservation fund	SEG	C	673,500	673,500
3	(jr) Rental property and equipment -				
4	maintenance and replacement	SEG	C	180,000	180,000
5	(mc) Resource maintenance and				
6	development - state park, forest,				
7	and riverway roads; general fund	GPR	C	-0-	-0-
8	(mi) General program operations -				
9	private and public sources	PR	C	-0-	-0-
10	(mk) General program operations -				
11	service funds	PR-S	C	-0-	-0-
12	(mr) Resource maintenance and				
13	development - state park, forest,				
14	and riverway roads; conservation				
15	fund	SEG	C	7,266,800	7,266,800
16		(7) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			60,549,700	56,392,000
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			56,700,600	58,433,000
	FEDERAL			(9,112,800)	(9,112,800)
	OTHER			(47,587,800)	(49,320,200)
	TOTAL-ALL SOURCES			117,250,300	114,825,000
17	(8) INTERNAL SERVICES				
18	(ir) Promotional activities and				
19	publications	SEG	C	82,200	82,200

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(iw) Statewide recycling				
2	administration	SEG	A	461,300	461,300
3	(ma) General program operations -				
4	state funds	GPR	A	3,573,300	3,676,500
5	(mg) General program operations -				
6	stationary sources	PR	A	-0-	-0-
7	(mi) General program operations -				
8	private and public sources	PR	C	-0-	-0-
9	(mk) General program operations -				
10	service funds	PR-S	C	4,433,100	4,433,100
11	(mq) General program operations -				
12	mobile sources	SEG	A	1,056,600	1,056,600
13	(mr) General program operations -				
14	environmental improvement fund	SEG	A	395,000	395,000
15	(mt) Equipment and services	SEG-S	C	-0-	-0-
16	(mu) General program operations -				
17	state funds	SEG	A	27,592,000	27,614,100
18	(mv) General program operations -				
19	environmental fund	SEG	A	2,403,200	2,403,200
20	(my) Land and property management -				
21	federal funds	SEG-F	C	1,470,600	1,470,600
22	(mz) Indirect cost reimbursements	SEG-F	C	8,141,100	8,141,100

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ni) Geographic information systems,				
2	general program operations -				
3	other funds	PR	C	32,700	32,700
4	(nk) Geographic information systems,				
5	general program operations -				
6	service funds	PR-S	C	1,226,200	1,226,200
7	(zq) Gifts and donations	SEG	C	-0-	-0-
8		(8) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			3,573,300	3,676,500
	PROGRAM REVENUE			5,692,000	5,692,000
	OTHER			(32,700)	(32,700)
	SERVICE			(5,659,300)	(5,659,300)
	SEGREGATED REVENUE			41,602,000	41,624,100
	FEDERAL			(9,611,700)	(9,611,700)
	OTHER			(31,990,300)	(32,012,400)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			50,867,300	50,992,600
9	(9) EXTERNAL SERVICES				
10	(ag) Animal feeding operations - fees	PR	C	115,300	115,300
11	(ap) Animal feeding operations	SEG	A	1,355,600	1,355,600
12	(aq) Water resources management -				
13	lake, river, and invasive species				
14	management	SEG	A	953,300	953,300
15	(as) Water resources - trading water				
16	pollution credits	SEG	C	-0-	-0-
17	(at) Watershed - nonpoint source				
18	contracts	SEG	B	267,600	267,600
19	(aw) Water resources-public health	SEG	A	25,900	25,900

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bg) Water regulation and zoning -				
2	computer access fees	PR	C	-0-	-0-
3	(bi) Water regulation and zoning -				
4	fees	PR	C	1,664,600	1,664,600
5	(bj) Storm water management - fees	PR	C	2,096,900	2,096,900
6	(bm) Wetland restoration - fees;				
7	payments	PR	C	24,300	-0-
8	(br) Water regulation and zoning -				
9	dam safety and wetland mapping;				
10	conservation fund	SEG	A	793,000	793,000
11	(dh) Environmental impact - power				
12	projects	PR	C	-0-	-0-
13	(di) Environmental consulting costs -				
14	federal power projects	PR	A	-0-	-0-
15	(fj) Environmental quality -				
16	laboratory certification	PR	A	701,200	701,200
17	(fL) Operator certification - fees	PR	A	144,600	144,600
18	(gh) Nonferrous metallic mining				
19	regulation and administration	PR	A	76,300	76,300
20	(gi) Ferrous metallic mining				
21	operations	PR	C	-0-	-0-
22	(gj) Nonmetallic mining operations	PR	C	200,000	200,000
23	(hk) Approval fees to Lac du Flambeau				
24	band - service funds	PR-S	A	84,500	84,500

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hs) Approval fees from Lac du				
2	Flambeau band	SEG	C	-0-	-0-
3	(ht) Approval fees to Lac du Flambeau				
4	band	SEG	S	-0-	-0-
5	(hu) Handling and other fees	SEG	C	262,200	262,200
6	(hv) Fee amounts for statewide				
7	automated issuing system	SEG	C	2,863,100	2,863,100
8	(iq) Natural resources magazine	SEG	C	515,100	515,100
9	(is) Statewide recycling				
10	administration	SEG	A	142,900	142,900
11	(jq) Off-highway motorcycle				
12	administration	SEG	C	80,000	80,000
13	(ma) General program operations -				
14	state funds	GPR	A	10,931,400	10,931,400
15	(mh) General program operations -				
16	stationary sources	PR	A	-0-	-0-
17	(mi) General program operations -				
18	private and public sources	PR	C	418,400	418,400
19	(mk) General program operations -				
20	service funds	PR-S	C	3,005,200	3,024,700
21	(mm) General program operations -				
22	federal funds	PR-F	C	4,696,700	4,680,800
23	(mq) General program operations -				
24	mobile sources	SEG	A	396,000	396,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(mr) General program operations -					
2	nonpoint source	SEG	A	295,400	295,400	
3	(ms) General program operations -					
4	pollution prevention	SEG	A	-0-	-0-	
5	(mt) Aids administration -					
6	environmental improvement					
7	programs; state funds	SEG	A	1,376,600	1,376,600	
8	(mu) General program operations -					
9	state funds	SEG	A	9,358,800	9,358,800	
10	(mv) General program operations -					
11	environmental fund	SEG	A	2,815,200	2,710,800	
12	(mw) Aids administration - snowmobile					
13	recreation	SEG	A	243,800	243,800	
14	(mx) Aids administration - clean water					
15	fund program; federal funds	SEG-F	C	2,200,700	2,140,900	
16	(my) General program operations -					
17	federal funds	SEG-F	C	754,900	754,900	
18	(mz) Indirect cost reimbursements	SEG-F	C	1,124,000	1,124,000	
19	(ny) Aids administration - safe					
20	drinking water loan programs;					
21	federal funds	SEG-F	C	899,000	899,000	
22	(pq) Great Lakes and Mississippi					
23	River erosion control revolving					
24	loan programs	SEG	C	7,000,000	-0-	
25		(9) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			10,931,400	10,931,400	

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
PROGRAM REVENUE			13,228,000	13,207,300
FEDERAL			(4,696,700)	(4,680,800)
OTHER			(5,441,600)	(5,417,300)
SERVICE			(3,089,700)	(3,109,200)
SEGREGATED REVENUE			33,723,100	26,558,900
FEDERAL			(4,978,600)	(4,918,800)
OTHER			(28,744,500)	(21,640,100)
TOTAL-ALL SOURCES			57,882,500	50,697,600
1	20.370 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUE			187,879,400	99,744,300
PROGRAM REVENUE			65,594,200	65,543,400
FEDERAL			(33,018,400)	(32,952,900)
OTHER			(22,789,000)	(22,764,700)
SERVICE			(9,786,800)	(9,825,800)
SEGREGATED REVENUE			455,037,800	461,218,800
FEDERAL			(61,485,300)	(61,368,900)
OTHER			(393,552,500)	(399,849,900)
SERVICE			(-0-)	(-0-)
TOTAL-ALL SOURCES			708,511,400	626,506,500
2	20.373 Fox River Navigational System Authority			
3	(1)	INITIAL COSTS		
4	(g)	Administration, operation, repair,		
5		and rehabilitation	PR	C
			-0-	-0-
6	(r)	Establishment and operation	SEG	C
			125,400	125,400
7	(1) PROGRAM TOTALS			
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
SEGREGATED REVENUE			125,400	125,400
OTHER			(125,400)	(125,400)
TOTAL-ALL SOURCES			125,400	125,400
8	20.373 DEPARTMENT TOTALS			
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
SEGREGATED REVENUE			125,400	125,400
OTHER			(125,400)	(125,400)
TOTAL-ALL SOURCES			125,400	125,400

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.375 Lower Fox River Remediation Authority				
2	(1) INITIAL COSTS				
3	(a) Initial costs	GPR	B	-0-	-0-
4		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
5		20.375 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
6	20.380 Tourism, Department of				
7	(1) TOURISM DEVELOPMENT AND PROMOTION				
8	(a) General program operations	GPR	A	7,096,100	7,234,600
9	(b) Tourism marketing; general				
10	purpose revenue	GPR	B	44,938,100	11,338,100
11	(c) Major opportunities and events	GPR	C	20,000,000	10,000,000
12	(g) Gifts, grants and proceeds	PR	C	100	100
13	(h) Tourism promotion; sale of				
14	surplus property receipts	PR	C	-0-	-0-
15	(ig) Golf promotion	PR	C	-0-	-0-
16	(ir) Payments to the WPGA Junior				
17	Foundation	PR	C	-0-	-0-
18	(j) Tourism promotion - private and				
19	public sources	PR	C	99,000	99,000
20	(k) Sale of materials or services	PR-S	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ka) Sale of materials and services -				
2	local assistance	PR-S	C	-0-	-0-
3	(kb) Sale of materials and services -				
4	individuals and organizations	PR-S	C	-0-	-0-
5	(kc) Marketing clearinghouse charges	PR-S	A	-0-	-0-
6	(km) Grants for regional tourist				
7	information centers	PR-S	A	160,000	160,000
8	(m) Federal aid, state operations	PR-F	C	-0-	-0-
9	(n) Federal aid, local assistance	PR-F	C	-0-	-0-
10	(o) Federal aid, individuals and				
11	organizations	PR-F	C	-0-	-0-
12	(q) Administrative				
13	services-conservation fund	SEG	A	12,700	12,700
14	(w) Tourism marketing;				
15	transportation fund	SEG	B	1,591,400	1,591,400
16		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			72,034,200	28,572,700
	PROGRAM REVENUE			259,100	259,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(99,100)	(99,100)
	SERVICE			(160,000)	(160,000)
	SEGREGATED REVENUE			1,604,100	1,604,100
	OTHER			(1,604,100)	(1,604,100)
	TOTAL-ALL SOURCES			73,897,400	30,435,900
17	(3) SUPPORT OF ARTS PROJECTS				
18	(a) General program operations	GPR	A	319,400	319,400
19	(b) State aid for the arts	GPR	A	696,500	574,600

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(c) Portraits of governors	GPR	A	-0-	-0-
2	(d) Challenge grant program	GPR	A	-0-	-0-
3	(e) High Point fund	GPR	A	-0-	-0-
4	(f) Wisconsin regranting program	GPR	A	116,700	116,700
5	(g) Gifts and grants; state operations	PR	C	20,000	20,000
6	(h) Gifts and grants; aids to				
7	individuals and organizations	PR	C	-0-	-0-
8	(j) Support of arts programs	PR	C	-0-	-0-
9	(km) State aid for the arts; Indian				
10	gaming receipts	PR-S	A	24,900	24,900
11	(m) Federal grants; state operations	PR-F	C	256,500	256,500
12	(o) Federal grants; aids to				
13	individuals and organizations	PR-F	C	524,500	524,500
14		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,132,600	1,010,700
	PROGRAM REVENUE			825,900	825,900
	FEDERAL			(781,000)	(781,000)
	OTHER			(20,000)	(20,000)
	SERVICE			(24,900)	(24,900)
	TOTAL-ALL SOURCES			1,958,500	1,836,600
15		20.380 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			73,166,800	29,583,400
	PROGRAM REVENUE			1,085,000	1,085,000
	FEDERAL			(781,000)	(781,000)
	OTHER			(119,100)	(119,100)
	SERVICE			(184,900)	(184,900)
	SEGREGATED REVENUE			1,604,100	1,604,100
	OTHER			(1,604,100)	(1,604,100)
	TOTAL-ALL SOURCES			75,855,900	32,272,500

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.385 Kickapoo Reserve Management Board				
2	(1) KICKAPOO VALLEY RESERVE				
3	(g) Kickapoo reserve management				
4	board; program services	PR	C	181,000	181,000
5	(h) Kickapoo reserve management				
6	board; gifts and grants	PR	C	-0-	-0-
7	(k) Kickapoo valley reserve; law				
8	enforcement services	PR-S	A	73,900	73,900
9	(m) Kickapoo reserve management				
10	board; federal aid	PR-F	C	-0-	-0-
11	(q) Kickapoo reserve management				
12	board; general program				
13	operations	SEG	A	496,800	496,800
14	(r) Kickapoo valley reserve; aids in				
15	lieu of taxes	SEG	S	280,000	280,000
16		(1) PROGRAM TOTALS			
	PROGRAM REVENUE			254,900	254,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(181,000)	(181,000)
	SERVICE			(73,900)	(73,900)
	SEGREGATED REVENUE			776,800	776,800
	OTHER			(776,800)	(776,800)
	TOTAL-ALL SOURCES			1,031,700	1,031,700
17		20.385 DEPARTMENT TOTALS			
	PROGRAM REVENUE			254,900	254,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(181,000)	(181,000)
	SERVICE			(73,900)	(73,900)
	SEGREGATED REVENUE			776,800	776,800
	OTHER			(776,800)	(776,800)
	TOTAL-ALL SOURCES			1,031,700	1,031,700

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.395 Transportation, Department of				
2	(1) AIDS				
3	(ar) Corrections of transportation aid				
4	payments	SEG	S	-0-	-0-
5	(as) Transportation aids to counties,				
6	state funds	SEG	A	128,411,600	133,548,100
7	(at) Transportation aids to				
8	municipalities, state funds	SEG	A	406,976,800	423,255,900
9	(av) Supplemental transportation aids				
10	to towns, state funds	SEG	A	-0-	-0-
11	(aw) Adjustments for certain				
12	transportation aid limitations	SEG	A	1,000,000	1,000,000
13	(bq) Intercity bus assistance, state				
14	funds	SEG	C	-0-	-0-
15	(bs) Transportation employment and				
16	mobility, state funds	SEG	C	874,200	917,900
17	(bt) Transit capital assistance grants	SEG	C	10,000,000	10,000,000
18	(bv) Transit and other				
19	transportation-related aids, local				
20	funds	SEG-L	C	110,000	110,000
21	(bx) Transit and other				
22	transportation-related aids,				
23	federal funds	SEG-F	C	20,538,800	20,538,800

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ck) Tribal elderly transportation				
2	grants	PR-S	A	435,600	435,600
3	(cq) Seniors and individuals with				
4	disabilities specialized				
5	transportation aids, state funds	SEG	C	1,246,800	1,577,600
6	(cr) Seniors and individuals with				
7	disabilities specialized				
8	transportation county aids, state				
9	funds	SEG	A	15,977,800	15,977,800
10	(cv) Seniors and individuals with				
11	disabilities specialized				
12	transportation aids, local funds	SEG-L	C	605,500	605,500
13	(cx) Seniors and individuals with				
14	disabilities specialized				
15	transportation aids, federal funds	SEG-F	C	2,996,900	2,996,900
16	(ex) Highway safety, local assistance,				
17	federal funds	SEG-F	C	6,869,400	6,869,400
18	(fq) Connecting highways aids, state				
19	funds	SEG	A	12,063,500	12,063,500
20	(fs) Disaster damage aids, state funds	SEG	S	1,000,000	1,000,000
21	(ft) Lift bridge aids, state funds	SEG	B	2,659,200	2,659,200
22	(fu) County forest road aids, state				
23	funds	SEG	A	320,600	320,600
24	(gq) Expressway policing aids, state				
25	funds	SEG	A	1,023,900	1,023,900

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gt) Soo Locks improvements, state				
2	funds	SEG	A	-0-	-0-
3	(hq) Paratransit aids	SEG	A	3,305,300	3,437,600
4	(hr) Tier B transit operating aids,				
5	state funds	SEG	A	25,226,200	26,235,300
6	(hs) Tier C transit operating aids,				
7	state funds	SEG	A	5,345,600	5,559,500
8	(ht) Tier A-1 transit operating aids,				
9	state funds	SEG	A	66,132,600	68,777,900
10	(hu) Tier A-2 transit operating aids,				
11	state funds	SEG	A	17,377,500	18,072,600
12	(hw) Tier A-3 transit operating aids,				
13	state funds	SEG	A	-0-	-0-
14	(ig) Professional football stadium				
15	maintenance and operating costs,				
16	state funds	PR	C	450,000	450,000
17	(ih) Child abuse and neglect				
18	prevention, state funds	PR	C	125,000	125,000
19		(1) PROGRAM TOTALS			
	PROGRAM REVENUE			1,010,600	1,010,600
	OTHER			(575,000)	(575,000)
	SERVICE			(435,600)	(435,600)
	SEGREGATED REVENUE			730,062,200	756,548,000
	FEDERAL			(30,405,100)	(30,405,100)
	OTHER			(698,941,600)	(725,427,400)
	LOCAL			(715,500)	(715,500)
	TOTAL-ALL SOURCES			731,072,800	757,558,600
20	(2) LOCAL TRANSPORTATION ASSISTANCE				

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(aq) Accelerated local bridge				
2	improvement assistance, state				
3	funds	SEG	C	-0-	-0-
4	(av) Accelerated local bridge				
5	improvement assistance, local				
6	funds	SEG-L	C	-0-	-0-
7	(ax) Accelerated local bridge				
8	improvement assistance, federal				
9	funds	SEG-F	C	-0-	-0-
10	(bq) Rail service assistance, state				
11	funds	SEG	C	1,233,000	1,233,000
12	(br) Passenger rail development, state				
13	funds.	SEG	C	-0-	-0-
14	(bt) Freight rail preservation	SEG	C	-0-	-0-
15	(bu) Freight rail infrastructure				
16	improvements, state funds	SEG	C	-0-	-0-
17	(bv) Rail service assistance, local				
18	funds	SEG-L	C	500,000	500,000
19	(bw) Freight rail assistance loan				
20	repayments, local funds	SEG-L	C	4,000,000	4,000,000
21	(bx) Rail service assistance, federal				
22	funds	SEG-F	C	-0-	-0-
23	(cq) Harbor assistance, state funds	SEG	C	2,651,000	2,651,000
24	(cr) Rail passenger service, state				
25	funds	SEG	C	8,500,000	8,650,000

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cs) Harbor assistance, federal funds	SEG-F	C	-0-	-0-
2	(ct) Passenger railroad station				
3	improvement and commuter rail				
4	transit system grants, state funds	SEG	B	-0-	-0-
5	(cu) Passenger railroad station				
6	improvement and commuter rail				
7	transit system grants, local funds	SEG-L	C	-0-	-0-
8	(cv) Rail passenger service, local				
9	funds	SEG-L	C	-0-	-0-
10	(cw) Harbor assistance, local funds	SEG-L	C	-0-	-0-
11	(cx) Rail passenger service, federal				
12	funds	SEG-F	C	-0-	-0-
13	(dq) Aeronautics assistance, state				
14	funds	SEG	C	14,011,100	14,011,100
15	(ds) Aviation career education, state				
16	funds	SEG	A	178,800	178,800
17	(dv) Aeronautics assistance, local				
18	funds	SEG-L	C	42,000,000	42,000,000
19	(dx) Aeronautics assistance, federal				
20	funds	SEG-F	C	56,277,000	56,277,000
21	(eq) Highway and local bridge				
22	improvement assistance, state				
23	funds	SEG	C	18,470,600	18,470,600
24	(ev) Local bridge improvement				
25	assistance, local funds	SEG-L	C	21,157,600	18,657,600

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ex) Local bridge improvement				
2	assistance, federal funds	SEG-F	C	64,619,000	54,619,000
3	(fb) Local roads for job preservation,				
4	state funds	GPR	C	-0-	-0-
5	(fq) Local roads improvement				
6	discretionary supplement	SEG	C	50,000,000	50,000,000
7	(fr) Local roads improvement				
8	program, state funds	SEG	C	18,580,200	19,323,400
9	(ft) Local roads improvement				
10	program; discretionary grants,				
11	state funds	SEG	C	15,774,100	16,405,100
12	(fv) Local transportation facility				
13	improvement assistance, local				
14	funds	SEG-L	C	62,913,400	65,768,700
15	(fw) Local transportation facility				
16	improvement assistance, state				
17	funds	SEG	C	4,000,000	4,000,000
18	(fx) Local transportation facility				
19	improvement assistance, federal				
20	funds	SEG-F	C	138,789,900	150,005,500
21	(fz) Local roads for job preservation,				
22	federal funds	SEG-F	C	-0-	-0-
23	(gj) Railroad crossing protection				
24	installation and maintenance,				
25	state funds	SEG	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gq) Railroad crossing improvement				
2	and protection maintenance, state				
3	funds	SEG	A	2,112,000	2,112,000
4	(gr) Railroad crossing improvement				
5	and protection installation, state				
6	funds	SEG	C	1,595,700	1,595,700
7	(gs) Railroad crossing repair				
8	assistance, state funds	SEG	C	467,300	467,300
9	(gt) Interconnected traffic signal and				
10	railroad signal systems, state				
11	funds	SEG	C	400,000	400,000
12	(gv) Railroad crossing improvement,				
13	local funds	SEG-L	C	-0-	-0-
14	(gw) Interconnected traffic signal and				
15	railroad signal systems, local				
16	funds	SEG-L	C	-0-	-0-
17	(gx) Railroad crossing improvement,				
18	federal funds	SEG-F	C	6,115,600	6,172,100
19	(hq) Multimodal transportation				
20	studies, state funds	SEG	C	-0-	-0-
21	(hx) Multimodal transportation				
22	studies, federal funds	SEG-F	C	-0-	-0-
23	(iq) Transportation facilities economic				
24	assistance and development, state				
25	funds	SEG	C	3,402,600	3,402,600

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(iv) Transportation facilities economic				
2	assistance and development, local				
3	funds	SEG-L	C	3,588,700	3,588,700
4	(iw) Transportation facility				
5	improvement loans, local funds	SEG-L	C	-0-	-0-
6	(ix) Transportation facilities economic				
7	assistance and development,				
8	federal funds	SEG-F	C	-0-	-0-
9	(ja) Local traffic calming grants	GPR	C	60,000,000	-0-
10	(js) Transportation alternatives				
11	program, state funds	SEG	C	-0-	-0-
12	(jv) Transportation alternatives				
13	program, local funds	SEG-L	C	4,754,700	4,809,600
14	(jx) Transportation alternatives				
15	program, federal funds	SEG-F	C	18,018,900	18,238,300
16	(kv) Congestion mitigation and air				
17	quality improvement, local funds	SEG-L	C	4,240,000	4,262,300
18	(kx) Congestion mitigation and air				
19	quality improvement, federal				
20	funds	SEG-F	C	15,180,200	15,269,500
21	(mq) Astronautics assistance, state				
22	funds	SEG	C	-0-	-0-
23	(mv) Astronautics assistance, local				
24	funds	SEG-L	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(mx) Astronautics assistance, federal				
2	funds	SEG-F	C	-0-	-0-
3	(ph) Transportation infrastructure				
4	loans, gifts and grants	SEG	C	-0-	-0-
5	(pq) Transportation infrastructure				
6	loans, state funds	SEG	C	4,600	4,600
7	(pu) Transportation infrastructure				
8	loans, service funds	SEG-S	C	-0-	-0-
9	(pv) Transportation infrastructure				
10	loans, local funds	SEG-L	C	-0-	-0-
11	(px) Transportation infrastructure				
12	loans, federal funds	SEG-F	C	-0-	-0-
13		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			60,000,000	-0-
	SEGREGATED REVENUE			583,536,000	587,073,500
	FEDERAL			(299,000,600)	(300,581,400)
	OTHER			(141,381,000)	(142,905,200)
	SERVICE			(-0-)	(-0-)
	LOCAL			(143,154,400)	(143,586,900)
	TOTAL-ALL SOURCES			643,536,000	587,073,500
14	(3) STATE HIGHWAY FACILITIES				
15	(aq) Southeast Wisconsin freeway				
16	megaprojects, state funds	SEG	C	-0-	-0-
17	(av) Southeast Wisconsin freeway				
18	megaprojects, local funds	SEG-L	C	-0-	-0-
19	(ax) Southeast Wisconsin freeway				
20	megaprojects, federal funds	SEG-F	C	39,620,300	57,306,700

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bq) Major highway development,				
2	state funds	SEG	C	25,111,600	37,721,400
3	(br) Major highway development,				
4	service funds	SEG-S	C	73,511,600	73,511,600
5	(bv) Major highway development, local				
6	funds	SEG-L	C	-0-	-0-
7	(bx) Major highway development,				
8	federal funds	SEG-F	C	189,832,800	191,617,500
9	(cq) State highway rehabilitation,				
10	state funds	SEG	C	580,432,300	609,489,800
11	(cr) Southeast Wisconsin freeway				
12	rehabilitation, state funds	SEG	C	-0-	-0-
13	(ct) Owner controlled insurance				
14	program, service funds	SEG-S	C	-0-	-0-
15	(cv) State highway rehabilitation,				
16	local funds	SEG-L	C	2,059,200	2,059,200
17	(cw) Southeast Wisconsin freeway				
18	rehabilitation, local funds	SEG-L	C	-0-	-0-
19	(cx) State highway rehabilitation,				
20	federal funds	SEG-F	C	513,623,700	511,093,000
21	(cy) Southeast Wisconsin freeway				
22	rehabilitation, federal funds	SEG-F	C	-0-	-0-
23	(dq) Major interstate bridge				
24	construction, state funds	SEG	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(dr) High-cost state highway bridge				
2	projects, state funds	SEG	C	-0-	-0-
3	(dv) Major interstate bridge				
4	construction, local funds	SEG-L	C	-0-	-0-
5	(dw) High-cost state highway bridge				
6	projects, local funds	SEG-L	C	-0-	-0-
7	(dx) Major interstate bridge				
8	construction, federal funds	SEG-F	C	-0-	-0-
9	(dy) High-cost state highway bridge				
10	projects, federal funds	SEG-F	C	-0-	-0-
11	(eg) Supplement from sponsorship				
12	agreements, state funds	PR	C	10,500	10,500
13	(eq) Highway system management				
14	and operations, state funds	SEG	C	104,167,100	104,167,100
15	(er) State-owned lift bridge				
16	operations and maintenance,				
17	state funds	SEG	A	2,380,100	2,380,100
18	(es) Routine maintenance activities,				
19	state funds	SEG	C	191,863,700	196,263,700
20	(et) Intelligent transportation				
21	systems and traffic control				
22	signals, state funds	SEG	C	9,811,600	9,811,600
23	(eu) Intelligent transportation				
24	systems and traffic control				
25	signals, local funds	SEG-L	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ev) Highway system management				
2	and operations, local funds	SEG-L	C	1,900,000	1,900,000
3	(ew) Routine maintenance activities,				
4	local funds	SEG-L	C	-0-	-0-
5	(ex) Highway system management				
6	and operations, federal funds	SEG-F	C	13,981,200	13,981,200
7	(ey) Routine maintenance activities,				
8	federal funds	SEG-F	C	-0-	-0-
9	(ez) Intelligent transportation				
10	systems and traffic control				
11	signals, federal funds	SEG-F	C	-0-	-0-
12	(iq) Administration and planning,				
13	state funds	SEG	A	13,965,000	13,965,000
14	(ir) Disadvantaged business				
15	mobilization assistance, state				
16	funds	SEG	C	-0-	-0-
17	(iv) Administration and planning,				
18	local funds	SEG-L	C	-0-	-0-
19	(ix) Administration and planning,				
20	federal funds	SEG-F	C	4,275,700	4,275,700
21	(jg) Surveying reference station				
22	system	PR	C	590,000	590,000
23	(jh) Utility facilities within highway				
24	rights-of-way, state funds	PR	C	279,700	279,700

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(jj) Damage claims	PR	C	4,087,200	4,087,200
2	(js) Telecommunications services,				
3	service funds	SEG-S	C	-0-	-0-
4		(3) PROGRAM TOTALS			
	PROGRAM REVENUE			4,967,400	4,967,400
	OTHER			(4,967,400)	(4,967,400)
	SEGREGATED REVENUE			1,766,535,900	1,829,543,600
	FEDERAL			(761,333,700)	(778,274,100)
	OTHER			(927,731,400)	(973,798,700)
	SERVICE			(73,511,600)	(73,511,600)
	LOCAL			(3,959,200)	(3,959,200)
	TOTAL-ALL SOURCES			1,771,503,300	1,834,511,000
5	(4) GENERAL TRANSPORTATION OPERATIONS				
6	(aq) Departmental management and				
7	operations, state funds	SEG	A	82,344,200	82,007,000
8	(ar) Minor construction projects, state				
9	funds	SEG	C	5,000,000	-0-
10	(as) Transit safety oversight, state				
11	funds	SEG	C	72,700	72,700
12	(at) Capital building projects, service				
13	funds	SEG-S	C	9,250,000	9,250,000
14	(av) Departmental management and				
15	operations, local funds	SEG-L	C	-0-	-0-
16	(ax) Departmental management and				
17	operations, federal funds	SEG-F	C	12,195,200	12,229,900
18	(ay) Transit safety oversight, federal				
19	funds	SEG-F	C	305,000	305,000
20	(ch) Gifts and grants	SEG	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(dq) Demand management	SEG	A	440,400	440,400
2	(eq) Data processing services, service				
3	funds	SEG-S	C	15,050,300	15,050,300
4	(er) Fleet operations, service funds	SEG-S	C	12,619,600	12,619,600
5	(es) Other department services,				
6	operations, service funds	SEG-S	C	5,139,000	5,139,000
7	(et) Equipment acquisition	SEG	A	-0-	-0-
8	(ew) Operating budget supplements,				
9	state funds	SEG	C	-0-	-0-
10	(fq) Electric vehicle infrastructure,				
11	state funds	SEG	C	-0-	-0-
12	(fv) Electric vehicle infrastructure,				
13	local funds	SEG-L	C	4,271,600	4,356,700
14	(fx) Electric vehicle infrastructure,				
15	federal funds	SEG-F	C	17,085,000	17,426,700
16		(4) PROGRAM TOTALS			
	SEGREGATED REVENUE			163,773,000	158,897,300
	FEDERAL			(29,585,200)	(29,961,600)
	OTHER			(87,857,300)	(82,520,100)
	SERVICE			(42,058,900)	(42,058,900)
	LOCAL			(4,271,600)	(4,356,700)
	TOTAL-ALL SOURCES			163,773,000	158,897,300
17	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
18	(cg) Convenience fees, state funds	PR	C	118,400	118,400
19	(ch) Repaired salvage vehicle				
20	examinations, state funds	PR	C	145,900	145,900

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ci) Breath screening instruments,				
2	state funds	PR-S	C	419,400	419,400
3	(cj) Vehicle registration, special group				
4	plates, state funds	PR	C	-0-	-0-
5	(cL) Football plate licensing fees, state				
6	funds	PR	C	-0-	-0-
7	(cq) Vehicle registration, inspection				
8	and maintenance, driver licensing				
9	and aircraft registration, state				
10	funds	SEG	A	88,855,700	93,102,700
11	(cx) Vehicle registration and driver				
12	licensing, federal funds	SEG-F	C	1,226,500	1,226,500
13	(da) State traffic patrol equipment,				
14	general fund	GPR	A	-0-	-0-
15	(dg) Escort, security and traffic				
16	enforcement services, state funds	PR	C	864,800	864,800
17	(dh) Traffic academy tuition				
18	payments, state funds	PR	C	655,400	655,400
19	(di) Chemical testing training and				
20	services, state funds	PR-S	A	1,792,500	1,792,500
21	(dk) Public safety radio management,				
22	service funds	PR-S	C	1,025,300	1,025,300
23	(dL) Public safety radio management,				
24	state funds	PR	C	160,900	160,900

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(dq) Vehicle inspection, traffic				
2	enforcement and radio				
3	management, state funds	SEG	A	89,976,700	84,051,600
4	(dr) Transportation safety, state funds	SEG	A	2,084,200	2,084,200
5	(dx) Vehicle inspection and traffic				
6	enforcement, federal funds	SEG-F	C	6,709,600	6,822,400
7	(dy) Transportation safety, federal				
8	funds	SEG-F	C	5,242,100	5,242,100
9	(eg) Payments to the Wisconsin Lions				
10	Foundation	PR	C	7,000	7,000
11	(eh) Motorcycle safety program				
12	supplement, state funds	PR	C	38,300	38,300
13	(ei) Payments to Wisconsin Trout				
14	Unlimited	PR	C	-0-	-0-
15	(ej) Baseball plate licensing fees,				
16	state funds	PR	C	5,000	5,000
17	(ek) Safe-ride grant program; state				
18	funds	PR-S	C	161,400	161,400
19	(eL) Payments resulting from the				
20	issuance of certain special plates	PR	C	5,000	5,000
21	(fg) Payments to the Boy Scouts of				
22	America National Foundation	PR	C	5,000	5,000
23	(fh) Payments to Whitetails				
24	Unlimited	PR	C	5,000	5,000

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(fi) Payments to the Wisconsin Rocky				
2	Mountain Elk Foundation	PR	C	5,000	5,000
3	(fj) Payments to Wisconsin				
4	Organization of Nurse Executives	PR	C	5,000	5,000
5	(gg) Basketball plate payments to the				
6	Milwaukee Bucks Foundation	PR	C	5,000	5,000
7	(gh) Payment to Midwest Athletes				
8	Against Childhood Cancer	PR	C	5,000	5,000
9	(gi) Payments to the Wisconsin				
10	Women's Health Foundation	PR	C	-0-	-0-
11	(gj) Payments to Donate Life				
12	Wisconsin	PR	C	-0-	-0-
13	(hi) Payments to Wisconsin Law				
14	Enforcement Memorial, Inc.	PR	C	-0-	-0-
15	(hj) Payments to the National Law				
16	Enforcement Officers Memorial				
17	Fund	PR	C	-0-	-0-
18	(hq) Motor vehicle emission inspection				
19	and maintenance program;				
20	contractor costs; state funds	SEG	A	3,193,300	3,193,300
21	(hx) Motor vehicle emission inspection				
22	and maintenance programs,				
23	federal funds	SEG-F	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ij) Baseball plate deposits to district				
2	maintenance and capital				
3	improvements fund	PR	C	-0-	-0-
4	(iv) Municipal and county registration				
5	fee, local funds	SEG-L	C	-0-	-0-
6		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			5,429,300	5,429,300
	OTHER			(2,030,700)	(2,030,700)
	SERVICE			(3,398,600)	(3,398,600)
	SEGREGATED REVENUE			197,288,100	195,722,800
	FEDERAL			(13,178,200)	(13,291,000)
	OTHER			(184,109,900)	(182,431,800)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			202,717,400	201,152,100
7	(6) DEBT SERVICES				
8	(ad) Principal repayment and interest,				
9	contingent funding of southeast				
10	Wisconsin freeway megaprojects,				
11	state funds	GPR	S	17,758,800	14,509,800
12	(ae) Principal repayment and interest,				
13	contingent funding of major				
14	highway and rehabilitation				
15	projects, state funds	GPR	S	12,271,300	12,477,100
16	(af) Principal repayment and interest,				
17	local roads for job preservation				
18	program, major highway and				
19	rehabilitation projects, southeast				
20	megaprojects, state funds	GPR	S	60,247,100	51,021,800

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(aq) Principal repayment and interest,				
2	transportation facilities, state				
3	highway rehabilitation, major				
4	highway projects, state funds	SEG	S	56,277,700	61,046,700
5	(ar) Principal repayment and interest,				
6	buildings, state funds	SEG	S	27,800	25,200
7	(au) Principal repayment and interest,				
8	southeast rehabilitation projects,				
9	southeast megaprojects, and				
10	high-cost bridge projects, state				
11	funds	SEG	S	84,655,200	90,571,400
12	(av) Principal repayment and interest,				
13	contingent funding of major				
14	highway and rehabilitation				
15	projects, state funds	SEG	S	11,682,800	11,657,300
16		(6) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			90,277,200	78,008,700
	SEGREGATED REVENUE			152,643,500	163,300,600
	OTHER			(152,643,500)	(163,300,600)
	TOTAL-ALL SOURCES			242,920,700	241,309,300
17	(9) GENERAL PROVISIONS				
18	(qd) Freeway land disposal				
19	reimbursement clearing account	SEG	C	-0-	-0-
20	(qh) Highways, bridges and local				
21	transportation assistance clearing				
22	account	SEG	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(qj) Highways, bridges and local				
2	transportation assistance clearing				
3	account, federally funded				
4	positions	SEG-F	C	-0-	-0-
5	(qn) Motor vehicle financial				
6	responsibility	SEG	C	-0-	-0-
7	(th) Temporary funding of projects				
8	financed by revenue bonds	SEG	S	-0-	-0-
9		(9) PROGRAM TOTALS			
	SEGREGATED REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
10		20.395 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			150,277,200	78,008,700
	PROGRAM REVENUE			11,407,300	11,407,300
	OTHER			(7,573,100)	(7,573,100)
	SERVICE			(3,834,200)	(3,834,200)
	SEGREGATED REVENUE			3,593,838,700	3,691,085,800
	FEDERAL			(1,133,502,800)	(1,152,513,200)
	OTHER			(2,192,664,700)	(2,270,383,800)
	SERVICE			(115,570,500)	(115,570,500)
	LOCAL			(152,100,700)	(152,618,300)
	TOTAL-ALL SOURCES			3,755,523,200	3,780,501,800
11		Environmental Resources			
12		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			616,832,700	214,165,900
	PROGRAM REVENUE			78,341,400	78,290,600
	FEDERAL			(33,799,400)	(33,733,900)
	OTHER			(30,662,200)	(30,637,900)
	SERVICE			(13,879,800)	(13,918,800)
	SEGREGATED REVENUE			4,057,648,800	4,159,576,900
	FEDERAL			(1,194,988,100)	(1,213,882,100)
	OTHER			(2,594,989,500)	(2,677,506,000)
	SERVICE			(115,570,500)	(115,570,500)
	LOCAL			(152,100,700)	(152,618,300)
	TOTAL-ALL SOURCES			4,752,822,900	4,452,033,400

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
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Human Resources

1	20.410 Corrections, Department of				
2	(1) ADULT CORRECTIONAL SERVICES				
3	(a) General program operations	GPR	A	1,042,596,700	1,060,504,800
4	(aa) Institutional repair and				
5	maintenance	GPR	A	5,998,000	6,491,300
6	(ab) Corrections contracts and				
7	agreements	GPR	A	16,227,700	16,264,300
8	(b) Services for community				
9	corrections	GPR	A	183,631,900	184,305,000
10	(bd) Services for drunken driving				
11	offenders	GPR	A	5,200,900	5,200,900
12	(bm) Pharmacological treatment for				
13	certain child sex offenders	GPR	A	58,900	58,900
14	(bn) Reimbursing counties for				
15	probation, extended supervision				
16	and parole holds	GPR	A	4,885,700	4,885,700
17	(c) Reimbursement claims of				
18	counties or municipalities				
19	containing state prisons	GPR	S	166,700	166,700
20	(cw) Mother-young child care program	GPR	A	198,000	198,000
21	(d) Purchased services for offenders	GPR	A	33,417,700	35,633,200

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ds) Becky Young community				
2	corrections; recidivism reduction				
3	community services	GPR	A	17,900,500	19,797,800
4	(e) Principal repayment and interest	GPR	S	31,775,500	30,300,100
5	(ec) Prison industries principal,				
6	interest and rebates	GPR	S	-0-	-0-
7	(ed) Correctional facilities rental	GPR	A	-0-	-0-
8	(ef) Lease rental payments	GPR	S	-0-	-0-
9	(f) Energy costs; energy-related				
10	assessments	GPR	A	29,030,000	29,544,600
11	(fm) Electric energy derived from				
12	renewable resources	GPR	A	460,800	460,800
13	(gb) Drug testing	PR	C	-0-	-0-
14	(gc) Sex offender honesty testing	PR	C	340,800	340,800
15	(gd) Sex offender management	PR	A	1,509,100	1,509,100
16	(gf) Probation, parole, and extended				
17	supervision	PR	A	11,317,400	11,317,400
18	(gh) Supervision of persons on lifetime				
19	supervision	PR	A	-0-	-0-
20	(gi) General operations	PR	A	8,262,800	8,262,800
21	(gk) Global positioning system				
22	tracking devices for certain sex				
23	offenders	PR	C	440,500	453,600

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gL) Global positioning system				
2	tracking devices for certain				
3	violators of restraining orders	PR	C	139,400	139,400
4	(gm) Sale of fuel and utility service	PR	A	-0-	-0-
5	(gn) Interstate compact for adult				
6	offender supervision	PR	A	375,900	375,900
7	(gr) Home detention services;				
8	supervision	PR	A	11,100	11,100
9	(gt) Telephone company commissions	PR	A	4,404,600	4,404,600
10	(h) Administration of restitution	PR	A	640,900	640,900
11	(hm) Private business employment of				
12	inmates and residents	PR	A	-0-	-0-
13	(i) Gifts and grants	PR	C	33,400	33,400
14	(jz) Operations and maintenance	PR	C	-0-	-0-
15	(kc) Correctional institution				
16	enterprises; inmate activities and				
17	employment	PR-S	C	2,818,900	2,818,900
18	(kd) Victim notification	PR-S	A	682,300	682,300
19	(ke) American Indian reintegration				
20	program	PR-S	A	50,000	50,000
21	(kf) Correctional farms	PR-S	A	9,730,600	9,731,000
22	(kh) Victim services and programs	PR-S	A	308,400	308,400
23	(kk) Institutional operations and				
24	charges	PR-S	A	16,459,400	16,459,500

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(km) Prison industries	PR-S	A	25,903,800	25,845,800	
2	(ko) Prison industries principal					
3	repayment, interest and rebates	PR-S	S	1,600	4,700	
4	(kp) Correctional officer training	PR-S	A	2,681,100	2,681,100	
5	(kx) Interagency and intra-agency					
6	programs	PR-S	C	2,496,200	2,496,200	
7	(ky) Interagency and intra-agency					
8	aids	PR-S	C	1,427,700	1,427,700	
9	(kz) Interagency and intra-agency					
10	local assistance	PR-S	C	-0-	-0-	
11	(m) Federal project operations	PR-F	C	2,473,100	2,473,100	
12	(n) Federal program operations	PR-F	C	86,800	86,800	
13	(qm) Computer recycling	SEG	A	-0-	-0-	
14		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,371,549,000	1,393,812,100	
	PROGRAM REVENUE			92,595,800	92,554,500	
	FEDERAL			(2,559,900)	(2,559,900)	
	OTHER			(27,475,900)	(27,489,000)	
	SERVICE			(62,560,000)	(62,505,600)	
	SEGREGATED REVENUE			-0-	-0-	
	OTHER			(-0-)	(-0-)	
	TOTAL-ALL SOURCES			1,464,144,800	1,486,366,600	
15	(2) PAROLE COMMISSION					
16	(a) General program operations	GPR	A	737,900	737,900	
17	(kx) Interagency and intra-agency					
18	programs	PR-S	C	-0-	-0-	
19		(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			737,900	737,900	
	PROGRAM REVENUE			-0-	-0-	

ASSEMBLY BILL 43

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2023-2024	2024-2025
SERVICE				(-0-)	(-0-)
TOTAL-ALL SOURCES				737,900	737,900
1	(3) JUVENILE CORRECTIONAL SERVICES				
2	(a) General program operations	GPR	A	4,319,200	4,317,100
3	(ba) Mendota juvenile treatment				
4	center	GPR	A	1,433,800	1,433,800
5	(c) Reimbursement claims of				
6	counties or municipalities				
7	containing juvenile correctional				
8	facilities	GPR	S	95,000	95,000
9	(cg) Serious juvenile offenders	GPR	B	20,773,000	25,204,700
10	(dm) Interstate compact for juveniles				
11	assessments	GPR	A	-0-	-0-
12	(e) Principal repayment and interest	GPR	S	1,761,000	1,514,000
13	(f) Operating loss reimbursement				
14	program	GPR	S	-0-	-0-
15	(fm) Secured residential care centers				
16	for children and youth	GPR	S	132,200	942,400
17	(g) Legal services collections	PR	C	-0-	-0-
18	(gg) Collection remittances to local				
19	units of government	PR	C	-0-	-0-
20	(hm) Juvenile correctional services	PR	A	37,477,800	37,867,900
21	(ho) Juvenile alternate care services	PR	A	3,493,800	3,666,400
22	(hr) Juvenile community supervision	PR	A	5,658,300	5,664,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(i) Gifts and grants	PR	C	7,700	7,700
2	(jr) Institutional operations and				
3	charges	PR	A	180,100	180,100
4	(jv) Secure detention services	PR	C	200,000	200,000
5	(kx) Interagency and intra-agency				
6	programs	PR-S	C	828,900	828,900
7	(ky) Interagency and intra-agency				
8	aids	PR-S	C	-0-	-0-
9	(kz) Interagency and intra-agency				
10	local assistance	PR-S	C	-0-	-0-
11	(m) Federal project operations	PR-F	C	76,800	76,800
12	(n) Federal program operations	PR-F	C	30,000	30,000
13	(q) Girls school benevolent trust fund	SEG	C	-0-	-0-
14		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			28,514,200	33,507,000
	PROGRAM REVENUE			47,953,400	48,521,800
	FEDERAL			(106,800)	(106,800)
	OTHER			(47,017,700)	(47,586,100)
	SERVICE			(828,900)	(828,900)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			76,467,600	82,028,800
15		20.410 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			1,400,801,100	1,428,057,000
	PROGRAM REVENUE			140,549,200	141,076,300
	FEDERAL			(2,666,700)	(2,666,700)
	OTHER			(74,493,600)	(75,075,100)
	SERVICE			(63,388,900)	(63,334,500)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,541,350,300	1,569,133,300

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.425 Employment Relations Commission				
2	(1) LABOR RELATIONS				
3	(a) General program operations	GPR	A	1,250,300	1,354,500
4	(i) Fees, collective bargaining				
5	training, publications, and				
6	appeals	PR	A	145,600	145,600
7	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,250,300	1,354,500
	PROGRAM REVENUE			145,600	145,600
	OTHER			(145,600)	(145,600)
	TOTAL-ALL SOURCES			1,395,900	1,500,100
8	20.425 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			1,250,300	1,354,500
	PROGRAM REVENUE			145,600	145,600
	OTHER			(145,600)	(145,600)
	TOTAL-ALL SOURCES			1,395,900	1,500,100
9	20.427 Labor and Industry Review Commission				
10	(1) REVIEW COMMISSION				
11	(a) General program operations,				
12	review commission	GPR	A	165,800	165,800
13	(k) Unemployment administration	PR-S	C	1,947,000	1,947,000
14	(km) Equal rights; other moneys	PR-S	C	224,700	224,700
15	(m) Federal moneys	PR-F	C	-0-	-0-
16	(ra) Worker's compensation				
17	operations fund; worker's				
18	compensation activities	SEG	A	714,800	714,800
19	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			165,800	165,800
	PROGRAM REVENUE			2,171,700	2,171,700

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
	FEDERAL			(-0-)	(-0-)	
	SERVICE			(2,171,700)	(2,171,700)	
	SEGREGATED REVENUE			714,800	714,800	
	OTHER			(714,800)	(714,800)	
	TOTAL-ALL SOURCES			3,052,300	3,052,300	
1		20.427 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			165,800	165,800	
	PROGRAM REVENUE			2,171,700	2,171,700	
	FEDERAL			(-0-)	(-0-)	
	SERVICE			(2,171,700)	(2,171,700)	
	SEGREGATED REVENUE			714,800	714,800	
	OTHER			(714,800)	(714,800)	
	TOTAL-ALL SOURCES			3,052,300	3,052,300	
2	20.432 Aging and Long-Term Care, Board on					
3	(1)	IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
4	(a)	General program operations	GPR	A	1,907,300	1,935,600
5	(i)	Gifts and grants	PR	C	-0-	-0-
6	(k)	Contracts with other state				
7		agencies	PR-S	C	1,662,900	1,686,500
8	(kb)	Insurance and other information,				
9		counseling and assistance	PR-S	A	570,300	577,000
10	(m)	Federal aid	PR-F	C	-0-	-0-
11		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			1,907,300	1,935,600	
	PROGRAM REVENUE			2,233,200	2,263,500	
	FEDERAL			(-0-)	(-0-)	
	OTHER			(-0-)	(-0-)	
	SERVICE			(2,233,200)	(2,263,500)	
	TOTAL-ALL SOURCES			4,140,500	4,199,100	
12		20.432 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			1,907,300	1,935,600	
	PROGRAM REVENUE			2,233,200	2,263,500	
	FEDERAL			(-0-)	(-0-)	
	OTHER			(-0-)	(-0-)	
	SERVICE			(2,233,200)	(2,263,500)	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
TOTAL-ALL SOURCES			4,140,500	4,199,100
1 20.433 Child Abuse and Neglect Prevention Board				
2 (1) PREVENTION OF CHILD ABUSE AND NEGLECT				
3 (b) Grants to organizations	GPR	A	5,145,000	5,145,000
4 (g) General program operations	PR	A	966,500	966,500
5 (h) Grants to organizations	PR	C	750,600	750,600
6 (i) Gifts and grants	PR	C	-0-	-0-
7 (jb) Fees for administrative services	PR	C	15,000	15,000
8 (k) Interagency programs	PR-S	C	-0-	-0-
9 (m) Federal project operations	PR-F	C	206,700	206,700
10 (ma) Federal project aids	PR-F	C	450,000	450,000
11 (q) Children's trust fund; gifts and				
12 grants	SEG	C	15,000	15,000
13 (1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			5,145,000	5,145,000
PROGRAM REVENUE			2,388,800	2,388,800
FEDERAL			(656,700)	(656,700)
OTHER			(1,732,100)	(1,732,100)
SERVICE			(-0-)	(-0-)
SEGREGATED REVENUE			15,000	15,000
OTHER			(15,000)	(15,000)
TOTAL-ALL SOURCES			7,548,800	7,548,800
14 20.433 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			5,145,000	5,145,000
PROGRAM REVENUE			2,388,800	2,388,800
FEDERAL			(656,700)	(656,700)
OTHER			(1,732,100)	(1,732,100)
SERVICE			(-0-)	(-0-)
SEGREGATED REVENUE			15,000	15,000
OTHER			(15,000)	(15,000)
TOTAL-ALL SOURCES			7,548,800	7,548,800

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.435 Health Services, Department of				
2	(1) PUBLIC HEALTH SERVICES PLANNING, REGULATION AND DELIVERY				
3	(a) General program operations	GPR	A	13,068,900	14,837,000
4	(am) Services, reimbursement, and				
5	payment related to human				
6	immunodeficiency virus	GPR	A	7,220,900	7,220,900
7	(b) General aids and local assistance	GPR	A	6,693,600	10,865,600
8	(bc) Emergency medical services				
9	grants	GPR	C	150,000,000	-0-
10	(bg) Alzheimer's disease; training and				
11	information grants	GPR	A	231,400	231,400
12	(bm) Purchased services for clients	GPR	A	93,900	93,900
13	(bn) Workplace wellness program				
14	grants	GPR	S	-0-	-0-
15	(br) Respite care	GPR	A	550,000	550,000
16	(c) Public health emergency				
17	quarantine costs	GPR	S	-0-	-0-
18	(ca) State stockpile of personal				
19	protective equipment	GPR	B	1,346,300	15,849,000
20	(cb) Well-woman program	GPR	A	2,428,200	2,428,200
21	(cc) Cancer control and prevention	GPR	A	333,900	333,900
22	(ce) Primary health for homeless				
23	individuals	GPR	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cf) Communicable disease control				
2	and prevention	GPR	C	500,000	500,000
3	(cg) Guardianship grant program	GPR	A	213,500	263,500
4	(ch) Emergency medical services; aids	GPR	A	2,200,000	2,200,000
5	(cj) Emergency dispatcher				
6	cardiopulmonary resuscitation				
7	training	GPR	B	75,900	75,900
8	(cm) Immunization	GPR	S	-0-	-0-
9	(cr) Minority health grants	GPR	A	383,600	383,600
10	(cx) Independent living centers	GPR	A	1,641,700	1,641,700
11	(da) Interpreter services and				
12	telecommunication aid for the				
13	hearing impaired	GPR	A	328,200	328,200
14	(de) Dental services	GPR	A	3,424,300	3,424,300
15	(dg) Clinic aids	GPR	B	66,800	66,800
16	(dh) Programs for senior citizens;				
17	elder abuse services; benefit				
18	specialist program	GPR	A	15,707,800	15,707,800
19	(dk) Low-income dental clinics	GPR	A	1,700,000	1,700,000
20	(dm) Rural health dental clinics	GPR	A	895,500	895,500
21	(dn) Food distribution grants	GPR	A	288,000	288,000
22	(ds) Statewide poison control program	GPR	A	382,500	382,500
23	(dx) Early literacy program grants;				
24	Reach Out and Read Wisconsin	GPR	B	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(e) Public health dispensaries and				
2	drugs	GPR	B	661,000	661,000
3	(ed) Radon aids	GPR	A	26,700	26,700
4	(ef) Lead-poisoning or lead-exposure				
5	services	GPR	A	6,948,100	6,948,100
6	(eg) Pregnancy counseling	GPR	A	69,100	69,100
7	(em) Supplemental food program for				
8	women, infants and children				
9	benefits	GPR	C	161,400	161,400
10	(eu) Reducing fetal and infant				
11	mortality and morbidity	GPR	B	222,700	222,700
12	(ev) Pregnancy outreach and infant				
13	health	GPR	A	188,200	188,200
14	(ew) Congenital disorders; general				
15	purpose revenue	GPR	A	3,556,300	1,669,600
16	(ex) Maternal and infant mortality				
17	prevention and response	GPR	A	2,750,000	2,650,000
18	(f) Women's health block grant	GPR	A	1,742,000	1,742,000
19	(fe) Referral system for				
20	community-based services	GPR	A	210,000	210,000
21	(fh) Community health services	GPR	A	8,490,000	8,490,000
22	(fi) Allied health professional				
23	education and training grants	GPR	B	500,000	500,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(fk) Grants to establish advanced				
2	practice clinician training				
3	programs	GPR	B	500,000	500,000
4	(fm) Tobacco use control	GPR	C	5,650,000	5,985,000
5	(fn) Health care information				
6	organization	GPR	A	-0-	-0-
7	(gm) Licensing, review and certifying				
8	activities; fees; supplies and				
9	services	PR	A	13,969,100	13,969,100
10	(gp) Cancer information	PR	C	18,000	18,000
11	(gr) Supplemental food program for				
12	women, infants and children				
13	administration	PR	C	48,200	48,200
14	(hg) General program operations;				
15	health care information	PR	A	1,016,000	1,023,300
16	(hi) Compilations and special reports;				
17	health care information	PR	C	-0-	-0-
18	(hs) Interpreter services for the				
19	hearing impaired	PR	A	39,900	39,900
20	(i) Gifts and grants	PR	C	18,169,300	18,169,300
21	(ja) Congenital disorders; diagnosis,				
22	special dietary treatment and				
23	counseling	PR	A	5,350,000	5,350,000
24	(jb) Congenital disorders; operations	PR	A	616,600	616,600

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(jd) Fees for administrative services	PR	C	118,500	118,500	
2	(kc) Independent living center grants	PR-S	A	660,000	660,000	
3	(ke) American Indian health projects	PR-S	A	106,900	106,900	
4	(kf) American Indian diabetes					
5	prevention and control	PR-S	A	22,500	22,500	
6	(kn) Elderly nutrition; home-delivered					
7	and congregate meals	PR-S	A	500,000	500,000	
8	(kx) Interagency and intra-agency					
9	programs	PR-S	C	8,376,000	8,376,000	
10	(ky) Interagency and intra-agency					
11	aids	PR-S	C	1,829,700	1,829,700	
12	(kz) Interagency and intra-agency					
13	local assistance	PR-S	C	-0-	-0-	
14	(m) Federal project operations	PR-F	C	55,683,000	47,126,500	
15	(ma) Federal project aids	PR-F	C	60,675,000	60,675,000	
16	(mc) Federal block grant operations	PR-F	C	8,186,000	8,186,000	
17	(md) Federal block grant aids	PR-F	C	8,444,000	8,444,000	
18	(n) Federal program operations	PR-F	C	17,096,900	17,096,900	
19	(na) Federal program aids	PR-F	C	128,952,500	128,952,500	
20	(q) Groundwater and air quality					
21	standards	SEG	A	363,900	363,900	
22		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			241,450,400	110,291,500	
	PROGRAM REVENUE			329,878,100	321,328,900	
	FEDERAL			(279,037,400)	(270,480,900)	
	OTHER			(39,345,600)	(39,352,900)	

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	SERVICE			(11,495,100)	(11,495,100)
	SEGREGATED REVENUE			363,900	363,900
	OTHER			(363,900)	(363,900)
	TOTAL-ALL SOURCES			571,692,400	431,984,300
1	(2) MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES SERVICES; FACILITIES				
2	(a) General program operations	GPR	A	135,736,400	139,189,800
3	(aa) Institutional repair and				
4	maintenance	GPR	A	751,000	751,000
5	(bj) Competency examinations and				
6	treatment, and conditional				
7	release, supervised release, and				
8	community supervision services	GPR	B	29,311,900	32,488,500
9	(bm) Secure mental health units or				
10	facilities	GPR	A	148,450,500	150,239,500
11	(cm) Grant program; mental health				
12	beds	GPR	A	54,000	54,000
13	(ee) Principal repayment and interest	GPR	S	17,526,000	18,834,100
14	(ef) Lease rental payments	GPR	S	-0-	-0-
15	(f) Energy costs; energy-related				
16	assessments	GPR	A	5,717,100	5,793,900
17	(fm) Electric energy derived from				
18	renewable resources	GPR	A	253,500	253,500
19	(g) Alternative services of institutes				
20	and centers	PR	C	22,375,100	24,456,600
21	(gk) Institutional operations and				
22	charges	PR	A	292,270,400	296,556,800

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gL) Extended intensive treatment				
2	surcharge	PR	C	100,000	100,000
3	(gs) Sex offender honesty testing	PR	C	-0-	-0-
4	(gz) Costs of housing persons on				
5	supervised release	PR	C	-0-	-0-
6	(i) Gifts and grants	PR	C	93,800	93,800
7	(km) Indian mental health placement	PR-S	A	250,000	250,000
8	(kx) Interagency and intra-agency				
9	programs	PR-S	C	21,927,700	28,466,400
10	(ky) Interagency and intra-agency				
11	aids	PR-S	C	-0-	-0-
12	(kz) Interagency and intra-agency				
13	local assistance	PR-S	C	-0-	-0-
14	(m) Federal project operations	PR-F	C	-0-	-0-
15		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			337,800,400	347,604,300
	PROGRAM REVENUE			337,017,000	349,923,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(314,839,300)	(321,207,200)
	SERVICE			(22,177,700)	(28,716,400)
	TOTAL-ALL SOURCES			674,817,400	697,527,900
16	(4) MEDICAID SERVICES				
17	(a) General program operations	GPR	A	44,562,600	45,090,800
18	(b) Medical Assistance program				
19	benefits	GPR	B	3,378,404,900	3,727,124,600
20	(bd) Long-term care programs	GPR	A	11,200,000	11,200,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bf) Graduate medical training				
2	support grants	GPR	C	3,940,800	3,952,900
3	(bk) Mental health pilot projects	GPR	C	266,700	266,700
4	(bm) Medical Assistance, food stamps,				
5	and Badger Care administration;				
6	contract costs, insurer reports,				
7	and resource centers	GPR	B	106,589,000	120,707,000
8	(bn) Income maintenance	GPR	B	15,775,700	16,086,100
9	(bp) Food stamp employment and				
10	training program administration	GPR	C	18,691,300	19,647,500
11	(br) Cemetery, funeral, and burial				
12	expenses program	GPR	B	8,079,900	8,323,900
13	(bt) Healthy eating incentive pilot				
14	program	GPR	C	-0-	-0-
15	(bu) Healthy eating incentives	GPR	A	823,200	1,183,400
16	(bv) Prescription drug assistance for				
17	elderly; aids	GPR	B	18,347,100	19,906,900
18	(e) Disease aids	GPR	B	3,057,200	3,012,700
19	(ed) State supplement to federal				
20	supplemental security income				
21	program	GPR	S	160,398,200	160,398,200
22	(g) Family care benefit; cost sharing	PR	C	-0-	-0-
23	(gm) Medical assistance; provider				
24	refunds and collections	PR	C	1,235,598,700	1,140,854,300

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gr) Income maintenance; county				
2	payments	PR	C	-0-	-0-
3	(h) County contributions	PR	C	52,025,700	52,025,700
4	(hp) Disabled children's long-term				
5	support waivers	PR	C	1,567,300	1,567,300
6	(i) Gifts, grants, and payments;				
7	health care financing	PR	C	3,385,900	3,385,900
8	(iL) Medical assistance provider				
9	assessments; health services				
10	regulation	PR	C	184,800	184,800
11	(im) Medical assistance; correct				
12	payment recovery; collections;				
13	community services; other				
14	recoveries	PR	C	54,426,600	54,426,600
15	(in) Community options program;				
16	family care; recovery of costs				
17	administration	PR	A	278,000	278,000
18	(j) Prescription drug assistance for				
19	elderly; manufacturer rebates	PR	C	101,123,600	109,818,400
20	(jb) Prescription drug assistance for				
21	elderly; enrollment fees	PR	C	3,182,100	3,181,900
22	(jc) Fees for administrative services	PR	C	30,000	30,000
23	(jd) Electronic benefit transfer card				
24	replacement costs	PR	C	455,000	455,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(je) Disease aids; drug manufacturer				
2	rebates	PR	C	533,000	523,800
3	(jt) Care management organization,				
4	insolvency assistance	PR	C	-0-	-0-
5	(jw) BadgerCare Plus and hospital				
6	assessment	PR	C	2,030,200	2,030,200
7	(jz) Medical Assistance and Badger				
8	Care cost sharing, and employer				
9	penalty assessments	PR	C	12,546,500	12,546,500
10	(kb) Relief block grants to tribal				
11	governing bodies	PR-S	A	712,800	712,800
12	(kt) Medical assistance outreach and				
13	reimbursements for tribes	PR-S	B	961,700	961,700
14	(kv) Care management organization;				
15	oversight	PR-S	C	-0-	-0-
16	(kx) Interagency and intra-agency				
17	programs	PR-S	C	8,786,400	8,785,600
18	(ky) Interagency and intra-agency				
19	aids	PR-S	C	43,829,000	43,928,700
20	(kz) Interagency and intra-agency				
21	local assistance	PR-S	C	1,000,000	1,000,000
22	(L) Fraud and error reduction	PR	C	808,500	808,400
23	(m) Federal project operations	PR-F	C	6,137,400	6,120,100
24	(ma) Federal project aids	PR-F	C	2,700,000	2,700,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(md) Federal block grant aids	PR-F	C	-0-	-0-
2	(n) Federal program operations	PR-F	C	84,527,800	84,609,100
3	(na) Federal program aids	PR-F	C	12,485,000	12,485,000
4	(nn) Federal aid; income maintenance	PR-F	C	61,842,500	62,310,600
5	(np) Federal aid; food stamp				
6	employment and training				
7	program	PR-F	C	28,269,900	25,290,100
8	(o) Federal aid; medical assistance	PR-F	C	9,113,725,300	9,189,740,100
9	(p) Federal aid; Badger Care health				
10	care program	PR-F	C	-0-	-0-
11	(pa) Federal aid; Medical Assistance				
12	and food stamps contracts				
13	administration	PR-F	C	247,821,100	252,980,700
14	(pg) Federal aid; prescription drug				
15	assistance for elderly	PR-F	C	21,364,500	22,887,100
16	(w) Medical Assistance trust fund	SEG	B	643,156,800	342,793,300
17	(wm) Medical assistance trust fund;				
18	nursing homes	SEG	S	-0-	-0-
19	(wp) Medical Assistance trust fund;				
20	county reimbursement	SEG	S	-0-	-0-
21	(x) Medical Assistance trust fund;				
22	Badger Care health care program	SEG	C	-0-	-0-
23	(xc) Hospital assessment fund;				
24	hospital payments	SEG	C	258,596,600	262,964,800

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(xe) Critical access hospital				
2	assessment fund; hospital				
3	payments	SEG	C	4,622,400	4,503,100
4	(xm) Ambulance service provider trust				
5	fund; ambulance payments	SEG	C	-0-	-0-
6		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			3,770,136,600	4,136,900,700
	PROGRAM REVENUE			11,102,339,300	11,096,628,400
	FEDERAL			(9,578,873,500)	(9,659,122,800)
	OTHER			(1,468,175,900)	(1,382,116,800)
	SERVICE			(55,289,900)	(55,388,800)
	SEGREGATED REVENUE			906,375,800	610,261,200
	OTHER			(906,375,800)	(610,261,200)
	TOTAL-ALL SOURCES			15,778,851,700	15,843,790,300
7	(5) CARE AND TREATMENT SERVICES				
8	(a) General program operations	GPR	A	4,801,400	4,852,400
9	(bc) Grants for community programs	GPR	A	15,035,100	18,761,100
10	(bd) Nonnarcotic drug treatment				
11	grants	GPR	B	750,000	750,000
12	(be) Mental health treatment services	GPR	A	1,551,500	1,551,500
13	(bf) Grants for youth services	GPR	A	865,000	865,000
14	(bg) Treatment program grants	GPR	A	750,000	2,326,600
15	(bw) Mental health consultation				
16	program	GPR	B	4,000,000	4,000,000
17	(bx) Addiction medicine consultation				
18	program	GPR	B	500,000	500,000
19	(cc) Youth crisis stabilization				
20	facilities; grants	GPR	A	996,400	996,400

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cd) Crisis intervention training				
2	grants	GPR	B	500,000	500,000
3	(cf) Crisis program enhancement				
4	grants	GPR	B	125,000	125,000
5	(ch) Suicide and crisis lifeline grants	GPR	A	898,700	2,105,700
6	(cj) Crisis urgent care and				
7	observation facilities	GPR	A	64,700	10,038,500
8	(cm) Service dog training grants	GPR	A	125,000	125,000
9	(co) Initiatives for coordinated				
10	services	GPR	A	2,599,100	2,599,100
11	(da) Reimbursements to local units of				
12	government	GPR	S	800,000	800,000
13	(fr) Mental health for homeless				
14	individuals	GPR	A	41,900	41,900
15	(gb) Alcohol and drug abuse initiatives	PR	C	496,300	496,300
16	(gg) Collection remittances to local				
17	units of government	PR	C	4,400	4,400
18	(hx) Services related to drivers,				
19	receipts	PR	A	-0-	-0-
20	(hy) Services for drivers, local				
21	assistance	PR	A	1,000,000	1,000,000
22	(i) Gifts and grants	PR	C	192,600	192,600
23	(jb) Fees for administrative services	PR	C	23,900	23,900

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kc) Severely emotionally disturbed				
2	children	PR-S	C	724,500	724,500
3	(kg) Compulsive gambling awareness				
4	campaigns	PR-S	A	396,000	396,000
5	(kL) Indian aids	PR-S	A	242,000	242,000
6	(km) Indian drug abuse prevention and				
7	education	PR-S	A	445,500	445,500
8	(kp) Center	PR-S	C	249,100	249,100
9	(kx) Interagency and intra-agency				
10	programs	PR-S	C	6,014,100	6,014,100
11	(ky) Interagency and intra-agency				
12	aids	PR-S	C	-0-	-0-
13	(kz) Interagency and intra-agency				
14	local assistance	PR-S	C	-0-	-0-
15	(m) Federal project operations	PR-F	C	1,487,000	1,487,000
16	(ma) Federal project aids	PR-F	C	16,289,700	16,289,700
17	(mb) Federal project local assistance	PR-F	C	-0-	-0-
18	(mc) Federal block grant operations	PR-F	C	7,711,200	7,680,000
19	(md) Federal block grant aids	PR-F	C	11,679,300	11,679,300
20	(me) Federal block grant local				
21	assistance	PR-F	C	60,274,000	60,274,000
22	(n) Federal program operations	PR-F	C	1,328,600	1,328,600
23	(na) Federal program aids	PR-F	C	835,100	835,100

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(nL) Federal program local assistance	PR-F	C	-0-	-0-
2	(o) Federal aid; community aids	PR-F	C	12,249,300	12,249,300
3	(q) Payments to counties	SEG	C	-0-	44,400,000
4		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			34,403,800	50,938,200
	PROGRAM REVENUE			121,642,600	121,611,400
	FEDERAL			(111,854,200)	(111,823,000)
	OTHER			(1,717,200)	(1,717,200)
	SERVICE			(8,071,200)	(8,071,200)
	SEGREGATED REVENUE			-0-	44,400,000
	OTHER			(-0-)	(44,400,000)
	TOTAL-ALL SOURCES			156,046,400	216,949,600
5	(6) QUALITY ASSURANCE SERVICES PLANNING, REGULATION AND DELIVERY				
6	(a) General program operations	GPR	A	8,562,700	9,620,700
7	(dm) Nursing home monitoring and				
8	receivership supplement	GPR	S	-0-	-0-
9	(g) Nursing facility resident				
10	protection	PR	C	2,070,000	2,086,900
11	(ga) Community-based residential				
12	facility monitoring and				
13	receivership operations	PR	C	-0-	-0-
14	(i) Gifts and grants	PR	C	-0-	-0-
15	(jb) Fees for administrative services	PR	C	235,800	235,800
16	(jm) Licensing and support services	PR	A	8,069,700	8,220,700
17	(k) Nursing home monitoring and				
18	receivership operations	PR	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kx) Interagency and intra-agency				
2	programs	PR-S	C	-0-	-0-
3	(ky) Interagency and intra-agency				
4	aids	PR-S	C	-0-	-0-
5	(kz) Interagency and intra-agency				
6	local assistance	PR-S	C	-0-	-0-
7	(m) Federal project operations	PR-F	C	-0-	-0-
8	(mc) Federal block grant operations	PR-F	C	-0-	-0-
9	(n) Federal program operations	PR-F	C	19,970,900	20,211,100
10	(na) Federal program aids	PR-F	C	-0-	-0-
11	(nL) Federal program local assistance	PR-F	C	-0-	-0-
12		(6) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			8,562,700	9,620,700
	PROGRAM REVENUE			30,346,400	30,754,500
	FEDERAL			(19,970,900)	(20,211,100)
	OTHER			(10,375,500)	(10,543,400)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			38,909,100	40,375,200
13	(7) DISABILITY AND ELDER SERVICES				
14	(b) Community aids and medical				
15	assistance payments	GPR	A	218,885,100	236,280,400
16	(bc) Grants for community programs	GPR	A	8,027,200	14,681,200
17	(bt) Early intervention services for				
18	infants and toddlers with				
19	disabilities	GPR	C	10,000,500	13,087,100
20	(d) Complex patient pilot program	GPR	B	15,000,000	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ky) Interagency and intra-agency				
2	aids	PR-S	C	-0-	-0-
3	(kz) Interagency and intra-agency				
4	local assistance	PR-S	C	1,257,800	1,257,800
5	(ma) Federal project aids	PR-F	C	10,500,000	10,500,000
6	(mb) Federal project local assistance	PR-F	C	-0-	-0-
7	(md) Federal block grant aids	PR-F	C	-0-	-0-
8	(me) Federal block grant local				
9	assistance	PR-F	C	-0-	-0-
10	(na) Federal program aids	PR-F	C	1,000,000	1,000,000
11	(nL) Federal program local assistance	PR-F	C	9,500,000	9,500,000
12	(o) Federal aid; community aids	PR-F	C	42,737,500	42,737,500
13		(7) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			251,912,800	264,048,700
	PROGRAM REVENUE			64,995,300	64,995,300
	FEDERAL			(63,737,500)	(63,737,500)
	SERVICE			(1,257,800)	(1,257,800)
	TOTAL-ALL SOURCES			316,908,100	329,044,000
14	(8) GENERAL ADMINISTRATION				
15	(a) General program operations	GPR	A	19,289,800	19,420,600
16	(b) Inspector general; general				
17	operations	GPR	A	5,273,100	5,273,100
18	(c) Inspector general; local assistance	GPR	A	1,375,000	1,375,000
19	(i) Gifts and grants	PR	C	10,000	10,000
20	(k) Administrative and support				
21	services	PR-S	A	48,782,300	48,782,300

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kw) Inspector general; interagency				
2	and intra-agency programs	PR-S	C	1,081,800	1,081,800
3	(kx) Interagency and intra-agency				
4	programs	PR-S	C	41,800	41,800
5	(ky) Interagency and intra-agency				
6	aids	PR-S	C	2,000,000	2,000,000
7	(kz) Interagency and intra-agency				
8	local assistance	PR-S	C	-0-	-0-
9	(m) Federal project operations	PR-F	C	-0-	-0-
10	(ma) Federal project aids	PR-F	C	-0-	-0-
11	(mb) Income augmentation services				
12	receipts	PR-F	C	376,100	376,100
13	(mc) Federal block grant operations	PR-F	C	1,599,900	1,599,900
14	(mm) Reimbursements from federal				
15	government	PR-F	C	-0-	-0-
16	(n) Federal program operations	PR-F	C	2,618,600	2,591,000
17	(o) Inspector general; federal				
18	program local assistance	PR-F	C	1,875,000	1,875,000
19	(p) Inspector general; federal				
20	program operations	PR-F	C	9,479,300	9,479,300
21	(pz) Indirect cost reimbursements	PR-F	C	5,169,400	5,176,800
22		(8) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			25,937,900	26,068,700
	PROGRAM REVENUE			73,034,200	73,014,000
	FEDERAL			(21,118,300)	(21,098,100)
	OTHER			(10,000)	(10,000)
	SERVICE			(51,905,900)	(51,905,900)

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	TOTAL-ALL SOURCES			98,972,100	99,082,700
1		20.435 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			4,670,204,600	4,945,472,800
	PROGRAM REVENUE			12,059,252,900	12,058,256,100
	FEDERAL			(10,074,591,800)	(10,146,473,400)
	OTHER			(1,834,463,500)	(1,754,947,500)
	SERVICE			(150,197,600)	(156,835,200)
	SEGREGATED REVENUE			906,739,700	655,025,100
	OTHER			(906,739,700)	(655,025,100)
	TOTAL-ALL SOURCES			17,636,197,200	17,658,754,000
2	20.437 Children and Families, Department of				
3	(1) CHILDREN AND FAMILY SERVICES				
4	(a) General program operations	GPR	A	17,553,600	18,103,500
5	(ab) Child abuse and neglect				
6	prevention grants	GPR	A	3,185,700	5,881,700
7	(ac) Child abuse and neglect				
8	prevention technical assistance	GPR	A	-0-	-0-
9	(b) Children and family aids				
10	payments	GPR	A	45,955,900	46,216,000
11	(bc) Grants for youth services	GPR	A	10,712,600	10,712,600
12	(bd) Tribal family services grants	GPR	A	825,000	1,100,000
13	(bf) Family and juvenile treatment				
14	court grants	GPR	A	250,000	250,000
15	(bg) Grants to support foster parents				
16	and children	GPR	A	400,000	400,000
17	(bm) Intensive family preservation				
18	services	GPR	A	16,567,500	16,595,900

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bn) Tribal placements	GPR	A	3,000,000	3,000,000
2	(cd) Domestic abuse grants	GPR	A	18,651,900	18,651,900
3	(ce) Assistance to survivors of				
4	domestic abuse	GPR	A	14,000,000	14,000,000
5	(cf) Foster parent insurance and				
6	liability	GPR	A	59,400	59,400
7	(cj) Community youth and family aids	GPR	A	94,002,900	94,002,900
8	(ck) Community youth and family				
9	aids; bonus for county facilities	GPR	A	-0-	750,000
10	(cL) Seventeen-year-old juvenile				
11	justice aids	GPR	S	5,000,000	5,000,000
12	(cm) Youth justice system				
13	improvement program	GPR	A	3,015,300	3,015,300
14	(cw) Milwaukee child welfare services;				
15	general program operations	GPR	A	21,271,300	21,605,000
16	(cx) Child welfare services; aids	GPR	A	81,992,900	89,153,100
17	(dd) State out-of-home care, adoption				
18	services, and subsidized				
19	guardianships	GPR	A	55,373,500	56,368,400
20	(dg) State adoption information				
21	exchange and state adoption				
22	center	GPR	A	169,600	169,600
23	(dm) Sibling connections scholarships	GPR	A	75,000	75,000
24	(es) Kinship care; flexible support	GPR	A	7,868,200	7,845,900

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(f) Second-chance homes	GPR	A	-0-	-0-
2	(gg) Collection remittances to local				
3	units of government	PR	C	-0-	-0-
4	(gx) Milwaukee child welfare services;				
5	collections	PR	C	3,500,000	3,500,000
6	(hh) Domestic abuse surcharge grants	PR	C	600,000	600,000
7	(i) Gifts and grants	PR	C	5,000	5,000
8	(j) Statewide automated child				
9	welfare information system				
10	receipts	PR	C	581,300	581,300
11	(jb) Fees for administrative services	PR	C	78,000	78,000
12	(jj) Searches for birth parents and				
13	adoption record information;				
14	foreign adoptions	PR	A	112,900	112,900
15	(jm) Licensing activities	PR	C	111,200	111,200
16	(js) Tribal family services grants	PR-S	A	1,867,500	1,867,500
17	(kb) Interagency aids; grants for youth				
18	services	PR-S	C	865,000	865,000
19	(km) Interagency and intra-agency				
20	aids; children and family aids;				
21	local assistance	PR-S	C	7,256,100	7,256,100
22	(kp) Youth aids funding for the youth				
23	justice system improvements				
24	program	PR-S	C	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kw) Interagency and intra-agency				
2	aids; Milwaukee child welfare				
3	services	PR-S	A	20,101,300	20,101,300
4	(kx) Interagency and intra-agency				
5	programs	PR-S	C	3,368,800	3,377,800
6	(ky) Interagency and intra-agency				
7	aids	PR-S	C	3,290,100	3,290,100
8	(kz) Interagency and intra-agency				
9	aids; tribal placements	PR-S	A	717,500	717,500
10	(m) Federal project operations	PR-F	C	1,359,900	1,126,000
11	(ma) Federal project aids	PR-F	C	3,900,000	3,900,000
12	(mb) Federal project local assistance	PR-F	C	-0-	-0-
13	(mc) Federal block grant operations	PR-F	C	-0-	-0-
14	(md) Federal block grant aids	PR-F	C	-0-	-0-
15	(mw) Federal aid; Milwaukee child				
16	welfare services general program				
17	operations	PR-F	C	4,430,900	4,440,300
18	(mx) Federal aid; Milwaukee child				
19	welfare services aids	PR-F	C	18,726,800	18,777,000
20	(n) Federal program operations	PR-F	C	14,139,900	14,131,000
21	(na) Federal program aids	PR-F	C	12,001,800	12,001,800
22	(nL) Federal program local assistance	PR-F	C	18,229,100	18,361,500
23	(o) Federal aid; children, youth, and				
24	family aids	PR-F	C	50,528,500	50,665,300

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(pd) Federal aid; state out-of-home				
2	care, adoption services, and				
3	subsidized guardianships	PR-F	C	53,261,800	53,685,600
4	(pm) Federal aid; adoption incentive				
5	payments	PR-F	C	400,000	400,000
6		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			399,930,300	412,956,200
	PROGRAM REVENUE			219,433,400	219,952,200
	FEDERAL			(176,978,700)	(177,488,500)
	OTHER			(4,988,400)	(4,988,400)
	SERVICE			(37,466,300)	(37,475,300)
	TOTAL-ALL SOURCES			619,363,700	632,908,400
7	(2) ECONOMIC SUPPORT				
8	(a) General program operations	GPR	A	9,091,800	13,965,000
9	(bc) Child support local assistance	GPR	C	15,760,000	15,760,000
10	(c) Child care quality improvement				
11	program	GPR	A	81,000,000	221,000,000
12	(cm) Wisconsin works child care	GPR	A	28,849,400	28,849,400
13	(d) Child care partnership grant				
14	program	GPR	A	10,000,000	10,000,000
15	(dz) Temporary Assistance for Needy				
16	Families programs; maintenance				
17	of effort	GPR	A	131,077,000	131,077,000
18	(e) Incentive payments for				
19	identifying children with health				
20	insurance	GPR	A	300,000	300,000
21	(em) Drug testing and treatment costs	GPR	A	250,000	250,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(er) Boys and Girls Clubs of Wisconsin	GPR	A	1,300,000	1,300,000
2	(f) Emergency Shelter of the Fox				
3	Valley	GPR	A	50,000	50,000
4	(fm) Early childhood education center	GPR	B	840,000	-0-
5	(fr) Skills enhancement grants	GPR	A	500,000	500,000
6	(i) Gifts and grants	PR	C	2,500	2,500
7	(ja) Child support state operations -				
8	fees, reimbursements, and				
9	collections	PR	C	19,382,100	19,383,900
10	(jb) Fees for administrative services	PR	C	725,000	725,000
11	(jL) Job access loan repayments	PR	C	610,200	610,200
12	(jm) Child care worker background				
13	check	PR	C	2,000,000	2,000,000
14	(jn) Child care licensing and				
15	certification activities	PR	C	1,500,000	1,500,000
16	(k) Child support transfers	PR-S	C	7,141,000	7,141,000
17	(kx) Interagency and intra-agency				
18	programs	PR-S	C	4,040,100	4,043,500
19	(L) Public assistance overpayment				
20	recovery, fraud investigation, and				
21	error reduction	PR	C	160,600	160,600
22	(ma) Federal project activities and				
23	administration	PR-F	C	1,460,600	916,600
24	(mc) Federal block grant operations	PR-F	A	63,799,800	63,681,900

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(md) Federal block grant aids	PR-F	A	548,586,600	591,082,700
2	(me) Child care and temporary				
3	assistance overpayment recovery	PR-F	C	4,287,600	4,287,600
4	(mg) Community services block grant;				
5	federal funds	PR-F	C	9,039,000	9,038,800
6	(mm) Reimbursements from federal				
7	government	PR-F	C	-0-	-0-
8	(n) Child support state operations;				
9	federal funds	PR-F	C	23,921,900	32,729,000
10	(nL) Child support local assistance;				
11	federal funds	PR-F	C	84,431,500	84,431,500
12	(om) Refugee assistance; federal funds	PR-F	C	7,287,000	7,095,000
13	(q) Centralized support receipt and				
14	disbursement; interest	SEG	S	35,000	35,000
15	(qm) Child support state operations				
16	and reimbursement for claims				
17	and expenses; unclaimed				
18	payments	SEG	S	100,000	100,000
19	(s) Economic support - public				
20	benefits	SEG	A	9,139,700	9,139,700
21		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			279,018,200	423,051,400
	PROGRAM REVENUE			778,375,500	828,829,800
	FEDERAL			(742,814,000)	(793,263,100)
	OTHER			(24,380,400)	(24,382,200)
	SERVICE			(11,181,100)	(11,184,500)
	SEGREGATED REVENUE			9,274,700	9,274,700
	OTHER			(9,274,700)	(9,274,700)

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	TOTAL-ALL SOURCES			1,066,668,400	1,261,155,900
1	(3) GENERAL ADMINISTRATION				
2	(a) General program operations	GPR	A	3,176,000	3,198,600
3	(i) Gifts and grants	PR	C	4,300	4,400
4	(jb) Fees for administrative services	PR	C	-0-	-0-
5	(k) Administrative and support				
6	services	PR-S	A	25,716,600	25,815,400
7	(kp) Interagency and intra-agency				
8	aids; income augmentation				
9	services receipts	PR-S	C	-0-	-0-
10	(kx) Interagency and intra-agency				
11	programs	PR-S	C	19,986,400	19,986,400
12	(ky) Interagency and intra-agency				
13	aids	PR-S	C	-0-	-0-
14	(kz) Interagency and intra-agency				
15	local assistance	PR-S	C	-0-	-0-
16	(mc) Federal block grant operations	PR-F	C	-0-	-0-
17	(md) Federal block grant aids	PR-F	C	-0-	-0-
18	(mf) Federal economic stimulus funds	PR-F	C	-0-	-0-
19	(mm) Reimbursements from federal				
20	government	PR-F	C	-0-	-0-
21	(n) Federal project activities	PR-F	C	-0-	-0-
22	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
23	(3) PROGRAM TOTALS				

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
GENERAL PURPOSE REVENUE			3,176,000	3,198,600	
PROGRAM REVENUE			45,707,300	45,806,200	
FEDERAL			(-0-)	(-0-)	
OTHER			(4,300)	(4,400)	
SERVICE			(45,703,000)	(45,801,800)	
TOTAL-ALL SOURCES			48,883,300	49,004,800	
1	20.437 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			682,124,500	839,206,200	
PROGRAM REVENUE			1,043,516,200	1,094,588,200	
FEDERAL			(919,792,700)	(970,751,600)	
OTHER			(29,373,100)	(29,375,000)	
SERVICE			(94,350,400)	(94,461,600)	
SEGREGATED REVENUE			9,274,700	9,274,700	
OTHER			(9,274,700)	(9,274,700)	
TOTAL-ALL SOURCES			1,734,915,400	1,943,069,100	
2	20.438 People with Developmental Disabilities, Board for				
3	(1) DEVELOPMENTAL DISABILITIES				
4	(a)	General program operations	GPR A	134,800	134,800
5	(h)	Program services	PR C	-0-	-0-
6	(i)	Gifts and grants	PR C	-0-	-0-
7	(mc)	Federal project operations	PR-F C	989,900	989,900
8	(md)	Federal project aids	PR-F C	543,600	543,600
9	(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			134,800	134,800	
PROGRAM REVENUE			1,533,500	1,533,500	
FEDERAL			(1,533,500)	(1,533,500)	
OTHER			(-0-)	(-0-)	
TOTAL-ALL SOURCES			1,668,300	1,668,300	
10	20.438 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			134,800	134,800	
PROGRAM REVENUE			1,533,500	1,533,500	
FEDERAL			(1,533,500)	(1,533,500)	
OTHER			(-0-)	(-0-)	
TOTAL-ALL SOURCES			1,668,300	1,668,300	

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.440 Health and Educational Facilities Authority				
2	(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES				
3	(a) General program operations	GPR	C	-0-	-0-
4	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
5	(2) RURAL HOSPITAL LOAN GUARANTEE				
6	(a) Rural assistance loan fund	GPR	C	-0-	-0-
7	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
8	20.440 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
9	20.445 Workforce Development, Department of				
10	(1) WORKFORCE DEVELOPMENT				
11	(a) General program operations	GPR	A	20,813,600	11,468,500
12	(aa) Special death benefit	GPR	S	525,000	525,000
13	(aL) Unemployment insurance				
14	administration; controlled				
15	substances testing and treatment	GPR	B	250,000	250,000
16	(b) Workforce training; programs,				
17	grants, services, and contracts	GPR	A	7,250,000	7,250,000
18	(bg) Worker training and employment				
19	program	GPR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bj) Local workforce development				
2	boards; grants for youth services				
3	and training	GPR	C	4,400,000	4,400,000
4	(bm) Workforce training;				
5	administration	GPR	B	3,725,400	3,725,400
6	(bp) Wisconsin green jobs training				
7	program; grants	GPR	C	2,000,000	-0-
8	(bq) Clean energy training and				
9	reemployment program	GPR	C	5,000,000	5,000,000
10	(bt) Workforce development; grants				
11	for teacher training and				
12	recruitment	GPR	B	500,000	500,000
13	(bw) Workforce innovation grants	GPR	C	200,000,000	-0-
14	(bz) Career and technical education				
15	incentive grants	GPR	A	6,500,000	6,500,000
16	(c) Career and technical education				
17	completion awards	GPR	S	51,500	51,500
18	(cg) Technical education equipment				
19	grants	GPR	A	1,000,000	1,000,000
20	(cm) Worker advancement initiative	GPR	C	15,500,000	11,000,000
21	(cr) State supplement to employment				
22	opportunity demonstration				
23	projects	GPR	A	401,200	401,200
24	(d) Reimbursement for tuition				
25	payments	GPR	A	478,500	478,500

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(dg) Teacher development program				
2	grants	GPR	A	-0-	-0-
3	(dr) Apprenticeship programs	GPR	A	500,000	500,000
4	(e) Local youth apprenticeship				
5	grants	GPR	C	6,000,000	6,000,000
6	(f) Death and disability benefit				
7	payments; public insurrections	GPR	S	-0-	-0-
8	(fd) Enforcement of laws related to				
9	migrant workers	GPR	A	451,600	282,000
10	(fg) Employment transit assistance				
11	grants	GPR	A	464,800	464,800
12	(fm) Youth summer jobs program	GPR	A	422,400	422,400
13	(g) Gifts and grants	PR	C	-0-	-0-
14	(ga) Auxiliary services	PR	C	385,500	385,500
15	(gb) Local agreements	PR	C	262,600	262,600
16	(gc) Unemployment administration	PR	C	-0-	-0-
17	(gd) Unemployment interest and				
18	penalty payments	PR	C	1,808,700	1,808,700
19	(gg) Unemployment information				
20	technology systems; interest and				
21	penalties	PR	C	-0-	-0-
22	(gh) Unemployment information				
23	technology systems; assessments	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gk) Permit system for employment of				
2	minors; fees	PR	A	169,000	169,000
3	(gm) Unemployment insurance				
4	handbook	PR	C	-0-	-0-
5	(gr) Agricultural education and				
6	workforce development council,				
7	gifts and grants	PR	C	-0-	-0-
8	(ka) Interagency and intra-agency				
9	agreements	PR-S	C	36,888,800	36,888,800
10	(kc) Administrative services	PR-S	A	38,153,100	38,174,800
11	(km) Nursing workforce survey and				
12	grants	PR-S	C	155,600	155,600
13	(m) Workforce investment and				
14	assistance; federal moneys	PR-F	C	71,810,600	71,382,100
15	(n) Employment assistance and				
16	unemployment insurance				
17	administration; federal moneys	PR-F	C	85,709,700	73,843,800
18	(na) Employment security buildings				
19	and equipment	PR-F	C	-0-	-0-
20	(nb) Unemployment administration;				
21	information technology systems	PR-F	C	-0-	-0-
22	(nd) Unemployment administration;				
23	apprenticeship and other				
24	employment services	PR-F	A	523,000	523,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ne) Unemployment insurance				
2	administration and bank service				
3	costs	PR-F	C	-0-	-0-
4	(o) Equal rights; federal moneys	PR-F	C	1,702,200	1,301,500
5	(p) Worker's compensation; federal				
6	moneys	PR-F	C	-0-	-0-
7	(pz) Indirect cost reimbursements	PR-F	C	25,300	25,300
8	(ra) Worker's compensation				
9	operations fund; administration	SEG	A	13,798,800	13,798,800
10	(rb) Worker's compensation				
11	operations fund; contracts	SEG	C	93,900	93,900
12	(rp) Worker's compensation				
13	operations fund; uninsured				
14	employers program;				
15	administration	SEG	A	1,203,900	1,203,900
16	(rr) Worker's compensation				
17	operations fund; special				
18	assessment insurer				
19	reimbursements	SEG	A	5,000,000	5,000,000
20	(s) Self-insured employers liability				
21	fund	SEG	C	-0-	-0-
22	(sm) Uninsured employers fund;				
23	payments	SEG	C	5,500,000	5,500,000
24	(t) Work injury supplemental benefit				
25	fund	SEG	C	5,360,000	5,360,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(u) Unemployment interest payments				
2	and transfers	SEG	C	-0-	-0-
3	(v) Unemployment program integrity	SEG	C	535,200	535,200
4		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			276,234,000	60,219,300
	PROGRAM REVENUE			237,594,100	224,920,700
	FEDERAL			(159,770,800)	(147,075,700)
	OTHER			(2,625,800)	(2,625,800)
	SERVICE			(75,197,500)	(75,219,200)
	SEGREGATED REVENUE			31,491,800	31,491,800
	OTHER			(31,491,800)	(31,491,800)
	TOTAL-ALL SOURCES			545,319,900	316,631,800
5	(5) VOCATIONAL REHABILITATION SERVICES				
6	(a) General program operations;				
7	purchased services for clients	GPR	C	19,249,800	19,249,800
8	(gg) Contractual services	PR	C	-0-	-0-
9	(gp) Contractual aids	PR	C	-0-	-0-
10	(h) Enterprises and services for blind				
11	and visually impaired	PR	C	149,100	149,100
12	(he) Supervised business enterprise	PR	C	125,000	125,000
13	(i) Gifts and grants	PR	C	1,000	1,000
14	(kg) Vocational rehabilitation services				
15	for tribes	PR-S	A	314,900	314,900
16	(kx) Interagency and intra-agency				
17	programs	PR-S	C	-0-	-0-
18	(ky) Interagency and intra-agency				
19	aids	PR-S	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kz) Interagency and intra-agency				
2	local assistance	PR-S	C	-0-	-0-
3	(m) Federal project operations	PR-F	C	50,000	50,000
4	(ma) Federal project aids	PR-F	C	3,362,800	3,362,800
5	(n) Federal program aids and				
6	operations	PR-F	C	76,097,800	76,097,800
7	(nL) Federal program local assistance	PR-F	C	-0-	-0-
8		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			19,249,800	19,249,800
	PROGRAM REVENUE			80,100,600	80,100,600
	FEDERAL			(79,510,600)	(79,510,600)
	OTHER			(275,100)	(275,100)
	SERVICE			(314,900)	(314,900)
	TOTAL-ALL SOURCES			99,350,400	99,350,400
9	(6) FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM				
10	(q) Payment of benefits; family and				
11	medical leave benefits insurance				
12	trust fund	SEG	S	-0-	158,866,600
13	(r) Administrative expenses; family				
14	and medical leave insurance trust				
15	fund	SEG	B	65,767,800	18,779,000
16		(6) PROGRAM TOTALS			
	SEGREGATED REVENUE			65,767,800	177,645,600
	OTHER			(65,767,800)	(177,645,600)
	TOTAL-ALL SOURCES			65,767,800	177,645,600
17		20.445 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			295,483,800	79,469,100
	PROGRAM REVENUE			317,694,700	305,021,300
	FEDERAL			(239,281,400)	(226,586,300)
	OTHER			(2,900,900)	(2,900,900)
	SERVICE			(75,512,400)	(75,534,100)
	SEGREGATED REVENUE			97,259,600	209,137,400

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2023-2024	2024-2025
OTHER				(97,259,600)	(209,137,400)
TOTAL-ALL SOURCES				710,438,100	593,627,800
1	20.455 Justice, Department of				
2	(1) LEGAL SERVICES				
3	(a) General program operations	GPR	A	18,446,300	18,826,200
4	(d) Legal expenses	GPR	B	734,400	734,400
5	(gh) Investigation and prosecution	PR	C	200,000	200,000
6	(gs) Delinquent obligation collection	PR	A	25,000	25,000
7	(hg) Legal services; tobacco settlement				
8	agreement	GPR	C	250,000	250,000
9	(hm) Restitution	PR	C	1,000,000	1,000,000
10	(hn) Payments to relators	PR	C	-0-	-0-
11	(k) Environment litigation project	PR-S	C	773,800	784,700
12	(km) Interagency and intra-agency				
13	assistance	PR-S	C	2,361,300	2,404,900
14	(m) Federal aid	PR-F	C	1,187,200	1,009,200
15	(m) Federal aid, state operations	PR-F	C	388,700	388,700
16		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			19,430,700	19,810,600
	PROGRAM REVENUE			5,936,000	5,812,500
	FEDERAL			(1,575,900)	(1,397,900)
	OTHER			(1,225,000)	(1,225,000)
	SERVICE			(3,135,100)	(3,189,600)
	TOTAL-ALL SOURCES			25,366,700	25,623,100
17	(2) LAW ENFORCEMENT SERVICES				
18	(a) General program operations	GPR	A	33,541,100	34,298,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(am) Officer training reimbursement	GPR	S	150,000	150,000
2	(as) Officer training reimbursements;				
3	supplemental funds	GPR	A	2,000,000	2,000,000
4	(b) Investigations and operations	GPR	A	-0-	-0-
5	(bc) Grants for community policing				
6	and community prosecution				
7	programs	GPR	C	5,000,000	5,000,000
8	(be) Law enforcement recruitment,				
9	retention, and wellness grant				
10	program	GPR	C	5,000,000	5,000,000
11	(bm) Law enforcement officer				
12	supplement grants - state funds	GPR	A	1,000,000	1,000,000
13	(c) Crime laboratory equipment	GPR	B	-0-	-0-
14	(cm) Law enforcement agency drug				
15	trafficking response grants	GPR	B	1,000,000	1,000,000
16	(cp) Community-oriented				
17	policing-house grant program	GPR	A	-0-	-0-
18	(cv) Gunfire Detection Program	GPR	A	175,000	175,000
19	(d) Grants for body cameras	GPR	C	-0-	-0-
20	(dg) Weed and seed and law				
21	enforcement technology	GPR	A	-0-	-0-
22	(eg) Drug courts	GPR	A	500,000	500,000
23	(em) Grants for alternatives to				
24	prosecution and incarceration	GPR	A	9,150,000	21,650,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(f) School safety	GPR	C	-0-	-0-
2	(fw) Elder abuse hotline and grant				
3	program	GPR	C	-0-	250,000
4	(g) Gaming law enforcement; racing				
5	revenues	PR	A	-0-	-0-
6	(gb) Gifts and grants	PR	C	100,000	100,000
7	(gc) Gaming law enforcement; Indian				
8	gaming	PR	A	166,500	166,500
9	(gm) Criminal history searches;				
10	fingerprint identification	PR	C	4,621,000	4,621,000
11	(gp) Crime information alerts	PR	C	-0-	-0-
12	(gr) Firearm purchaser record check;				
13	checks for licenses or				
14	certifications to carry concealed				
15	weapons	PR	C	3,375,200	3,375,200
16	(gu) Sobriety programs	PR	A	-0-	-0-
17	(h) Terminal charges	PR	A	2,235,400	2,235,400
18	(hd) Internet crimes against children	PR	C	1,000,000	1,000,000
19	(i) Penalty surcharge, receipts	PR	A	-0-	-0-
20	(im) Training to school staff	PR	C	-0-	-0-
21	(j) Law enforcement training fund,				
22	local assistance	PR-S	A	4,500,000	4,500,000
23	(ja) Law enforcement training fund,				
24	state operations	PR-S	A	3,259,200	3,262,900

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(jb) Crime laboratory equipment and				
2	supplies	PR-S	A	900,000	900,000
3	(jc) Law enforcement overtime grants	PR	A	190,800	-0-
4	(jd) Alternatives to prosecution and				
5	incarceration grant program	PR	A	232,200	-0-
6	(k) Interagency and intra-agency				
7	assistance	PR-S	C	1,852,800	1,852,800
8	(kb) Law enforcement officer				
9	supplement grants	PR-S	A	224,900	224,900
10	(kc) Transaction information				
11	management of enforcement				
12	system	PR-S	A	1,588,100	1,588,100
13	(kd) Drug law enforcement, crime				
14	laboratories, and genetic evidence				
15	activities	PR-S	A	9,797,700	9,808,600
16	(ke) Drug enforcement intelligence				
17	operations	PR-S	A	2,222,900	2,222,900
18	(kg) Interagency and intra-agency				
19	assistance; fingerprint				
20	identification	PR-S	A	-0-	-0-
21	(kj) Youth diversion program	PR-S	A	672,400	672,400
22	(km) Lottery background				
23	investigations	PR-S	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kn) Alternatives to prosecution and				
2	incarceration; justice information				
3	fee	PR-S	A	212,500	212,500
4	(ko) Wisconsin justice information				
5	sharing program	PR-S	A	863,000	863,000
6	(kp) Drug crimes enforcement; local				
7	grants	PR-S	A	717,900	717,900
8	(kq) County law enforcement services	PR-S	A	490,000	490,000
9	(kt) County-tribal programs, local				
10	assistance	PR-S	A	631,200	631,200
11	(ku) County-tribal programs, state				
12	operations	PR-S	A	99,100	99,100
13	(kv) Grants for programs for criminal				
14	offenders	PR	C	-0-	-0-
15	(kw) Tribal law enforcement assistance	PR-S	A	1,390,000	1,390,000
16	(ky) Law enforcement programs and				
17	youth diversion - administration	PR-S	A	147,900	147,900
18	(Lm) Crime laboratories;				
19	deoxyribonucleic acid analysis	PR-S	C	5,484,900	5,484,900
20	(Lp) Crime laboratories;				
21	deoxyribonucleic acid analysis				
22	surcharges	PR	C	-0-	-0-
23	(m) Federal aid, state operations	PR-F	C	4,909,700	4,257,500
24	(n) Federal aid, local assistance	PR-F	C	5,755,000	5,755,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(r) Gaming law enforcement; lottery				
2	revenues	SEG	A	415,400	415,400
3		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			57,516,100	71,023,000
	PROGRAM REVENUE			57,640,300	56,579,700
	FEDERAL			(10,664,700)	(10,012,500)
	OTHER			(11,921,100)	(11,498,100)
	SERVICE			(35,054,500)	(35,069,100)
	SEGREGATED REVENUE			415,400	415,400
	OTHER			(415,400)	(415,400)
	TOTAL-ALL SOURCES			115,571,800	128,018,100
4	(3) ADMINISTRATIVE SERVICES				
5	(a) General program operations	GPR	A	7,882,000	7,931,500
6	(g) Gifts, grants and proceeds	PR	C	525,000	525,000
7	(m) Federal aid, state operations	PR-F	C	-0-	-0-
8	(pz) Indirect cost reimbursements	PR-F	C	571,600	571,600
9		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			7,882,000	7,931,500
	PROGRAM REVENUE			1,096,600	1,096,600
	FEDERAL			(571,600)	(571,600)
	OTHER			(525,000)	(525,000)
	TOTAL-ALL SOURCES			8,978,600	9,028,100
10	(5) VICTIMS AND WITNESSES				
11	(a) General program operations	GPR	A	2,607,100	2,625,300
12	(b) Awards for victims of crimes	GPR	A	2,388,100	2,388,100
13	(bf) Grants to provide services to				
14	crime victims	GPR	C	5,000,000	5,000,000
15	(br) Global positioning system				
16	tracking	GPR	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(c) Office of missing and murdered				
2	indigenous women	GPR	A	3,675,200	3,733,500
3	(d) Reimbursement for forensic				
4	examinations	GPR	S	1,280,000	1,280,000
5	(e) Sexual assault victim services	GPR	A	7,316,000	7,334,200
6	(es) Court appointed special advocates	GPR	A	250,000	250,000
7	(f) Reimbursement to counties for				
8	victim-witness services	GPR	A	6,563,700	6,843,200
9	(g) Crime victim and witness				
10	assistance surcharge, general				
11	services	PR	A	4,866,900	4,866,900
12	(gj) General operations; child				
13	pornography surcharge	PR	C	257,400	257,400
14	(h) Crime victim compensation				
15	services	PR	A	84,400	84,400
16	(hh) Crime victim restitution	PR	C	267,300	267,300
17	(i) Victim compensation, inmate				
18	payments	PR	C	-0-	-0-
19	(k) Interagency and intra-agency				
20	assistance; reimbursement to				
21	counties	PR-S	A	-0-	-0-
22	(ke) Child advocacy centers	PR-S	A	255,000	255,000
23	(kp) Reimbursement to counties for				
24	victim-witness services	PR-S	A	748,900	748,900

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(m) Federal aid; victim compensation	PR-F	C	1,823,900	1,823,900
2	(ma) Federal aid; state operations				
3	relating to crime victim services	PR-F	C	1,419,300	1,419,300
4	(mh) Federal aid; victim assistance	PR-F	C	9,594,700	9,498,200
5		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			29,080,100	29,454,300
	PROGRAM REVENUE			19,317,800	19,221,300
	FEDERAL			(12,837,900)	(12,741,400)
	OTHER			(5,476,000)	(5,476,000)
	SERVICE			(1,003,900)	(1,003,900)
	TOTAL-ALL SOURCES			48,397,900	48,675,600
6		20.455 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			113,908,900	128,219,400
	PROGRAM REVENUE			83,990,700	82,710,100
	FEDERAL			(25,650,100)	(24,723,400)
	OTHER			(19,147,100)	(18,724,100)
	SERVICE			(39,193,500)	(39,262,600)
	SEGREGATED REVENUE			415,400	415,400
	OTHER			(415,400)	(415,400)
	TOTAL-ALL SOURCES			198,315,000	211,344,900
7	20.465 Military Affairs, Department of				
8	(1) NATIONAL GUARD OPERATIONS				
9	(a) General program operations	GPR	A	13,634,500	12,649,000
10	(am) Office of homeland security	GPR	A	244,700	313,000
11	(b) Repair and maintenance	GPR	A	963,800	963,800
12	(c) Public emergencies	GPR	S	2,000,000	2,000,000
13	(d) Principal repayment and interest	GPR	S	5,963,300	6,017,700
14	(dm) Death gratuity	GPR	S	-0-	-0-
15	(e) State flags	GPR	A	400	400

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(f) Energy costs; energy-related				
2	assessments	GPR	A	2,994,100	3,036,400
3	(g) Military property	PR	A	1,410,000	1,410,000
4	(h) Intergovernmental services	PR	C	-0-	-0-
5	(i) Distance learning centers	PR	C	-0-	-0-
6	(j) Demolition of abated former drug				
7	dwellings	PR	C	-0-	-0-
8	(km) Agency services	PR-S	A	60,800	60,800
9	(Li) Gifts and grants	PR	C	156,800	156,800
10	(m) Federal aid	PR-F	C	50,744,900	50,748,700
11	(pz) Indirect cost reimbursements	PR-F	C	1,203,000	1,203,000
12		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			25,800,800	24,980,300
	PROGRAM REVENUE			53,575,500	53,579,300
	FEDERAL			(51,947,900)	(51,951,700)
	OTHER			(1,566,800)	(1,566,800)
	SERVICE			(60,800)	(60,800)
	TOTAL-ALL SOURCES			79,376,300	78,559,600
13	(2) GUARD MEMBERS' BENEFITS				
14	(a) Tuition grants	GPR	S	5,800,000	5,800,000
15	(r) Military family relief	SEG	C	-0-	-0-
16		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			5,800,000	5,800,000
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			5,800,000	5,800,000
17	(3) EMERGENCY MANAGEMENT SERVICES				
18	(a) General program operations	GPR	A	3,611,700	3,755,100

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(am) Worker's compensation for local				
2	unit of government volunteers	GPR	S	80,000	80,000
3	(b) State disaster assistance	GPR	A	1,000,000	-0-
4	(bm) Statewide public safety				
5	interoperable communication				
6	system	GPR	C	45,000,000	-0-
7	(dd) Regional emergency response				
8	teams	GPR	A	1,247,400	1,247,400
9	(df) Regional emergency response				
10	grants	GPR	C	-0-	-0-
11	(dm) Mobile field force grants	GPR	C	-0-	-0-
12	(dp) Emergency response equipment	GPR	A	417,000	417,000
13	(dr) Emergency response supplement	GPR	C	-0-	-0-
14	(dt) Emergency response training	GPR	B	57,900	57,900
15	(dv) Urban search and rescue task				
16	force	GPR	C	506,400	506,400
17	(e) Disaster recovery aid; public				
18	health emergency quarantine				
19	costs	GPR	S	4,500,000	4,500,000
20	(f) Civil air patrol aids	GPR	A	16,900	16,900
21	(g) Program services	PR	C	2,798,500	2,798,500
22	(h) Interstate emergency assistance	PR	C	-0-	-0-
23	(hm) Urban search and rescue task				
24	force supplement	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(i) Emergency planning and				
2	reporting; administration	PR	A	1,458,700	1,458,700
3	(j) Division of emergency				
4	management; gifts and grants	PR	C	-0-	-0-
5	(jm) Division of emergency				
6	management; emergency				
7	planning grants	PR	C	1,043,800	1,043,800
8	(jt) Regional emergency response				
9	reimbursement	PR	C	-0-	-0-
10	(ke) Interagency and intra-agency				
11	assistance	PR-S	C	-0-	-0-
12	(km) Interoperable communications				
13	system	PR-S	A	1,275,900	1,275,900
14	(ks) Public safety interoperable				
15	communication system; state fees	PR-S	A	-0-	-0-
16	(L) Public safety interoperable				
17	communication system; general				
18	usage fees	PR	A	-0-	-0-
19	(m) Federal aid, state operations	PR-F	C	5,873,600	5,873,600
20	(mb) Federal aid, homeland security	PR-F	C	17,152,500	17,152,500
21	(n) Federal aid, local assistance	PR-F	C	28,291,700	28,291,700
22	(o) Federal aid, individuals and				
23	organizations	PR-F	C	4,908,300	4,908,300
24	(q) Interoperability council	SEG	A	300,800	300,800

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(qm) Next Generation 911	SEG	B	25,081,000	25,081,000
2	(r) Division of emergency				
3	management; petroleum				
4	inspection fund	SEG	A	462,100	462,100
5	(s) State disaster assistance;				
6	petroleum inspection fund	SEG	C	711,200	711,200
7	(t) Emergency response training -				
8	environmental fund	SEG	B	7,600	7,600
9		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			56,437,300	10,580,700
	PROGRAM REVENUE			62,803,000	62,803,000
	FEDERAL			(56,226,100)	(56,226,100)
	OTHER			(5,301,000)	(5,301,000)
	SERVICE			(1,275,900)	(1,275,900)
	SEGREGATED REVENUE			26,562,700	26,562,700
	OTHER			(26,562,700)	(26,562,700)
	TOTAL-ALL SOURCES			145,803,000	99,946,400
10	(4) NATIONAL GUARD YOUTH PROGRAMS				
11	(h) Gifts and grants	PR	C	1,700	1,700
12	(ka) Challenge academy program;				
13	public instruction funds	PR-S	C	1,269,800	1,269,800
14	(m) Federal aid	PR-F	C	3,810,000	3,810,000
15		(4) PROGRAM TOTALS			
	PROGRAM REVENUE			5,081,500	5,081,500
	FEDERAL			(3,810,000)	(3,810,000)
	OTHER			(1,700)	(1,700)
	SERVICE			(1,269,800)	(1,269,800)
	TOTAL-ALL SOURCES			5,081,500	5,081,500
16		20.465 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			88,038,100	41,361,000
	PROGRAM REVENUE			121,460,000	121,463,800
	FEDERAL			(111,984,000)	(111,987,800)
	OTHER			(6,869,500)	(6,869,500)

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
SERVICE			(2,606,500)	(2,606,500)
SEGREGATED REVENUE			26,562,700	26,562,700
OTHER			(26,562,700)	(26,562,700)
TOTAL-ALL SOURCES			236,060,800	189,387,500
1 20.475 District Attorneys				
2 (1) DISTRICT ATTORNEYS				
3 (d) Salaries and fringe benefits	GPR	A	58,623,600	60,068,200
4 (em) Salary adjustments	GPR	A	7,574,300	10,687,000
5 (h) Gifts and grants	PR	C	3,272,000	3,272,000
6 (i) Other employees	PR	A	305,000	305,000
7 (k) Interagency and intra-agency				
8 assistance	PR-S	C	-0-	-0-
9 (km) Deoxyribonucleic acid evidence				
10 activities	PR-S	A	116,800	116,800
11 (m) Federal aid	PR-F	C	2,668,000	-0-
12 (1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			66,197,900	70,755,200
PROGRAM REVENUE			6,361,800	3,693,800
FEDERAL			(2,668,000)	(-0-)
OTHER			(3,577,000)	(3,577,000)
SERVICE			(116,800)	(116,800)
TOTAL-ALL SOURCES			72,559,700	74,449,000
13 20.475 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUE			66,197,900	70,755,200
PROGRAM REVENUE			6,361,800	3,693,800
FEDERAL			(2,668,000)	(-0-)
OTHER			(3,577,000)	(3,577,000)
SERVICE			(116,800)	(116,800)
TOTAL-ALL SOURCES			72,559,700	74,449,000

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.485 Veterans Affairs, Department of				
2	(1) VETERANS HOMES				
3	(a) Aids to indigent veterans	GPR	A	178,200	178,200
4	(e) Lease rental payments	GPR	S	-0-	-0-
5	(f) Principal repayment and interest	GPR	S	1,329,100	1,593,000
6	(g) Home exchange	PR	C	270,700	270,700
7	(gd) Veterans home cemetery				
8	operations	PR	C	5,000	5,000
9	(gf) Veterans home member care	PR	C	-0-	-0-
10	(gk) Institutional operations	PR	A	124,524,900	124,398,000
11	(go) Self-amortizing facilities;				
12	principal repayment and interest	PR	S	3,725,300	4,245,500
13	(h) Gifts and bequests	PR	C	238,400	238,400
14	(i) State-owned housing				
15	maintenance	PR	C	59,700	59,700
16	(kc) Electric energy derived from				
17	renewable resources	PR-S	A	54,000	54,000
18	(kj) Grants to local governments	PR-S	B	150,000	150,000
19	(ks) Emergency mitigation	PR-S	C	-0-	-0-
20	(m) Federal aid; care at veterans				
21	homes	PR-F	C	-0-	-0-
22	(mn) Federal projects	PR-F	C	12,500	12,500
23	(t) Veterans homes member accounts	SEG	C	-0-	-0-
24	(1) PROGRAM TOTALS				

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	2023-2024	2024-2025
		GENERAL PURPOSE REVENUE			1,507,300	1,771,200
		PROGRAM REVENUE			129,040,500	129,433,800
		FEDERAL			(12,500)	(12,500)
		OTHER			(128,824,000)	(129,217,300)
		SERVICE			(204,000)	(204,000)
		SEGREGATED REVENUE			-0-	-0-
		OTHER			(-0-)	(-0-)
		TOTAL-ALL SOURCES			130,547,800	131,205,000
1	(2)	LOANS AND AIDS TO VETERANS				
2	(g)	Consumer reporting agency fees	PR	C	-0-	-0-
3	(h)	Public and private receipts	PR	C	18,200	18,200
4	(kg)	American Indian services				
5		coordinator	PR-S	A	121,100	121,100
6	(km)	American Indian grants	PR-S	A	61,200	61,200
7	(m)	Federal payments; veterans				
8		assistance	PR-F	C	444,700	444,700
9	(qm)	Veterans employment and				
10		entrepreneurship grants	SEG	A	500,000	500,000
11	(qs)	Veterans outreach and recovery				
12		program	SEG	B	1,853,200	2,265,800
13	(rm)	Veterans assistance programs	SEG	B	922,500	922,500
14	(rn)	Fish and game vouchers	SEG	B	15,000	15,000
15	(rp)	Veterans assistance program				
16		receipts	SEG	C	115,500	115,500
17	(s)	Transportation payment	SEG	A	300,000	300,000
18	(sm)	Military funeral honors	SEG	S	304,500	304,500

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(tf) Veterans tuition reimbursement				
2	program	SEG	B	486,800	486,800
3	(th) Grants to nonprofit organizations	SEG	B	250,000	250,000
4	(tj) Retraining assistance program	SEG	A	210,000	210,000
5	(tm) Facilities	SEG	C	-0-	-0-
6	(u) Administration of loans and aids				
7	to veterans	SEG	A	9,787,600	9,767,400
8	(vm) Veterans assistance grants	SEG	A	820,000	820,000
9	(vs) Grants to Camp American Legion	SEG	A	75,000	75,000
10	(vu) Grants to American Indian tribes				
11	and bands	SEG	A	301,800	301,800
12	(vw) Payments to veterans				
13	organizations for claims service	SEG	A	348,000	348,000
14	(vx) County grants	SEG	A	1,680,800	1,680,800
15	(x) Federal per diem payments	SEG-F	C	1,343,600	1,343,600
16	(yn) Veterans trust fund loans and				
17	expenses	SEG	B	50,000	50,000
18	(yo) Debt payment	SEG	S	-0-	-0-
19	(z) Gifts	SEG	C	-0-	-0-
20		(2) PROGRAM TOTALS			
	PROGRAM REVENUE			645,200	645,200
	FEDERAL			(444,700)	(444,700)
	OTHER			(18,200)	(18,200)
	SERVICE			(182,300)	(182,300)
	SEGREGATED REVENUE			19,364,300	19,756,700
	FEDERAL			(1,343,600)	(1,343,600)
	OTHER			(18,020,700)	(18,413,100)

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2023-2024	2024-2025
TOTAL-ALL SOURCES				20,009,500	20,401,900
1	(4) VETERANS MEMORIAL CEMETERIES				
2	(a) Cemetery maintenance and				
3	beautification	GPR	A	22,300	22,300
4	(g) Cemetery operations	PR	C	335,900	335,900
5	(h) Gifts, grants and bequests	PR	C	-0-	-0-
6	(m) Federal aid; cemetery operations				
7	and burials	PR-F	C	1,262,600	1,262,600
8	(q) Cemetery administration and				
9	maintenance	SEG	A	1,482,700	1,449,200
10	(qm) Repayment of principal and				
11	interest	SEG	S	100	100
12	(r) Cemetery energy costs;				
13	energy-related assessments	SEG	A	106,300	106,300
14		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			22,300	22,300
	PROGRAM REVENUE			1,598,500	1,598,500
	FEDERAL			(1,262,600)	(1,262,600)
	OTHER			(335,900)	(335,900)
	SEGREGATED REVENUE			1,589,100	1,555,600
	OTHER			(1,589,100)	(1,555,600)
	TOTAL-ALL SOURCES			3,209,900	3,176,400
15	(5) WISCONSIN VETERANS MUSEUM				
16	(c) Operation of Wisconsin Veterans				
17	Museum	GPR	A	249,200	249,200
18	(mn) Federal projects; museum				
19	acquisitions and operations	PR-F	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(tm) Museum facilities	SEG	C	52,800	52,800
2	(v) Museum sales receipts	SEG	C	170,900	170,900
3	(vo) Veterans of World War I	SEG	A	2,500	2,500
4	(wd) Operation of Wisconsin Veterans				
5	Museum	SEG	A	3,453,000	3,453,000
6	(zm) Museum gifts and bequests	SEG	C	-0-	-0-
7		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			249,200	249,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SEGREGATED REVENUE			3,679,200	3,679,200
	OTHER			(3,679,200)	(3,679,200)
	TOTAL-ALL SOURCES			3,928,400	3,928,400
8	(6) ADMINISTRATION				
9	(k) Funds received from other state				
10	agencies	PR-S	C	-0-	-0-
11		(6) PROGRAM TOTALS			
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
12		20.485 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			1,778,800	2,042,700
	PROGRAM REVENUE			131,284,200	131,677,500
	FEDERAL			(1,719,800)	(1,719,800)
	OTHER			(129,178,100)	(129,571,400)
	SERVICE			(386,300)	(386,300)
	SEGREGATED REVENUE			24,632,600	24,991,500
	FEDERAL			(1,343,600)	(1,343,600)
	OTHER			(23,289,000)	(23,647,900)
	TOTAL-ALL SOURCES			157,695,600	158,711,700
13	20.490 Wisconsin Housing and Economic Development Authority				
14	(1) FACILITATION OF CONSTRUCTION				

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(a) Capital reserve fund deficiency	GPR	C	-0-	-0-	
2		(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-	
	TOTAL-ALL SOURCES			-0-	-0-	
3	(2) HOUSING REHABILITATION LOAN PROGRAM					
4	(a) General program operations	GPR	C	-0-	-0-	
5	(q) Loan loss reserve fund	SEG	C	-0-	-0-	
6		(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-	
	SEGREGATED REVENUE			-0-	-0-	
	OTHER			(-0-)	(-0-)	
	TOTAL-ALL SOURCES			-0-	-0-	
7	(3) HOMEOWNERSHIP MORTGAGE ASSISTANCE					
8	(a) Homeowner eviction lien					
9	protection program	GPR	C	-0-	-0-	
10		(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			-0-	-0-	
	TOTAL-ALL SOURCES			-0-	-0-	
11	(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE					
12	(g) Disadvantaged business					
13	mobilization loan guarantee	PR	C	-0-	-0-	
14		(4) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-	
	OTHER			(-0-)	(-0-)	
	TOTAL-ALL SOURCES			-0-	-0-	
15	(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES					
16	(a) Wisconsin development reserve					
17	fund	GPR	C	-0-	-0-	

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(q) Environmental fund transfer to				
2	Wisconsin development reserve				
3	fund	SEG	C	-0-	-0-
4	(r) Agrichemical management fund				
5	transfer to Wisconsin				
6	development reserve fund	SEG	C	-0-	-0-
7	(s) Petroleum inspection fund				
8	transfer to Wisconsin				
9	development reserve fund	SEG	A	-0-	-0-
10		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
11	(6) WORKFORCE HOUSING REHABILITATION				
12	(a) Workforce housing rehabilitation				
13	fund	GPR	C	100,000,000	-0-
14		(6) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			100,000,000	-0-
	TOTAL-ALL SOURCES			100,000,000	-0-
15		20.490 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			100,000,000	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			100,000,000	-0-
16		Human Resources			
17		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			7,427,140,900	7,543,319,100
	PROGRAM REVENUE			13,912,582,500	13,946,990,200
	FEDERAL			(11,380,544,700)	(11,487,099,200)
	OTHER			(2,101,880,500)	(2,022,918,200)
	SERVICE			(430,157,300)	(436,972,800)

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
SEGREGATED REVENUE			1,065,614,500	926,136,600
FEDERAL			(1,343,600)	(1,343,600)
OTHER			(1,064,270,900)	(924,793,000)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			22,405,337,900	22,416,445,900

General Executive Functions

1	20.505 Administration, Department of				
2	(1) SUPERVISION AND MANAGEMENT				
3	(a) General program operations	GPR	A	7,111,500	7,263,900
4	(b) Midwest interstate low-level				
5	radioactive waste compact; loan				
6	from general fund	GPR	C	-0-	-0-
7	(bm) Grant to a local professional				
8	baseball park district	GPR	C	290,000,000	-0-
9	(bq) Appropriation obligations				
10	repayment; tobacco settlement				
11	revenues	GPR	A	111,206,900	120,206,700
12	(br) Appropriation obligations				
13	repayment; unfunded liabilities				
14	under the Wisconsin Retirement				
15	System	GPR	A	198,059,900	216,734,200
16	(cf) Climate risk assessment and				
17	resiliency plan technical				
18	assistance grants	GPR	B	150,000	150,000
19	(cm) Comprehensive planning grants;				
20	general purpose revenue	GPR	A	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cn) Comprehensive planning;				
2	administrative support	GPR	A	-0-	-0-
3	(d) Special counsel	GPR	S	611,900	611,900
4	(dm) Justice information systems;				
5	general purpose revenue	GPR	A	4,400,000	4,400,000
6	(e) Indigent civil legal services	GPR	A	30,000,000	30,000,000
7	(fm) Fund of funds investment				
8	program	GPR	A	-0-	-0-
9	(fn) Neighborhood capital investment				
10	grant program; health-care				
11	infrastructure capital grant				
12	program; tourism capital				
13	investment grant program	GPR	C	300,341,400	396,300
14	(fo) Federal resource acquisition				
15	support grants	GPR	A	-0-	-0-
16	(fr) Grants for local government				
17	expenditures	GPR	C	-0-	-0-
18	(ft) Online customer service hub	GPR	A	2,000,000	465,000
19	(fv) Security operations centers	GPR	A	10,250,000	10,250,000
20	(fz) Office of environmental justice;				
21	office of sustainability and clean				
22	energy; administration	GPR	A	466,400	574,400
23	(g) Midwest interstate low-level				
24	radioactive waste compact;				
25	membership and costs	PR	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gc) Processing services	PR	A	189,300	189,300
2	(gm) Federal resource acquisition	PR	A	271,800	271,800
3	(ic) Services to nonstate				
4	governmental units	PR	A	173,100	173,100
5	(id) Justice information fee receipts	PR	C	-0-	-0-
6	(im) Services to nonstate				
7	governmental units; entity				
8	contract	PR	A	1,376,300	1,376,300
9	(ip) Information technology and				
10	communication services;				
11	self-funded portal	PR	A	8,034,000	8,034,000
12	(is) Information technology and				
13	communications services;				
14	nonstate entities	PR	A	12,509,300	12,509,300
15	(it) Appropriation obligations;				
16	agreements and ancillary				
17	arrangements	PR	C	-0-	-0-
18	(iu) Plat and proposed incorporation				
19	and annexation review	PR	C	378,800	378,800
20	(iv) Enterprise resource planning				
21	system; nonstate entities	PR	C	-0-	-0-
22	(j) Gifts, grants, and bequests	PR	C	-0-	-0-
23	(jc) Employee development and				
24	training services	PR	A	267,100	267,100

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(jg) Security operations centers;				
2	program revenues	PR	C	1,419,300	1,520,900
3	(ka) Materials and services to state				
4	agencies and certain districts	PR-S	A	7,058,100	7,082,200
5	(kb) Transportation and records	PR-S	A	22,424,800	22,529,700
6	(kc) Capital planning and building				
7	construction services	PR-S	A	16,072,800	16,394,300
8	(kd) Enterprise resource planning				
9	system	PR-S	C	10,731,200	10,731,200
10	(kf) Procurement services	PR-S	C	5,123,500	5,132,700
11	(kg) Federal resource acquisition	PR-S	C	-0-	-0-
12	(kh) Justice information systems	PR-S	A	4,415,800	4,407,600
13	(ki) Postage costs	PR-S	C	15,710,100	15,710,100
14	(kj) Financial services	PR-S	A	10,348,700	10,394,200
15	(kk) Tribal grants	PR-S	A	21,024,900	21,024,900
16	(kL) Printing, mail, communication,				
17	document sales, and information				
18	technology services; state				
19	agencies; veterans services	PR-S	A	107,841,000	108,105,800
20	(km) University of Wisconsin-Green				
21	Bay programming	PR-S	A	356,800	356,800
22	(kn) Publications	PR	A	102,100	102,100
23	(ko) Pay for success contracts	PR-S	C	-0-	-0-
24	(kp) Youth wellness center	PR-S	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kq) Justice information systems				
2	development, operation and				
3	maintenance	PR-S	A	-0-	-0-
4	(kr) Legal services; relocation				
5	assistance	PR-S	A	1,363,700	1,382,200
6	(ks) Collective bargaining grievance				
7	arbitrations	PR-S	A	30,000	30,000
8	(kt) Tribal grants; other	PR-S	A	810,800	810,800
9	(ku) Management assistance grants to				
10	counties	PR-S	A	563,200	563,200
11	(kx) American Indian economic				
12	development; technical assistance	PR-S	A	435,000	435,000
13	(kz) General program operations	PR-S	A	41,761,000	42,077,100
14	(mb) Federal aid	PR-F	C	9,037,200	8,727,400
15	(n) Federal aid; local assistance	PR-F	C	90,000,000	90,000,000
16	(ng) Sale of forest products; funds for				
17	public schools and public roads	PR	C	-0-	-0-
18	(pz) Indirect cost reimbursements	PR-F	C	91,100	48,400
19	(s) Diesel truck idling reduction				
20	grant administration	SEG	A	-0-	-0-
21	(sa) Diesel truck idling reduction				
22	grants	SEG	A	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ub) Land information program, state				
2	operations; reviews of municipal				
3	incorporations and annexations;				
4	planning grants	SEG	A	805,100	805,100
5	(uc) Land information program; local				
6	aids	SEG	C	6,945,300	6,945,300
7	(ud) Comprehensive planning grants;				
8	land information fund	SEG	A	-0-	-0-
9	(v) General program operations -				
10	environmental improvement				
11	programs; state funds	SEG	A	834,100	834,100
12	(x) General program operations -				
13	clean water fund program; federal				
14	funds	SEG-F	C	-0-	-0-
15	(y) General program operations -				
16	safe drinking water loan				
17	program; federal funds	SEG-F	C	-0-	-0-
18	(z) Transportation planning grants to				
19	local governmental units	SEG-S	B	-0-	-0-
20		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			954,598,000	391,052,400
	PROGRAM REVENUE			389,920,800	390,766,300
	FEDERAL			(99,128,300)	(98,775,800)
	OTHER			(24,721,100)	(24,822,700)
	SERVICE			(266,071,400)	(267,167,800)
	SEGREGATED REVENUE			8,584,500	8,584,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(8,584,500)	(8,584,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,353,103,300	790,403,200

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(2) RISK MANAGEMENT				
2	(a) General fund supplement - risk				
3	management claims	GPR	S	-0-	-0-
4	(am) Costs and judgments	GPR	S	-0-	-0-
5	(k) Risk management costs	PR-S	C	35,406,200	35,406,200
6	(ki) Risk management administration	PR-S	A	19,818,200	20,889,500
7					
			(2) PROGRAM TOTALS		
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			55,224,400	56,295,700
	SERVICE			(55,224,400)	(56,295,700)
	TOTAL-ALL SOURCES			55,224,400	56,295,700
8	(3) UTILITY PUBLIC BENEFITS AND AIR QUALITY IMPROVEMENT				
9	(q) General program operations;				
10	utility public benefits	SEG	A	11,450,100	11,450,100
11	(r) Low-income assistance grants	SEG	S	19,447,300	19,447,300
12	(rr) Air quality improvement grants	SEG	S	-0-	-0-
13	(s) Transfer to air quality				
14	improvement fund	SEG	S	-0-	-0-
15					
			(3) PROGRAM TOTALS		
	SEGREGATED REVENUE			30,897,400	30,897,400
	OTHER			(30,897,400)	(30,897,400)
	TOTAL-ALL SOURCES			30,897,400	30,897,400
16	(4) ATTACHED DIVISIONS AND OTHER BODIES				
17	(a) Adjudication of tax appeals	GPR	A	597,900	598,000
18	(b) Adjudication of equalization				
19	appeals	GPR	S	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(c) Telecommunications access for				
2	educational agencies	GPR	B	1,553,100	1,831,900
3	(cm) Clean energy grants	GPR	B	4,000,000	-0-
4	(cn) Clean energy small business				
5	incubator	GPR	B	5,076,600	94,500
6	(d) Claims awards	GPR	S	25,000	25,000
7	(ea) Women's council operations	GPR	A	216,200	211,200
8	(ec) Service award program; general				
9	program operations	GPR	A	17,200	17,200
10	(er) Service award program; state				
11	awards	GPR	S	2,884,300	2,884,300
12	(es) Principal, interest, and rebates;				
13	general purpose revenue - schools	GPR	S	344,200	98,200
14	(et) Principal, interest, and rebates;				
15	general purpose revenue - public				
16	library boards	GPR	S	3,600	1,100
17	(f) Interagency council on				
18	homelessness operations	GPR	A	112,400	112,300
19	(h) Program services	PR	A	27,200	27,200
20	(ha) Principal, interest, and rebates;				
21	program revenue - schools	PR	C	-0-	-0-
22	(hb) Principal, interest, and rebates;				
23	program revenue - public library				
24	boards	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(j) National and community service				
2	board; gifts and grants	PR	C	-0-	-0-
3	(js) Educational technology block				
4	grants; Wisconsin Advanced				
5	Telecommunications Foundation				
6	assessments	PR	C	-0-	-0-
7	(k) Waste facility siting board;				
8	general program operations	PR-S	A	45,500	45,500
9	(ka) State use board - general				
10	program operations	PR-S	A	177,800	179,700
11	(kb) National and community service				
12	board; administrative support	PR-S	A	438,100	458,600
13	(kp) Hearings and appeals fees	PR-S	A	11,626,200	11,626,400
14	(L) Equipment purchases and leases	PR	C	-0-	-0-
15	(Lm) Educational telecommunications;				
16	additional services	PR	C	-0-	-0-
17	(mp) Federal e-rate aid	PR-F	C	5,721,400	5,721,400
18	(o) National and community service				
19	board; federal aid for				
20	administration	PR-F	C	1,224,900	1,207,600
21	(p) National and community service				
22	board; federal aid for grants	PR-F	C	3,354,300	3,354,300
23	(r) State capitol and executive				
24	residence board; gifts and grants	SEG	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(s) Telecommunications access for				
2	educational agencies	SEG	B	10,730,200	10,451,400
3		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			14,830,500	5,873,700
	PROGRAM REVENUE			22,615,400	22,620,700
	FEDERAL			(10,300,600)	(10,283,300)
	OTHER			(27,200)	(27,200)
	SERVICE			(12,287,600)	(12,310,200)
	SEGREGATED REVENUE			10,730,200	10,451,400
	OTHER			(10,730,200)	(10,451,400)
	TOTAL-ALL SOURCES			48,176,100	38,945,800
4	(5) FACILITIES MANAGEMENT				
5	(c) Principal repayment and interest;				
6	Black Point Estate	GPR	S	227,900	152,700
7	(g) Principal repayment, interest and				
8	rebates; parking	PR-S	S	1,932,100	1,891,200
9	(ka) Facility operations and				
10	maintenance; police and				
11	protection functions	PR-S	A	89,260,800	49,491,500
12	(kb) Parking	PR	A	1,779,700	1,779,700
13	(kc) Principal repayment, interest and				
14	rebates	PR-S	C	22,085,700	22,290,500
15	(ke) Additional energy conservation				
16	construction projects	PR-S	C	-0-	-0-
17	(kg) Electric energy derived from				
18	renewable resources	PR-S	A	325,400	325,400
19	(ks) Security services	PR-S	A	175,000	175,000
20		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			227,900	152,700

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	2023-2024	2024-2025
	PROGRAM REVENUE			115,558,700	75,953,300
	OTHER			(1,779,700)	(1,779,700)
	SERVICE			(113,779,000)	(74,173,600)
	TOTAL-ALL SOURCES			115,786,600	76,106,000
1	(7) HOUSING AND COMMUNITY DEVELOPMENT				
2	(a) General program operations	GPR	A	1,369,000	1,490,000
3	(b) Housing grants and loans;				
4	general purpose revenue	GPR	B	5,097,800	5,097,800
5	(bp) Housing quality standards grants	GPR	A	2,000,000	2,000,000
6	(bq) Rental assistance for homeless				
7	veterans	GPR	A	1,000,000	1,000,000
8	(c) Payments to designated agents	GPR	A	-0-	-0-
9	(d) Municipal home rehabilitation				
10	grants	GPR	B	100,000,000	-0-
11	(dd) Water utility assistance for				
12	low-income households;				
13	administration	GPR	A	327,700	353,600
14	(ee) Water utility assistance for				
15	low-income households;				
16	payments	GPR	C	4,750,000	4,750,000
17	(fm) Shelter for homeless and housing				
18	grants	GPR	B	8,813,600	8,813,600
19	(fq) Affordable workforce housing				
20	grants	GPR	B	150,000,000	-0-
21	(fr) Whole-home upgrade grants	GPR	B	7,250,000	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(fs) Rental housing safety grants	GPR	B	5,000,000	-0-
2	(ft) Employment grants	GPR	A	75,000	75,000
3	(gg) Housing program services; other				
4	entities	PR	C	168,900	168,900
5	(h) Funding for the homeless	PR	C	422,400	422,400
6	(k) Sale of materials or services	PR-S	C	-0-	-0-
7	(kg) Housing program services	PR-S	C	1,487,700	1,509,300
8	(m) Federal aid; state operations	PR-F	C	2,275,200	2,278,800
9	(n) Federal aid; local assistance	PR-F	C	10,000,000	10,000,000
10	(o) Federal aid; individuals and				
11	organizations	PR-F	C	22,164,000	22,164,000
12		(7) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			285,683,100	23,580,000
	PROGRAM REVENUE			36,518,200	36,543,400
	FEDERAL			(34,439,200)	(34,442,800)
	OTHER			(591,300)	(591,300)
	SERVICE			(1,487,700)	(1,509,300)
	TOTAL-ALL SOURCES			322,201,300	60,123,400
13	(8) DIVISION OF GAMING				
14	(am) Interest on racing and bingo				
15	moneys	GPR	S	100	100
16	(d) Gaming investigative services	GPR	A	185,900	207,000
17	(g) General program operations;				
18	racing	PR	A	-0-	-0-
19	(h) General program operations;				
20	Indian gaming	PR	A	2,097,900	2,098,800

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hm) Indian gaming receipts	PR	C	-0-	-0-
2	(jn) General program operations;				
3	raffles and bingo	PR	A	513,000	513,200
4		(8) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			186,000	207,100
	PROGRAM REVENUE			2,610,900	2,612,000
	OTHER			(2,610,900)	(2,612,000)
	TOTAL-ALL SOURCES			2,796,900	2,819,100
5		20.505 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			1,255,525,500	420,865,900
	PROGRAM REVENUE			622,448,400	584,791,400
	FEDERAL			(143,868,100)	(143,501,900)
	OTHER			(29,730,200)	(29,832,900)
	SERVICE			(448,850,100)	(411,456,600)
	SEGREGATED REVENUE			50,212,100	49,933,300
	FEDERAL			(-0-)	(-0-)
	OTHER			(50,212,100)	(49,933,300)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,928,186,000	1,055,590,600
6	20.507 Public Lands, Board of Commissioners of				
7	(1) TRUST LANDS AND INVESTMENTS				
8	(a) General program operations	GPR	A	1,786,400	1,803,700
9	(c) Payments in lieu of taxes	GPR	A	25,000	25,000
10	(h) Trust lands and investments -				
11	general program operations	PR-S	A	-0-	-0-
12	(i) Gifts and grants	PR	C	-0-	-0-
13	(j) Payments to American Indian				
14	tribes or bands for raised sunken				
15	logs	PR	C	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(k) Trust lands and investments -				
2	interagency and intra-agency				
3	assistance	PR-S	A	-0-	-0-
4	(mg) Federal aid - flood control	PR-F	C	52,700	52,700
5		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,811,400	1,828,700
	PROGRAM REVENUE			52,700	52,700
	FEDERAL			(52,700)	(52,700)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,864,100	1,881,400
6		20.507 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			1,811,400	1,828,700
	PROGRAM REVENUE			52,700	52,700
	FEDERAL			(52,700)	(52,700)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,864,100	1,881,400
7	20.510 Elections Commission				
8	(1) ADMINISTRATION OF ELECTIONS				
9	(a) General program operations;				
10	general purpose revenue	GPR	B	6,009,300	6,006,700
11	(be) Investigations	GPR	A	25,000	25,000
12	(bm) Training of chief inspectors	GPR	B	-0-	-0-
13	(br) Special counsel	GPR	A	-0-	-0-
14	(c) County and municipal clerk				
15	training	GPR	A	82,600	82,600
16	(d) Election administration transfer	GPR	A	-0-	-0-
17	(e) Elections administration	GPR	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(f) Local aids for special elections	GPR	S	-0-	-0-
2	(ff) Local aids for the purchase of				
3	election supplies and equipment	GPR	A	400,000	-0-
4	(g) Recount fees	PR	C	-0-	-0-
5	(h) Materials and services	PR	A	1,000	1,000
6	(jm) Gifts and grants	PR	A	-0-	-0-
7	(jn) Election security and				
8	maintenance	PR	C	442,600	442,600
9	(m) Federal aid	PR-F	A	-0-	-0-
10	(t) Election administration	SEG	A	100	100
11	(x) Federal aid; election				
12	administration fund	SEG-F	C	882,800	885,500
13		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			6,516,900	6,114,300
	PROGRAM REVENUE			443,600	443,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(443,600)	(443,600)
	SEGREGATED REVENUE			882,900	885,600
	FEDERAL			(882,800)	(885,500)
	OTHER			(100)	(100)
	TOTAL-ALL SOURCES			7,843,400	7,443,500
14		20.510 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			6,516,900	6,114,300
	PROGRAM REVENUE			443,600	443,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(443,600)	(443,600)
	SEGREGATED REVENUE			882,900	885,600
	FEDERAL			(882,800)	(885,500)
	OTHER			(100)	(100)
	TOTAL-ALL SOURCES			7,843,400	7,443,500

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.515 Employee Trust Funds, Department of				
2	(1) EMPLOYEE BENEFIT PLANS				
3	(a) Annuity supplements and				
4	payments	GPR	S	27,900	21,400
5	(c) Contingencies	GPR	S	-0-	-0-
6	(t) Automated operating system	SEG	C	11,504,000	15,848,100
7	(tm) Health savings account plan	SEG	C	-0-	-0-
8	(u) Employee-funded reimbursement				
9	account plan	SEG	C	-0-	-0-
10	(w) Administration	SEG	A	46,104,400	46,554,100
11		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			27,900	21,400
	SEGREGATED REVENUE			57,608,400	62,402,200
	OTHER			(57,608,400)	(62,402,200)
	TOTAL-ALL SOURCES			57,636,300	62,423,600
12		20.515 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			27,900	21,400
	SEGREGATED REVENUE			57,608,400	62,402,200
	OTHER			(57,608,400)	(62,402,200)
	TOTAL-ALL SOURCES			57,636,300	62,423,600
13	20.521 Ethics Commission				
14	(1) ETHICS, CAMPAIGN FINANCE AND LOBBYING REGULATION				
15	(a) General program operations;				
16	general purpose revenue	GPR	A	967,700	967,700
17	(be) Investigations	GPR	A	225,000	225,000
18	(br) Special counsel	GPR	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(g) General program operations;				
2	program revenue	PR	A	141,700	141,700
3	(h) Gifts and grants	PR	A	-0-	-0-
4	(i) Materials and services	PR	A	4,500	4,500
5	(im) Lobbying administration;				
6	program revenue	PR	A	488,800	488,800
7	(j) Electronic filing software	PR	A	-0-	-0-
8		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,192,700	1,192,700
	PROGRAM REVENUE			635,000	635,000
	OTHER			(635,000)	(635,000)
	TOTAL-ALL SOURCES			1,827,700	1,827,700
9		20.521 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			1,192,700	1,192,700
	PROGRAM REVENUE			635,000	635,000
	OTHER			(635,000)	(635,000)
	TOTAL-ALL SOURCES			1,827,700	1,827,700
10	20.525 Governor, Office of the				
11	(1) EXECUTIVE ADMINISTRATION				
12	(a) General program operations	GPR	S	4,016,300	4,016,300
13	(b) Contingent fund	GPR	S	20,400	20,400
14	(c) Membership in national				
15	associations	GPR	S	140,700	140,700
16	(d) Disability board	GPR	S	-0-	-0-
17	(i) Gifts and grants	PR	C	-0-	-0-
18	(m) Federal aid	PR-F	C	-0-	-0-
19		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			4,177,400	4,177,400
	PROGRAM REVENUE			-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			4,177,400	4,177,400
1	(2) EXECUTIVE RESIDENCE				
2	(a) General program operations	GPR	S	353,000	353,000
3		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			353,000	353,000
	TOTAL-ALL SOURCES			353,000	353,000
4		20.525 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			4,530,400	4,530,400
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			4,530,400	4,530,400
5	20.536 Investment Board				
6	(1) INVESTMENT OF FUNDS				
7	(k) General program operations	PR	C	102,731,100	102,731,100
8	(ka) General program operations;				
9	environmental improvement fund	PR-S	C	-0-	-0-
10		(1) PROGRAM TOTALS			
	PROGRAM REVENUE			102,731,100	102,731,100
	OTHER			(102,731,100)	(102,731,100)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			102,731,100	102,731,100
11		20.536 DEPARTMENT TOTALS			
	PROGRAM REVENUE			102,731,100	102,731,100
	OTHER			(102,731,100)	(102,731,100)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			102,731,100	102,731,100
12	20.540 Lieutenant Governor, Office of the				
13	(1) EXECUTIVE COORDINATION				

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(a) General program operations	GPR	A	498,200	498,200
2	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
3	(k) Grants from state agencies	PR-S	C	-0-	-0-
4	(m) Federal aid	PR-F	C	-0-	-0-
5		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			498,200	498,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			498,200	498,200
6		20.540 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			498,200	498,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			498,200	498,200
7	20.550 Public Defender Board				
8	(1) LEGAL ASSISTANCE				
9	(a) Program operation	GPR	B	133,466,100	135,476,100
10	(fb) Payments from clients;				
11	administrative costs	PR	A	323,800	323,700
12	(g) Gifts, grants, and proceeds	PR	C	-0-	-0-
13	(h) Contractual agreements	PR-S	A	-0-	-0-
14	(i) Tuition payments	PR	C	-0-	-0-
15	(kj) Conferences and training	PR-S	A	242,400	242,100

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(L) Private bar and investigator				
2	reimbursement; payments for				
3	legal representation	PR	C	913,000	913,000
4	(m) Federal aid	PR-F	C	1,600	1,600
5		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			133,466,100	135,476,100
	PROGRAM REVENUE			1,480,800	1,480,400
	FEDERAL			(1,600)	(1,600)
	OTHER			(1,236,800)	(1,236,700)
	SERVICE			(242,400)	(242,100)
	TOTAL-ALL SOURCES			134,946,900	136,956,500
6		20.550 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			133,466,100	135,476,100
	PROGRAM REVENUE			1,480,800	1,480,400
	FEDERAL			(1,600)	(1,600)
	OTHER			(1,236,800)	(1,236,700)
	SERVICE			(242,400)	(242,100)
	TOTAL-ALL SOURCES			134,946,900	136,956,500
7	20.566 Revenue, Department of				
8	(1) COLLECTION OF TAXES				
9	(a) General program operations	GPR	A	71,213,700	70,613,900
10	(bn) Administration and enforcement				
11	of marijuana tax and regulation	GPR	A	3,284,300	2,073,600
12	(g) Administration of county and				
13	municipal sales and use taxes	PR	A	3,183,700	3,186,300
14	(ga) Cigarette tax stamps	PR	A	249,300	249,300
15	(gb) Business tax registration	PR	A	1,895,700	1,904,200
16	(gc) Administration of transit				
17	authority taxes	PR	A	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(gd) Administration of special district				
2	taxes	PR-S	A	-0-	-0-
3	(ge) Administration of local				
4	professional football stadium				
5	district taxes	PR-S	A	52,500	52,500
6	(gf) Administration of resort tax	PR-S	A	72,400	72,400
7	(gg) Administration of local taxes	PR	A	157,300	157,300
8	(gh) Administration of regional transit				
9	authority fees	PR	A	-0-	-0-
10	(h) Debt collection	PR	A	5,508,700	4,866,000
11	(ha) Administration of liquor tax and				
12	alcohol beverages enforcement	PR	A	1,490,400	1,490,300
13	(hb) Collections by the department	PR	A	1,349,100	1,374,700
14	(hc) Collections from the financial				
15	record matching program	PR	A	548,300	549,400
16	(hd) Administration of liquor tax and				
17	alcohol beverages enforcement;				
18	wholesaler fees funding special				
19	agent position	PR	C	152,300	152,300
20	(hm) Collections under contracts	PR	S	-0-	-0-
21	(hn) Collections under the multistate				
22	tax commission audit program	PR	S	-0-	-0-
23	(ho) Collections under multistate				
24	streamlined sales tax project	PR	S	41,000	41,000

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(hp) Administration of income tax				
2	checkoff voluntary payments	PR	A	27,300	27,300
3	(i) Gifts and grants	PR	C	-0-	-0-
4	(m) Federal funds; state operations	PR-F	C	-0-	-0-
5	(q) Economic development surcharge				
6	administration	SEG	A	281,000	281,000
7	(qm) Administration of rental vehicle				
8	fee	SEG	A	79,600	79,900
9	(r) Administration of dry cleaner fees	SEG	A	18,900	18,900
10	(s) Petroleum inspection fee				
11	collection	SEG	A	104,800	104,800
12	(t) Farmland preservation credit,				
13	2010 and beyond	SEG	A	-0-	-0-
14	(u) Motor fuel tax administration	SEG	A	1,946,200	1,955,200
15		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			74,498,000	72,687,500
	PROGRAM REVENUE			14,728,000	14,123,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(14,603,100)	(13,998,100)
	SERVICE			(124,900)	(124,900)
	SEGREGATED REVENUE			2,430,500	2,439,800
	OTHER			(2,430,500)	(2,439,800)
	TOTAL-ALL SOURCES			91,656,500	89,250,300
16	(2) STATE AND LOCAL FINANCE				
17	(a) General program operations	GPR	A	9,814,600	9,378,200
18	(b) Valuation error loans	GPR	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(bm) Integrated property assessment					
2	system technology	GPR	A	2,973,700	2,492,700	
3	(g) County assessment studies	PR	C	-0-	-0-	
4	(ga) Commercial property assessment	PR	C	-0-	-0-	
5	(gb) Manufacturing property					
6	assessment	PR	A	1,368,900	1,411,200	
7	(gi) Municipal finance report					
8	compliance	PR	A	32,800	32,800	
9	(h) Reassessments	PR	A	273,500	273,500	
10	(hm) Administration of tax					
11	incremental, and environmental					
12	remediation tax incremental,					
13	financing programs	PR	C	215,000	192,400	
14	(i) Gifts and grants	PR	C	-0-	-0-	
15	(m) Federal funds; state operations	PR-F	C	-0-	-0-	
16	(q) Railroad and air carrier tax					
17	administration	SEG	A	307,300	307,300	
18	(r) Lottery and gaming credit					
19	administration	SEG	A	339,200	339,200	
20		(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			12,788,300	11,870,900	
	PROGRAM REVENUE			1,890,200	1,909,900	
	FEDERAL			(-0-)	(-0-)	
	OTHER			(1,890,200)	(1,909,900)	
	SEGREGATED REVENUE			646,500	646,500	
	OTHER			(646,500)	(646,500)	
	TOTAL-ALL SOURCES			15,325,000	14,427,300	

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
2	(a) General program operations	GPR	A	33,851,200	33,670,000
3	(b) Integrated tax system technology	GPR	A	4,115,100	4,101,700
4	(c) Expert professional services	GPR	B	63,300	63,300
5	(g) Services	PR	A	81,300	81,300
6	(gm) Reciprocity agreement and				
7	publications	PR	A	36,000	36,000
8	(go) Reciprocity agreement, Illinois	PR	A	-0-	-0-
9	(i) Gifts and grants	PR	C	-0-	-0-
10	(k) Internal services	PR-S	A	2,885,300	2,885,300
11	(m) Federal funds; state operations	PR-F	C	-0-	-0-
12		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			38,029,600	37,835,000
	PROGRAM REVENUE			3,002,600	3,002,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(117,300)	(117,300)
	SERVICE			(2,885,300)	(2,885,300)
	TOTAL-ALL SOURCES			41,032,200	40,837,600
13	(4) UNCLAIMED PROPERTY PROGRAM				
14	(a) Unclaimed property; contingency				
15	appropriation	GPR	S	-0-	-0-
16	(j) Unclaimed property; claims	PR	C	-0-	-0-
17	(k) Unclaimed property;				
18	administrative expenses	PR-S	A	3,901,700	3,901,700
19		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			3,901,700	3,901,700
	OTHER			(-0-)	(-0-)
	SERVICE			(3,901,700)	(3,901,700)

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	TOTAL-ALL SOURCES			3,901,700	3,901,700
1	(7) INVESTMENT AND LOCAL IMPACT FUND				
2	(e) Investment and local impact fund				
3	supplement	GPR	A	-0-	-0-
4	(g) Investment and local impact fund				
5	administrative expenses	PR	A	-0-	-0-
6	(n) Federal mining revenue	PR-F	C	-0-	-0-
7	(v) Investment and local impact fund	SEG	C	-0-	-0-
8		(7) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
9	(8) LOTTERY				
10	(a) General program operations;				
11	general purpose revenue	GPR	A	-0-	-0-
12	(b) Retailer compensation	GPR	A	51,999,600	51,999,600
13	(c) Vendor fees; general purpose				
14	revenue	GPR	A	20,875,400	20,875,400
15	(q) General program operations	SEG	A	20,954,500	21,034,900
16	(r) Retailer compensation	SEG	S	12,366,800	12,366,800
17	(s) Prizes	SEG	S	-0-	-0-
18	(v) Vendor fees	SEG	S	3,483,000	3,483,000
19		(8) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			72,875,000	72,875,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	SEGREGATED REVENUE			36,804,300	36,884,700
	OTHER			(36,804,300)	(36,884,700)
	TOTAL-ALL SOURCES			109,679,300	109,759,700
1		20.566 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			198,190,900	195,268,400
	PROGRAM REVENUE			23,522,500	22,937,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(16,610,600)	(16,025,300)
	SERVICE			(6,911,900)	(6,911,900)
	SEGREGATED REVENUE			39,881,300	39,971,000
	OTHER			(39,881,300)	(39,971,000)
	TOTAL-ALL SOURCES			261,594,700	258,176,600
2	20.575 Secretary of State				
3	(1)	MANAGING AND OPERATING PROGRAM RESPONSIBILITIES			
4	(g)	Program fees	PR A	481,700	496,900
5	(ka)	Agency collections	PR-S A	3,400	3,400
6		(1) PROGRAM TOTALS			
	PROGRAM REVENUE			485,100	500,300
	OTHER			(481,700)	(496,900)
	SERVICE			(3,400)	(3,400)
	TOTAL-ALL SOURCES			485,100	500,300
7		20.575 DEPARTMENT TOTALS			
	PROGRAM REVENUE			485,100	500,300
	OTHER			(481,700)	(496,900)
	SERVICE			(3,400)	(3,400)
	TOTAL-ALL SOURCES			485,100	500,300
8	20.585 Treasurer, State				
9	(1)	CUSTODIAN OF STATE FUNDS			
10	(b)	Insurance	GPR A	-0-	-0-
11	(h)	Training conferences	PR C	-0-	-0-
12	(i)	Gifts and grants	PR C	-0-	-0-
13	(k)	Administrative expenses	PR-S A	180,000	197,400

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(kb) General program operations	PR-S	A	-0-	-0-
2		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			180,000	197,400
	OTHER			(-0-)	(-0-)
	SERVICE			(180,000)	(197,400)
	TOTAL-ALL SOURCES			180,000	197,400
3		20.585 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			180,000	197,400
	OTHER			(-0-)	(-0-)
	SERVICE			(180,000)	(197,400)
	TOTAL-ALL SOURCES			180,000	197,400
4		General Executive Functions			
5		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			1,601,760,000	765,796,100
	PROGRAM REVENUE			751,979,200	713,769,100
	FEDERAL			(143,922,400)	(143,556,200)
	OTHER			(151,869,000)	(151,401,500)
	SERVICE			(456,187,800)	(418,811,400)
	SEGREGATED REVENUE			148,584,700	153,192,100
	FEDERAL			(882,800)	(885,500)
	OTHER			(147,701,900)	(152,306,600)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,502,323,900	1,632,757,300
		Judicial			
6	20.625 Circuit Courts				
7	(1) COURT OPERATIONS				
8	(a) Circuit courts	GPR	S	88,492,100	88,581,700
9	(b) Permanent reserve judges	GPR	A	-0-	-0-
10	(cg) Circuit court costs; generally	GPR	B	28,356,300	28,392,900
11	(d) Circuit court costs; pretrial risk				
12	assessments	GPR	B	1,000,000	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(g) Sale of materials and services	PR	C	-0-	-0-
2	(k) Court interpreters	PR-S	A	232,700	232,700
3	(m) Federal aid	PR-F	C	-0-	-0-
4		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			117,848,400	116,974,600
	PROGRAM REVENUE			232,700	232,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(232,700)	(232,700)
	TOTAL-ALL SOURCES			118,081,100	117,207,300
5		20.625 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			117,848,400	116,974,600
	PROGRAM REVENUE			232,700	232,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(232,700)	(232,700)
	TOTAL-ALL SOURCES			118,081,100	117,207,300
6	20.660 Court of Appeals				
7	(1) APPELLATE PROCEEDINGS				
8	(a) General program operations	GPR	S	11,983,200	12,005,500
9	(m) Federal aid	PR-F	C	-0-	-0-
10		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			11,983,200	12,005,500
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			11,983,200	12,005,500
11		20.660 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			11,983,200	12,005,500
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			11,983,200	12,005,500
12	20.665 Judicial Commission				
13	(1) JUDICIAL CONDUCT				

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(a) General program operations	GPR	A	335,500	336,200
2	(cm) Contractual agreements	GPR	B	16,200	16,200
3	(mm) Federal aid	PR-F	C	-0-	-0-
4		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			351,700	352,400
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			351,700	352,400
5		20.665 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			351,700	352,400
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			351,700	352,400
6	20.670 Judicial Council				
7	(1) ADVISORY SERVICES TO THE COURTS AND THE LEGISLATURE				
8	(a) General program operations	GPR	A	-0-	-0-
9	(k) Director of state courts and law				
10	library transfer	PR-S	C	-0-	-0-
11	(m) Federal aid	PR-F	C	-0-	-0-
12		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
13		20.670 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	20.680 Supreme Court				
2	(1) SUPREME COURT PROCEEDINGS				
3	(a) General program operations	GPR	S	6,180,200	6,180,200
4	(m) Federal aid	PR-F	C	-0-	-0-
5		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			6,180,200	6,180,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,180,200	6,180,200
6	(2) DIRECTOR OF STATE COURTS AND LAW LIBRARY				
7	(a) General program operations	GPR	B	11,920,500	11,933,000
8	(g) Gifts and grants	PR	C	612,900	612,900
9	(ga) Court commissioner training	PR	C	62,000	62,000
10	(gc) Court interpreter training and				
11	certification	PR	C	45,100	45,100
12	(h) Materials and services	PR	C	60,300	60,300
13	(hm) County law libraries	PR	C	-0-	-0-
14	(i) Municipal judge training	PR	C	191,300	191,500
15	(j) Court information systems	PR	C	11,993,600	12,152,600
16	(kc) Central services	PR-S	A	264,900	268,700
17	(ke) Interagency and intra-agency				
18	automation assistance	PR-S	C	-0-	-0-
19	(kf) Interagency and intra-agency				
20	assistance	PR-S	C	-0-	-0-
21	(L) Library collections and services	PR	C	79,400	79,400

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(m) Federal aid	PR-F	C	1,031,100	1,031,600
2	(qm) Mediation fund	SEG	C	329,800	330,100
3		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			11,920,500	11,933,000
	PROGRAM REVENUE			14,340,600	14,504,100
	FEDERAL			(1,031,100)	(1,031,600)
	OTHER			(13,044,600)	(13,203,800)
	SERVICE			(264,900)	(268,700)
	SEGREGATED REVENUE			329,800	330,100
	OTHER			(329,800)	(330,100)
	TOTAL-ALL SOURCES			26,590,900	26,767,200
4	(3) BAR EXAMINERS AND RESPONSIBILITY				
5	(g) Board of bar examiners	PR	C	761,300	762,300
6	(h) Office of lawyer regulation	PR	C	3,329,400	3,333,900
7		(3) PROGRAM TOTALS			
	PROGRAM REVENUE			4,090,700	4,096,200
	OTHER			(4,090,700)	(4,096,200)
	TOTAL-ALL SOURCES			4,090,700	4,096,200
8		20.680 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			18,100,700	18,113,200
	PROGRAM REVENUE			18,431,300	18,600,300
	FEDERAL			(1,031,100)	(1,031,600)
	OTHER			(17,135,300)	(17,300,000)
	SERVICE			(264,900)	(268,700)
	SEGREGATED REVENUE			329,800	330,100
	OTHER			(329,800)	(330,100)
	TOTAL-ALL SOURCES			36,861,800	37,043,600
9		Judicial			
10		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			148,284,000	147,445,700
	PROGRAM REVENUE			18,664,000	18,833,000
	FEDERAL			(1,031,100)	(1,031,600)
	OTHER			(17,135,300)	(17,300,000)
	SERVICE			(497,600)	(501,400)
	SEGREGATED REVENUE			329,800	330,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(329,800)	(330,100)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
TOTAL-ALL SOURCES			167,277,800	166,608,800

Legislative

1	20.765 Legislature				
2	(1) ENACTMENT OF STATE LAWS				
3	(a) General program				
4	operations-assembly	GPR	S	32,296,400	32,296,400
5	(b) General program				
6	operations-senate	GPR	S	23,403,400	23,403,400
7	(d) Legislative documents	GPR	S	3,919,100	3,919,100
8	(e) Gifts, grants, and bequests	PR	C	-0-	-0-
9		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			59,618,900	59,618,900
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			59,618,900	59,618,900
10	(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS				
11	(b) Legislative reference bureau	GPR	B	6,624,100	6,624,100
12	(c) Legislative audit bureau	GPR	B	7,500,000	7,500,000
13	(cm) Legislative human resources				
14	office	GPR	B	1,438,200	1,438,200
15	(d) Legislative fiscal bureau	GPR	B	4,503,400	4,503,400

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SECTION 257

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025	
1	(e) Joint legislative council;					
2	execution of functions, conduct of					
3	research, development of studies,					
4	and the provision of assistance to					
5	committees	GPR	B	4,471,000	4,471,000	
6	(ec) Joint legislative council;					
7	contractual studies	GPR	B	15,000	-0-	
8	(em) Legislative technology services					
9	bureau	GPR	B	5,928,000	5,988,800	
10	(f) Joint committee on legislative					
11	organization	GPR	B	-0-	-0-	
12	(fa) Membership in national					
13	associations	GPR	S	303,200	312,200	
14	(fm) WisconsinEye grants	GPR	B	-0-	-0-	
15	(g) Gifts and grants to service					
16	agencies	PR	C	20,000	20,000	
17	(ka) Audit bureau reimbursable audits	PR-S	A	2,504,400	2,697,400	
18	(m) Federal aid	PR-F	C	-0-	-0-	
19		(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			30,782,900	30,837,700	
	PROGRAM REVENUE			2,524,400	2,717,400	
	FEDERAL			(-0-)	(-0-)	
	OTHER			(20,000)	(20,000)	
	SERVICE			(2,504,400)	(2,697,400)	
	TOTAL-ALL SOURCES			33,307,300	33,555,100	
20	(4) CAPITOL OFFICES RELOCATION					
21	(a) Capitol offices relocation costs	GPR	B	-0-	-0-	
22		(4) PROGRAM TOTALS				

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
1		20.765 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			90,401,800	90,456,600
	PROGRAM REVENUE			2,524,400	2,717,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(20,000)	(20,000)
	SERVICE			(2,504,400)	(2,697,400)
	TOTAL-ALL SOURCES			92,926,200	93,174,000
2		Legislative			
3		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			90,401,800	90,456,600
	PROGRAM REVENUE			2,524,400	2,717,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(20,000)	(20,000)
	SERVICE			(2,504,400)	(2,697,400)
	SEGREGATED REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			92,926,200	93,174,000

General Appropriations

4	20.835 Shared Revenue and Tax Relief					
5	(1)	SHARED REVENUE PAYMENTS				
6	(c)	Expenditure restraint program				
7		account	GPR	S	58,145,700	58,145,700
8	(db)	County and municipal aid				
9		account	GPR	S	713,464,200	713,464,200
10	(dc)	Municipal and county shared				
11		revenue	GPR	S	-0-	576,153,200
12	(dd)	County and municipal aid; special				
13		supplement	GPR	A	578,000	520,200

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(dm) Public utility distribution account	GPR	S	88,181,700	96,696,300
2	(e) State aid; tax exempt property	GPR	S	196,094,200	98,047,100
3	(f) State aid; personal property tax				
4	exemption	GPR	S	75,620,900	278,020,900
5	(fa) State aid; video service provider				
6	fee	GPR	A	10,008,200	10,008,200
7	(r) County and municipal aid				
8	account; police and fire protection				
9	fund	SEG	C	28,652,300	28,652,300
10		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,142,092,900	1,831,055,800
	SEGREGATED REVENUE			28,652,300	28,652,300
	OTHER			(28,652,300)	(28,652,300)
	TOTAL-ALL SOURCES			1,170,745,200	1,859,708,100
11	(2) TAX RELIEF				
12	(b) Claim of right credit	GPR	S	122,000	122,000
13	(bb) Jobs tax credit	GPR	S	418,000	292,000
14	(bg) Business development credit	GPR	S	6,904,000	10,032,000
15	(br) Interest payments on				
16	overassessments of				
17	manufacturing property	GPR	S	10,000	10,000
18	(c) Homestead tax credit	GPR	S	88,200,000	97,900,000
19	(cc) Qualified child sales and use tax				
20	rebate for 2018	GPR	S	-0-	-0-
21	(co) Enterprise zone jobs credit	GPR	S	54,102,000	35,538,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(cp) Electronics and information				
2	technology manufacturing zone				
3	credit	GPR	S	8,325,000	6,332,000
4	(d) Research credit	GPR	S	13,500,000	77,900,000
5	(dm) Farmland preservation credit	GPR	S	260,000	220,000
6	(do) Farmland preservation credit,				
7	2010 and beyond	GPR	S	16,100,000	16,100,000
8	(em) Veterans and surviving spouses				
9	property tax credit	GPR	S	75,200,000	77,800,000
10	(ep) Cigarette and tobacco product tax				
11	refunds	GPR	S	28,540,000	28,034,000
12	(eq) Marijuana tax refunds	GPR	S	-0-	2,200,000
13	(f) Earned income tax credit	GPR	S	44,734,000	46,998,000
14	(ff) Earned income tax credit;				
15	periodic payments	GPR	S	-0-	-0-
16	(kf) Earned income tax credit;				
17	temporary assistance for needy				
18	families	PR-S	A	104,145,000	109,662,000
19		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			336,415,000	399,478,000
	PROGRAM REVENUE			104,145,000	109,662,000
	SERVICE			(104,145,000)	(109,662,000)
	TOTAL-ALL SOURCES			440,560,000	509,140,000
20	(3) STATE PROPERTY TAX RELIEF				
21	(b) School levy tax credit and first				
22	dollar credit	GPR	S	1,088,228,000	1,088,228,000

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ef) Transfer to conservation fund;				
2	forestry	GPR	S	141,500,000	135,500,000
3	(q) Lottery and gaming credit	SEG	S	298,850,700	297,076,900
4	(s) Lottery and gaming credit; late				
5	applications	SEG	S	850,000	850,000
6		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			1,229,728,000	1,223,728,000
	SEGREGATED REVENUE			299,700,700	297,926,900
	OTHER			(299,700,700)	(297,926,900)
	TOTAL-ALL SOURCES			1,529,428,700	1,521,654,900
7	(4) COUNTY AND LOCAL TAXES				
8	(g) County and municipal taxes	PR	C	-0-	-0-
9	(gb) Special district revenues	PR	C	-0-	-0-
10	(gc) Transit authority taxes	PR	C	-0-	-0-
11	(gd) Premier resort area tax	PR	C	-0-	-0-
12	(ge) Local professional football				
13	stadium district taxes	PR	C	-0-	-0-
14	(gg) Local taxes	PR	C	-0-	-0-
15	(gh) Regional transit authority fees	PR	C	-0-	-0-
16		(4) PROGRAM TOTALS			
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
17	(5) PAYMENTS IN LIEU OF TAXES				
18	(a) Payments for municipal services	GPR	A	19,513,400	19,513,400
19		(5) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			19,513,400	19,513,400

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	TOTAL-ALL SOURCES			19,513,400	19,513,400
1		20.835 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			2,727,749,300	3,473,775,200
	PROGRAM REVENUE			104,145,000	109,662,000
	OTHER			(-0-)	(-0-)
	SERVICE			(104,145,000)	(109,662,000)
	SEGREGATED REVENUE			328,353,000	326,579,200
	OTHER			(328,353,000)	(326,579,200)
	TOTAL-ALL SOURCES			3,160,247,300	3,910,016,400
2	20.855 Miscellaneous Appropriations				
3	(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
4	(a) Obligation on operating notes	GPR	S	-0-	-0-
5	(b) Operating note expenses	GPR	S	-0-	-0-
6	(bm) Payment of canceled drafts	GPR	S	4,700,000	4,700,000
7	(c) Interest payments to program				
8	revenue accounts	GPR	S	-0-	-0-
9	(d) Interest payments to segregated				
10	funds	GPR	S	-0-	-0-
11	(dm) Interest reimbursements to				
12	federal government	GPR	S	-0-	-0-
13	(e) Interest on prorated local				
14	government payments	GPR	S	-0-	-0-
15	(f) Payment of fees to financial				
16	institutions	GPR	S	-0-	-0-
17	(gm) Payment of canceled drafts;				
18	program revenues	PR	S	-0-	-0-
19	(q) Redemption of operating notes	SEG	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(r) Interest payments to general fund	SEG	S	-0-	-0-
2	(rm) Payment of canceled drafts;				
3	segregated revenues	SEG	S	450,000	450,000
4		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			4,700,000	4,700,000
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			450,000	450,000
	OTHER			(450,000)	(450,000)
	TOTAL-ALL SOURCES			5,150,000	5,150,000
5	(3) CAPITOL RENOVATION EXPENSES				
6	(b) Capitol restoration and relocation				
7	planning	GPR	B	-0-	-0-
8	(c) Historically significant				
9	furnishings	GPR	B	-0-	-0-
10		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
11	(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
12	(a) Interest on overpayment of taxes	GPR	S	1,000,000	1,000,000
13	(am) Great Lakes protection fund				
14	contribution	GPR	C	-0-	-0-
15	(be) Study of engineering	GPR	A	-0-	-0-
16	(bm) Oil pipeline terminal tax				
17	distribution	GPR	S	9,054,100	8,866,100
18	(bv) General fund supplement to				
19	veterans trust fund	GPR	S	18,250,000	18,000,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(c) Minnesota income tax reciprocity	GPR	S	-0-	-0-
2	(ca) Minnesota income tax reciprocity				
3	bench mark	GPR	A	-0-	-0-
4	(cm) Illinois income tax reciprocity	GPR	S	139,442,000	139,442,000
5	(cn) Illinois income tax reciprocity				
6	bench mark	GPR	A	-0-	-0-
7	(cr) Transfer to local exposition				
8	district	GPR	A	4,000,000	4,000,000
9	(dr) Transfer to local exposition				
10	district	GPR	A	4,000,000	4,000,000
11	(e) Transfer to conservation fund;				
12	land acquisition reimbursement	GPR	S	-0-	-0-
13	(em) Transfer to the conservation fund;				
14	off-highway motorcycle fees	GPR	S	61,100	61,100
15	(f) Transfer to environmental fund;				
16	nonpoint sources	GPR	A	7,991,100	7,991,100
17	(fc) Aids for certain local purchases				
18	and projects	GPR	A	-0-	-0-
19	(fm) Transfer to transportation fund;				
20	hub facility exemptions	GPR	S	-0-	-0-
21	(fr) Transfer to transportation fund;				
22	disaster damage aids	GPR	S	-0-	1,000,000
23	(gd) American Red Cross, Badger				
24	Chapter	PR	C	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ge) Feeding America; Second Harvest				
2	food banks	PR	C	-0-	-0-
3	(h) Volkswagen settlement funds	PR	C	-0-	-0-
4	(q) Terminal tax distribution	SEG	S	1,906,000	1,906,000
5	(r) Petroleum allowance	SEG	S	300,000	300,000
6	(s) Transfer to conservation fund;				
7	motorboat formula	SEG	S	13,499,400	13,499,400
8	(t) Transfer to conservation fund;				
9	snowmobile formula	SEG	S	5,331,900	5,331,900
10	(u) Transfer to conservation fund;				
11	all-terrain vehicle and utility				
12	terrain vehicle formula	SEG	S	2,842,400	2,842,400
13	(w) Transfer to transportation fund;				
14	petroleum inspection fund	SEG	A	6,258,500	6,258,500
15	(wc) Petroleum inspection fund				
16	supplement to environmental				
17	fund; environmental management	SEG	A	1,704,800	1,704,800
18		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			183,798,300	184,360,300
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			31,843,000	31,843,000
	OTHER			(31,843,000)	(31,843,000)
	TOTAL-ALL SOURCES			215,641,300	216,203,300
19	(5) STATE HOUSING AUTHORITY RESERVE FUND				
20	(a) Enhancement of credit of				
21	authority debt	GPR	A	-0-	-0-
22		(5) PROGRAM TOTALS			

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
1	(6) MISCELLANEOUS RECEIPTS				
2	(g) Gifts and grants	PR	C	-0-	-0-
3	(h) Vehicle and aircraft receipts	PR	A	-0-	-0-
4	(i) Miscellaneous program revenue	PR	A	-0-	-0-
5	(j) Custody accounts	PR	C	-0-	-0-
6	(k) Aids to individuals and				
7	organizations	PR-S	C	-0-	-0-
8	(ka) Local assistance	PR-S	C	-0-	-0-
9	(m) Federal aid	PR-F	C	-0-	-0-
10	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
11	(6) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
12	(8) MARQUETTE UNIVERSITY				
13	(a) Dental clinic and education				
14	facility; principal repayment,				
15	interest and rebates	GPR	S	702,700	738,600
16	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUE			702,700	738,600
	TOTAL-ALL SOURCES			702,700	738,600
17	(9) STATE CAPITOL RENOVATION AND RESTORATION				

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(a) South wing renovation and				
2	restoration	GPR	C	-0-	-0-
3		(9) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
4		20.855 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			189,201,000	189,798,900
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			32,293,000	32,293,000
	OTHER			(32,293,000)	(32,293,000)
	TOTAL-ALL SOURCES			221,494,000	222,091,900
5	20.865 Program Supplements				
6	(1) EMPLOYEE COMPENSATION AND SUPPORT				
7	(a) Judgments and legal expenses	GPR	S	-0-	-0-
8	(c) Compensation and related				
9	adjustments	GPR	S	-0-	-0-
10	(ci) University pay adjustments	GPR	S	-0-	-0-
11	(cj) Pay adjustments for certain				
12	university employees	GPR	A	-0-	-0-
13	(d) Employer fringe benefit costs	GPR	S	-0-	-0-
14	(dm) Discretionary merit compensation				
15	program	GPR	A	-0-	-0-
16	(e) Additional biweekly payroll	GPR	A	93,908,200	-0-
17	(em) Financial and procurement				
18	services	GPR	A	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(fm) Risk management	GPR	A	-0-	-0-
2	(fn) Physically handicapped				
3	supplements	GPR	A	5,800	5,800
4	(g) Judgments and legal expenses;				
5	program revenues	PR	S	-0-	-0-
6	(i) Compensation and related				
7	adjustments; program revenues	PR	S	-0-	-0-
8	(ic) University pay adjustments	PR	S	-0-	-0-
9	(j) Employer fringe benefit costs;				
10	program revenues	PR	S	-0-	-0-
11	(jm) Additional biweekly payroll;				
12	nonfederal program revenues	PR	S	23,123,500	-0-
13	(js) Financial and procurement				
14	services; program revenues	PR	S	-0-	-0-
15	(kr) Risk management; program				
16	revenues	PR	S	-0-	-0-
17	(Ln) Physically handicapped				
18	supplements; program revenues	PR	S	-0-	-0-
19	(m) Additional biweekly payroll;				
20	federal program revenues	PR-F	S	13,175,400	-0-
21	(q) Judgments and legal expenses;				
22	segregated revenues	SEG	S	-0-	-0-
23	(s) Compensation and related				
24	adjustments; segregated revenues	SEG	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(si) University pay adjustments	SEG	S	-0-	-0-
2	(t) Employer fringe benefit costs;				
3	segregated revenues	SEG	S	-0-	-0-
4	(tm) Additional biweekly payroll;				
5	nonfederal segregated revenues	SEG	S	12,997,800	-0-
6	(ts) Financial and procurement				
7	services; segregated revenues	SEG	S	-0-	-0-
8	(ur) Risk management; segregated				
9	revenues	SEG	S	-0-	-0-
10	(vn) Physically handicapped				
11	supplements; segregated				
12	revenues	SEG	S	-0-	-0-
13	(x) Additional biweekly payroll;				
14	federal segregated revenues	SEG-F	S	-0-	-0-
15		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			93,914,000	5,800
	PROGRAM REVENUE			36,298,900	-0-
	FEDERAL			(13,175,400)	(-0-)
	OTHER			(23,123,500)	(-0-)
	SEGREGATED REVENUE			12,997,800	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(12,997,800)	(-0-)
	TOTAL-ALL SOURCES			143,210,700	5,800
16	(2) STATE PROGRAMS AND FACILITIES				
17	(a) Private facility rental increases	GPR	A	-0-	-0-
18	(ag) State-owned office rent				
19	supplement	GPR	A	-0-	-0-
20	(am) Space management	GPR	A	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(d) State deposit fund	GPR	S	-0-	-0-
2	(e) Maintenance of capitol and				
3	executive residence	GPR	A	-0-	-0-
4	(eb) Executive residence furnishings				
5	replacement	GPR	C	10,200	10,200
6	(em) Groundwater survey and analysis	GPR	A	182,500	182,500
7	(g) Private facility rental increases;				
8	program revenues	PR	S	-0-	-0-
9	(gg) State-owned office rent				
10	supplement; program revenues	PR	S	-0-	-0-
11	(gm) Space management; program				
12	revenues	PR	S	-0-	-0-
13	(i) Enterprise resource planning				
14	system; program revenues	PR	S	-0-	-0-
15	(j) State deposit fund; program				
16	revenues	PR	S	-0-	-0-
17	(L) Data processing and				
18	telecommunications study;				
19	program revenues	PR	S	-0-	-0-
20	(q) Private facility rental increases;				
21	segregated revenues	SEG	S	-0-	-0-
22	(qg) State-owned office rent				
23	supplement; segregated revenues	SEG	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(qm) Space management; segregated				
2	revenues	SEG	S	-0-	-0-
3	(r) Enterprise resource planning				
4	system; segregated revenues	SEG	S	-0-	-0-
5	(t) State deposit fund; segregated				
6	revenues	SEG	S	-0-	-0-
7		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			192,700	192,700
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			192,700	192,700
8	(3) TAXES AND SPECIAL CHARGES				
9	(a) Property taxes	GPR	S	-0-	-0-
10	(g) Property taxes; program revenues	PR	S	-0-	-0-
11	(i) Payments for municipal services;				
12	program revenues	PR	S	-0-	-0-
13	(q) Property taxes; segregated				
14	revenues	SEG	S	-0-	-0-
15	(s) Payments for municipal services;				
16	segregated revenues	SEG	S	-0-	-0-
17		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
18	(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(a) General purpose revenue funds				
2	general program supplementation	GPR	B	133,600	133,600
3	(g) Program revenue funds general				
4	program supplementation	PR	S	-0-	-0-
5	(k) Public assistance programs				
6	supplementation	PR-S	C	-0-	-0-
7	(m) Federal funds general program				
8	supplementation	PR-F	C	-0-	-0-
9	(u) Segregated funds general				
10	program supplementation	SEG	S	-0-	-0-
11		(4) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			133,600	133,600
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			133,600	133,600
12	(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REVENUE - SERVICE APPROPRIATIONS				
13	(g) Supplementation of program				
14	revenue and program revenue -				
15	service appropriations	PR	S	-0-	-0-
16		(8) PROGRAM TOTALS			
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
17		20.865 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			94,240,300	332,100
	PROGRAM REVENUE			36,298,900	-0-
	FEDERAL			(13,175,400)	(-0-)
	OTHER			(23,123,500)	(-0-)

ASSEMBLY BILL 43**SECTION 257**

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
SERVICE			(-0-)	(-0-)
SEGREGATED REVENUE			12,997,800	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(12,997,800)	(-0-)
TOTAL-ALL SOURCES			143,537,000	332,100
1 20.866 Public Debt				
2 (1) BOND SECURITY AND REDEMPTION FUND				
3 (u) Principal repayment and interest	SEG	S	-0-	-0-
4 (1) PROGRAM TOTALS				
SEGREGATED REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
5 20.866 DEPARTMENT TOTALS				
SEGREGATED REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
6 20.867 Building Commission				
7 (1) STATE OFFICE BUILDINGS				
8 (a) Principal repayment and interest;				
9 housing of state agencies	GPR	S	-0-	-0-
10 (b) Principal repayment and interest;				
11 capitol and executive residence	GPR	S	2,528,300	1,638,800
12 (1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUE			2,528,300	1,638,800
TOTAL-ALL SOURCES			2,528,300	1,638,800
13 (2) ALL STATE-OWNED FACILITIES				
14 (b) Asbestos removal	GPR	A	-0-	-0-
15 (c) Hazardous materials removal	GPR	A	-0-	-0-
16 (f) Facilities preventive maintenance	GPR	A	-0-	-0-

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(q) Building trust fund	SEG	C	-0-	-0-
2	(r) Planning and design	SEG	C	-0-	-0-
3	(u) Aids for buildings	SEG	C	-0-	-0-
4	(v) Building program funding				
5	contingency	SEG	C	-0-	-0-
6	(w) Building program funding	SEG	C	-0-	-0-
7		(2) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
8	(3) STATE BUILDING PROGRAM				
9	(a) Principal repayment and interest	GPR	S	33,417,500	86,210,700
10	(b) Principal repayment and interest	GPR	S	1,272,100	1,495,900
11	(bb) Principal repayment, interest and				
12	rebates; AIDS Network, Inc.	GPR	S	21,400	18,500
13	(bc) Principal repayment, interest and				
14	rebates; Grand Opera House in				
15	Oshkosh	GPR	S	35,600	35,900
16	(bd) Principal repayment, interest and				
17	rebates; Aldo Leopold climate				
18	change classroom and interactive				
19	laboratory	GPR	S	28,800	35,200
20	(be) Principal repayment, interest and				
21	rebates; Bradley Center Sports				
22	and Entertainment Corporation	GPR	S	587,300	532,600

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(bf) Principal repayment, interest and				
2	rebates; AIDS Resource Center of				
3	Wisconsin, Inc.	GPR	S	56,900	49,100
4	(bg) Principal repayment, interest,				
5	and rebates; Madison Children's				
6	Museum	GPR	S	17,800	15,400
7	(bh) Principal repayment, interest,				
8	and rebates; Myrick Hixon				
9	EcoPark, Inc.	GPR	S	47,000	44,900
10	(bj) Principal repayment, interest and				
11	rebates; Lac du Flambeau Indian				
12	Tribal Cultural Center	GPR	S	7,000	15,600
13	(bL) Principal repayment, interest and				
14	rebates; family justice center	GPR	S	632,400	645,800
15	(bm) Principal repayment, interest,				
16	and rebates; HR Academy, Inc.	GPR	S	62,800	133,900
17	(bn) Principal repayment, interest and				
18	rebates; Hmong cultural center	GPR	S	19,800	19,300
19	(bo) Principal repayment, interest and				
20	rebates; psychiatric and				
21	behavioral health treatment beds;				
22	Marathon County	GPR	S	-0-	-0-
23	(bq) Principal repayment, interest and				
24	rebates; children's research				
25	institute	GPR	S	1,046,800	689,000

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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(br) Principal repayment, interest and				
2	rebates	GPR	S	9,900	2,300
3	(bt) Principal repayment, interest,				
4	and rebates; Wisconsin				
5	Agriculture Education Center,				
6	Inc.	GPR	S	345,600	307,700
7	(bu) Principal repayment, interest and				
8	rebates; Civil War exhibit at the				
9	Kenosha Public Museums	GPR	S	1,106,300	978,100
10	(bv) Principal repayment, interest,				
11	and rebates; Bond Health Center	GPR	S	120,300	77,100
12	(bw) Principal repayment, interest,				
13	and rebates; Eau Claire				
14	Confluence Arts, Inc.	GPR	S	-0-	-0-
15	(bx) Principal repayment, interest,				
16	and rebates; Carroll University	GPR	S	154,600	161,100
17	(cb) Principal repayment, interest and				
18	rebates; Domestic Abuse				
19	Intervention Services, Inc.	GPR	S	22,100	34,200
20	(cd) Principal repayment, interest,				
21	and rebates; K I Convention				
22	Center	GPR	S	112,300	117,300
23	(cf) Principal repayment, interest,				
24	and rebates; Dane County;				
25	livestock facilities	GPR	S	251,500	558,200

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(ch) Principal repayment, interest,				
2	and rebates; Wisconsin Maritime				
3	Center of Excellence	GPR	S	334,600	336,300
4	(cj) Principal repayment, interest,				
5	and rebates; Norskedalen Nature				
6	and Heritage Center	GPR	S	8,800	56,100
7	(cq) Principal repayment, interest,				
8	and rebates; La Crosse Center	GPR	S	321,900	317,100
9	(cr) Principal repayment, interest,				
10	and rebates; St. Ann Center for				
11	Intergenerational Care, Inc.;				
12	Bucyrus Campus	GPR	S	334,000	330,800
13	(cs) Principal repayment, interest,				
14	and rebates; Brown County				
15	innovation center	GPR	S	319,200	315,600
16	(cv) Principal repayment, interest,				
17	and rebates; Beyond Vision;				
18	VisABILITY Center	GPR	S	401,300	401,300
19	(cw) Principal repayment, interest,				
20	and rebates; projects	GPR	S	274,200	386,300
21	(cx) Principal repayment, interest,				
22	and rebates; center	GPR	S	545,000	758,000
23	(cz) Museum of nature and culture	GPR	S	-0-	-0-
24	(d) Interest rebates on obligation				
25	proceeds; general fund	GPR	S	-0-	-0-

ASSEMBLY BILL 43

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(e) Principal repayment, interest and				
2	rebates; parking ramp	GPR	S	-0-	-0-
3	(g) Principal repayment, interest and				
4	rebates; program revenues	PR	S	-0-	-0-
5	(h) Principal repayment, interest,				
6	and rebates	PR	S	-0-	-0-
7	(i) Principal repayment, interest and				
8	rebates; capital equipment	PR	S	-0-	-0-
9	(k) Interest rebates on obligation				
10	proceeds; program revenues	PR-S	C	-0-	-0-
11	(kd) Energy conservation construction				
12	projects; principal repayment,				
13	interest and rebates	PR-S	C	618,200	1,764,200
14	(km) Aquaculture demonstration				
15	facility; principal repayment and				
16	interest	PR-S	A	293,000	318,900
17	(q) Principal repayment and interest;				
18	segregated revenues	SEG	S	-0-	-0-
19	(r) Interest rebates on obligation				
20	proceeds; conservation fund	SEG	S	-0-	-0-
21	(s) Interest rebates on obligation				
22	proceeds; transportation fund	SEG	S	-0-	-0-
23	(t) Interest rebates on obligation				
24	proceeds; veterans trust fund	SEG	S	-0-	-0-

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(v) Psychiatric bed grant	SEG	A	-0-	-0-
2	(w) Bonding services	SEG	S	1,024,200	1,024,200
3		(3) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			41,914,800	95,079,300
	PROGRAM REVENUE			911,200	2,083,100
	OTHER			(-0-)	(-0-)
	SERVICE			(911,200)	(2,083,100)
	SEGREGATED REVENUE			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			43,850,200	98,186,600
4	(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
5	(q) Funding in lieu of borrowing	SEG	C	-0-	-0-
6	(r) Interest on veterans obligations	SEG	C	-0-	-0-
7		(4) PROGRAM TOTALS			
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
8	(5) SERVICES TO NONSTATE GOVERNMENTAL UNITS				
9	(g) Financial consulting services	PR	C	-0-	-0-
10		(5) PROGRAM TOTALS			
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
11		20.867 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			44,443,100	96,718,100
	PROGRAM REVENUE			911,200	2,083,100
	OTHER			(-0-)	(-0-)
	SERVICE			(911,200)	(2,083,100)
	SEGREGATED REVENUE			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL-ALL SOURCES			46,378,500	99,825,400
12	20.875 Budget Stabilization Fund				
13	(1) TRANSFERS TO FUND				

ASSEMBLY BILL 43**SECTION 257**

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	2023-2024	2024-2025
1	(a) General fund transfer	GPR	S	-0-	-0-
2		(1) PROGRAM TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
3	(2) TRANSFERS FROM FUND				
4	(q) Budget stabilization fund transfer	SEG	A	-0-	-0-
5		(2) PROGRAM TOTALS			
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
6		20.875 DEPARTMENT TOTALS			
	GENERAL PURPOSE REVENUE			-0-	-0-
	SEGREGATED REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
7		General Appropriations			
8		FUNCTIONAL AREA TOTALS			
	GENERAL PURPOSE REVENUE			3,055,633,700	3,760,624,300
	PROGRAM REVENUE			141,355,100	111,745,100
	FEDERAL			(13,175,400)	(-0-)
	OTHER			(23,123,500)	(-0-)
	SERVICE			(105,056,200)	(111,745,100)
	SEGREGATED REVENUE			374,668,000	359,896,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(374,668,000)	(359,896,400)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			3,571,656,800	4,232,265,800
	STATE TOTALS			52,080,875,000	51,671,529,100
	GENERAL PURPOSE REVENUE			24,227,525,300	23,934,929,700
	PROGRAM REVENUE			21,928,330,600	21,855,502,700
	FEDERAL			(14,354,482,000)	(14,410,801,400)
	OTHER			(6,450,739,000)	(6,345,261,200)
	SERVICE			(1,123,109,600)	(1,099,440,100)
	SEGREGATED REVENUE			5,925,019,100	5,881,096,700
	FEDERAL			(1,197,214,500)	(1,216,111,200)
	OTHER			(4,458,133,400)	(4,394,796,700)
	SERVICE			(117,570,500)	(117,570,500)
	LOCAL			(152,100,700)	(152,618,300)

ASSEMBLY BILL 43**SECTION 258**

1 **SECTION 258.** 20.115 (3) (e) of the statutes is created to read:

2 20.115 (3) (e) *Food waste reduction grants.* The amounts in the schedule for
3 providing food waste reduction grants under s. 93.53.

4 **SECTION 259.** 20.115 (3) (f) of the statutes is created to read:

5 20.115 (3) (f) *Meat processing tuition and curriculum development grants.* The
6 amounts in the schedule for providing meat processing tuition grants and
7 curriculum development grants under s. 93.525.

8 **SECTION 260.** 20.115 (4) (am) of the statutes is repealed.

9 **SECTION 261.** 20.115 (4) (cm) of the statutes is created to read:

10 20.115 (4) (cm) *Water stewardship certification grants.* As a continuing
11 appropriation, the amounts in the schedule for water certification grants under s.
12 93.475.

13 **SECTION 262.** 20.115 (4) (d) of the statutes is repealed.

14 **SECTION 263.** 20.115 (4) (dm) of the statutes is repealed.

15 **SECTION 264.** 20.115 (4) (f) of the statutes is amended to read:

16 20.115 (4) (f) ~~*Grants for meat processing facilities*~~ *Agricultural assistance*
17 *programs.* Biennially, the amounts in the schedule to provide grants for meat
18 processing facilities and loans under s. ss. 93.40 (1) (g), 93.44, 93.48, 93.60, 93.62,
19 93.65, 93.66, and 93.68.

20 **SECTION 265.** 20.115 (4) (k) of the statutes is created to read:

21 20.115 (4) (k) *Tribal elder community food box program.* All moneys
22 transferred from the appropriation account under s. 20.505 (8) (hm) 24m. for the
23 program under s. 93.485. Notwithstanding s. 20.001 (3) (c), the unencumbered
24 balance on June 30 of each year shall revert to the appropriation account under s.
25 20.505 (8) (hm).

ASSEMBLY BILL 43**SECTION 266**

1 **SECTION 266.** 20.115 (7) (da) of the statutes is created to read:

2 20.115 (7) (da) *Biodigester operator certification grants.* The amounts in the
3 schedule for biodigester operator certification grants under s. 93.75.

4 **SECTION 267.** 20.115 (7) (gc) of the statutes is amended to read:

5 20.115 (7) (gc) *Industrial hemp and marijuana.* All moneys received under s.
6 94.55 for regulation of activities relating to industrial hemp under s. 94.55 and to
7 marijuana under s. 94.56.

8 **SECTION 268.** 20.115 (7) (ge) of the statutes is created to read:

9 20.115 (7) (ge) *Marijuana producers and processors; official logotype.* All
10 moneys received under s. 94.56 for regulation of activities relating to marijuana
11 under s. 94.56, for conducting public awareness campaigns under s. 94.56, and for
12 the creation of a logotype under s. 100.145.

13 **SECTION 269.** 20.115 (7) (tm) of the statutes is amended to read:

14 20.115 (7) (tm) *Farmland preservation planning grants, working lands fund.*
15 From the working lands fund, the amounts in the schedule for farmland preservation
16 planning grants under s. 91.10 (6) and for farmland preservation implementation
17 grants under s. 91.10 (7).

18 **SECTION 270.** 20.115 (7) (u) of the statutes is created to read:

19 20.115 (7) (u) *Planning grants for regional biodigesters.* From the
20 environmental fund, the amounts in the schedule for providing planning grants for
21 establishing regional biodigesters under s. 93.74.

22 **SECTION 271.** 20.144 (1) (g) of the statutes is amended to read:

23 20.144 (1) (g) *General program operations.* The amounts in the schedule for
24 the general program operations of the department of financial institutions. Except
25 as provided in pars. (a), (h), (i), (j), and (u) and ~~sub.~~ subs. (3) and (4), all moneys

ASSEMBLY BILL 43**SECTION 271**

1 received by the department, other than by the office of credit unions and the division
2 of banking, and 88 percent of all moneys received by the office of credit unions and
3 the department's division of banking shall be credited to this appropriation, but any
4 balance at the close of a fiscal year under this appropriation shall lapse to the general
5 fund. Annually, ~~\$150,000~~ \$260,000 of the amounts received under this appropriation
6 account shall be transferred to the appropriation account under s. 20.575 (1) (g).

7 **SECTION 272.** 20.144 (4) (title) of the statutes is created to read:

8 20.144 (4) (title) SMALL BUSINESS RETIREMENT SAVINGS PROGRAM.

9 **SECTION 273.** 20.144 (4) (a) of the statutes is created to read:

10 20.144 (4) (a) *General program operations.* The amounts in the schedule for
11 the small business retirement savings program under s. 224.56.

12 **SECTION 274.** 20.144 (4) (g) of the statutes is created to read:

13 20.144 (4) (g) *Program operations; other funds.* All moneys received for the
14 small business retirement savings program under s. 224.56, for the purposes for
15 which received.

16 **SECTION 275.** 20.145 (1) (a) of the statutes is created to read:

17 20.145 (1) (a) *State operations.* The amounts in the schedule for general
18 program operations.

19 **SECTION 276.** 20.145 (1) (g) (intro.) of the statutes is amended to read:

20 20.145 (1) (g) *General program operations.* (intro.) The amounts in the
21 schedule for general program operations, including organizational support services
22 and, oversight of care management organizations, development of a public option
23 health insurance plan, and operation of a state-based exchange under s. 601.59, and
24 for transferring to the appropriation account under s. 20.435 (4) (kv) the amount
25 allocated by the commissioner of insurance. Notwithstanding s. 20.001 (3) (a), at the

ASSEMBLY BILL 43**SECTION 276**

1 end of each fiscal year, the unencumbered balance in this appropriation account that
2 exceeds 10 percent of that fiscal year's expenditure under this appropriation shall
3 lapse to the general fund. All of the following shall be credited to this appropriation
4 account:

5 **SECTION 277.** 20.145 (1) (g) 4. of the statutes is created to read:

6 20.145 (1) (g) 4. All moneys received under s. 601.59.

7 **SECTION 278.** 20.145 (1) (g) 5. of the statutes is created to read:

8 20.145 (1) (g) 5. All moneys received from the regulation of pharmacy benefit
9 managers, pharmacy benefit management brokers, pharmacy benefit management
10 consultants, pharmacy services administration organizations, and pharmaceutical
11 representatives.

12 **SECTION 279.** 20.145 (1) (km) of the statutes is repealed.

13 **SECTION 280.** 20.155 (1) (q) of the statutes is amended to read:

14 20.155 (1) (q) *Universal telecommunications service; broadband service; digital*
15 *equity*. From the universal service fund, the amounts in the schedule for the
16 promotion of broadband service ~~and~~, universal telecommunications service, and
17 digital equity for the purposes specified in s. 196.218 (5) (a) 1., 4., 8., 9., and 10., and
18 15.

19 **SECTION 281.** 20.155 (3) (b) of the statutes is created to read:

20 20.155 (3) (b) *Broadband line extension grants*. The amounts in the schedule
21 for financial assistance grants for broadband line extension under s. 196.504 (2r).

22 **SECTION 282.** 20.155 (3) (c) of the statutes is created to read:

23 20.155 (3) (c) *Broadband expansion grant program*. As a continuing
24 appropriation, the amounts in the schedule for the broadband expansion grant
25 program under s. 196.504 (2).

ASSEMBLY BILL 43**SECTION 283**

1 **SECTION 283.** 20.155 (3) (r) of the statutes is amended to read:

2 20.155 (3) (r) *Broadband expansion grants; transfers.* From the universal
3 service fund, all moneys transferred under s. 196.218 (3) (a) 2s. a., 2015 Wisconsin
4 Act 55, section 9236 (1v), 2017 Wisconsin Act 59, section 9237 (1) and (2) (a), and 2019
5 Wisconsin Act 9, section 9201 (1), for broadband expansion grants under s. 196.504
6 (2).

7 **SECTION 284.** 20.155 (3) (rm) of the statutes is amended to read:

8 20.155 (3) (rm) *Broadband grants; other funding.* From the universal service
9 fund, as a continuing appropriation, all moneys transferred under s. 196.218 (3) (a)
10 2s. b., for broadband expansion grants under s. 196.504 (2).

11 **SECTION 285.** 20.165 (1) (g) of the statutes is amended to read:

12 20.165 (1) (g) *General program operations.* The amounts in the schedule for
13 the licensing, ~~rule-making~~ rule-making, and regulatory functions of the department,
14 other than the licensing, rule-making, and credentialing functions of the medical
15 examining board and the affiliated credentialing boards attached to the medical
16 examining board and except for preparing, administering, and grading
17 examinations. ~~Ninety percent of all~~ All moneys received under chs. 440 to 480, except
18 subchs. II and IV to IX of ch. 448, ch. 460 and ss. 440.03 (13), 440.05 (1) (b), 458.21,
19 and 458.365, less \$10 of each renewal fee received under s. 452.12 (5); and all moneys
20 transferred from the appropriation under par. (i); ~~and all moneys received under s.~~
21 440.055 (2), shall be credited to this appropriation.

22 **SECTION 286.** 20.165 (1) (gm) of the statutes is amended to read:

23 20.165 (1) (gm) *Applicant investigation reimbursement.* ~~Ninety percent of all~~
24 All moneys received from applicants for credentials under s. 440.03 (13), for the
25 purpose of conducting investigations under s. 440.03 (13).

ASSEMBLY BILL 43**SECTION 287**

1 **SECTION 287.** 20.165 (1) (hg) of the statutes is amended to read:

2 20.165 (1) (hg) *General program operations; medical examining board;*
3 *interstate medical licensure compact; prescription drug monitoring program.*
4 Biennially, the amounts in the schedule for the licensing, rule-making, and
5 regulatory functions of the medical examining board and the affiliated credentialing
6 boards attached to the medical examining board, except for preparing,
7 administering, and grading examinations; for any costs associated with the
8 interstate medical licensure compact under s. 448.980, including payment of
9 assessments under s. 448.980 (13) (a); and for the controlled substances board's
10 operation of the prescription drug monitoring program under s. 961.385. ~~Ninety~~
11 ~~percent of all~~ All moneys received for issuing and renewing credentials under subchs.
12 II and IV to IX of ch. 448 shall be credited to this appropriation. ~~All and ch. 460 and~~
13 ~~all~~ moneys received from the interstate medical licensure compact commission under
14 s. 448.980 shall be credited to this appropriation.

15 **SECTION 288.** 20.165 (1) (i) of the statutes is amended to read:

16 20.165 (1) (i) *Examinations; general program operations.* ~~Ninety percent of all~~
17 All moneys received under s. 440.05 (1) (b) for the purposes of preparing,
18 administering, and grading examinations. Notwithstanding s. 20.001 (3) (c), any
19 unencumbered balance in this appropriation account, excluding any amount
20 specified by the secretary of administration that is reserved for the payment of future
21 employee compensation or fringe benefit costs, at the end of each fiscal year which
22 exceeds 30 percent of the estimated amount shown in the schedule under s. 20.005
23 for that fiscal year shall be transferred to the appropriation account under par. (g).

24 **SECTION 289.** 20.165 (1) (jm) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 289**

1 20.165 (1) (jm) *Nursing workforce survey administration*. Biennially, the
2 amounts in the schedule for administrative expenses related to distributing a
3 nursing workforce survey to ~~applicants for renewal of credentials~~ nurse licensees
4 under s. 441.01 (7). All moneys received from the fee under s. 441.01 (7) (a) 2. shall
5 be credited to this appropriation account. Annually, there is transferred from this
6 appropriation account to the appropriation account under s. 20.445 (1) (km) all
7 moneys received from the fee under s. 441.01 (7) (a) 2. that are not appropriated to
8 this appropriation account.

9 **SECTION 290.** 20.165 (1) (jr) of the statutes is amended to read:

10 20.165 (1) (jr) *Proprietary school programs*. The amounts in the schedule for
11 the examination and approval of proprietary school programs under s. 440.52.
12 ~~Ninety percent of all~~ All moneys received from the issuance of solicitor's permits
13 under s. 440.52 (8) and from the fees under s. 440.52 (10) and all moneys received
14 from the fees under s. 440.52 (13) (d) shall be credited to this appropriation account.

15 **SECTION 291.** 20.165 (2) (j) of the statutes, as affected by 2017 Wisconsin Act
16 331, section 2, is amended to read:

17 20.165 (2) (j) *Safety and building operations*. The amounts in the schedule for
18 the purposes of chs. 101 and 145 and ss. 167.35, 236.12 (2) (ap), 236.13 (1) (d) and
19 (2m), and 236.335 and for the purpose of transferring the amounts in the schedule
20 under par. (kf) to the appropriation account under par. (kf). All moneys received
21 under ch. 145 and ss. 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82 (4),
22 101.955 (2), 167.35 (2) (f), and 236.12 (7) shall be credited to this appropriation
23 account.

24 **SECTION 292.** 20.165 (2) (jm) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 292**

1 20.165 (2) (jm) *Contractor payments received for regulation.* All moneys
2 received by contractors and vendors as payments for services performed for the
3 department relating to the regulation of industry, buildings, and safety under chs.
4 101 and 145 and ss. 167.10 and 167.27.

5 **SECTION 293.** 20.165 (2) (kf) of the statutes is created to read:

6 20.165 (2) (kf) *Private on-site wastewater treatment system replacement and*
7 *rehabilitation.* As a continuing appropriation, the amounts in the schedule for
8 financial assistance under the private on-site wastewater treatment system
9 replacement and rehabilitation program under s. 145.246. All moneys transferred
10 from par. (j) shall be credited to this appropriation account.

11 **SECTION 294.** 20.192 (1) (a) of the statutes is amended to read:

12 20.192 (1) (a) *Operations and programs.* A sum sufficient in each fiscal year
13 equal to the amount obtained by subtracting from ~~\$41,550,700~~ \$51,550,700 an
14 amount equal to the sum of the amounts expended in that fiscal year from the
15 appropriations under pars. (r) and (s), for the operations of the Wisconsin Economic
16 Development Corporation and for funding economic development programs
17 developed and implemented under s. 238.03. No more than \$16,512,500 may be
18 expended from this appropriation in any fiscal year, and moneys may be expended
19 from this appropriation only if there are no unencumbered moneys available in the
20 appropriation account under par. (r).

21 **SECTION 295.** 20.192 (1) (br) of the statutes is created to read:

22 20.192 (1) (br) *Main street bounceback grants.* The amounts in the schedule
23 for grants awarded under s. 238.129.

24 **SECTION 296.** 20.192 (1) (c) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 296**

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 297.** 20.235 (1) (fd) of the statutes is amended to read:

7 20.235 (1) (fd) *Talent incentive grants.* Biennially, the amounts in the schedule
8 for talent incentive grants under s. ~~39.435 (2)~~ 39.436 (1).

9 **SECTION 298.** 20.235 (1) (fe) of the statutes is amended to read:

10 20.235 (1) (fe) *Wisconsin grants; University of Wisconsin System students.*
11 Biennially, the amounts in the schedule for the Wisconsin grant program under s.
12 39.435 for University of Wisconsin System students, ~~except for grants awarded~~
13 ~~under s. 39.435 (2) or (5)~~.

14 **SECTION 299.** 20.235 (1) (ff) of the statutes is amended to read:

15 20.235 (1) (ff) *Wisconsin grants; technical college students.* Biennially, the
16 amounts in the schedule for the Wisconsin grant program under s. 39.435 for
17 technical college students, ~~except for grants awarded under s. 39.435 (2) or (5)~~.

18 **SECTION 300.** 20.235 (1) (fj) of the statutes is amended to read:

19 20.235 (1) (fj) *Impaired student grants.* Biennially, the amounts in the
20 schedule for impaired student grants under s. ~~39.435 (5)~~ 39.436 (2).

21 **SECTION 301.** 20.235 (1) (km) of the statutes is amended to read:

22 20.235 (1) (km) *Wisconsin grants; tribal college students.* Biennially, the
23 amounts in the schedule for the Wisconsin grant program under s. 39.435 for tribal
24 college students, ~~except for grants awarded under s. 39.435 (2) or (5)~~. All moneys
25 transferred from the appropriation account under s. 20.505 (8) (hm) 10. shall be

ASSEMBLY BILL 43**SECTION 301**

1 credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the
2 unencumbered balance on June 30 of each odd-numbered year shall revert to the
3 appropriation account under s. 20.505 (8) (hm).

4 **SECTION 302.** 20.250 (1) (f) of the statutes is created to read:

5 20.250 (1) (f) *Psychiatry and behavioral health residency program.* The
6 amounts in the schedule for a psychiatry and behavioral health residency program
7 to support the recruitment and training of psychiatry and behavioral health
8 residents.

9 **SECTION 303.** 20.250 (2) (title) of the statutes is amended to read:

10 20.250 (2) (title) RESEARCH AND COMMUNITY SUPPORT.

11 **SECTION 304.** 20.250 (2) (a) of the statutes is created to read:

12 20.250 (2) (a) *Violence prevention grants.* Biennially, the amounts in the
13 schedule to make violence prevention grants supporting local, evidence-informed
14 activities that enhance the safety and well-being of children, youth, and families
15 throughout this state.

16 **SECTION 305.** 20.255 (1) (er) of the statutes is created to read:

17 20.255 (1) (er) *Early literacy and reading improvement.* The amounts in the
18 schedule to contract with and train literacy coaches under s. 115.39.

19 **SECTION 306.** 20.255 (1) (fc) of the statutes is created to read:

20 20.255 (1) (fc) *Seal of biliteracy.* The amounts in the schedule for grants under
21 s. 115.28 (67).

22 **SECTION 307.** 20.255 (1) (hg) of the statutes is amended to read:

23 20.255 (1) (hg) *Personnel licensure, teacher supply, information and analysis,*
24 *and teacher improvement.* The amounts in the schedule All moneys received from
25 the licensure of school and public library personnel under s. 115.28 (7) (d) and all

ASSEMBLY BILL 43**SECTION 307**

1 ~~monies received under s. 115.41 to fund licensure administrative costs under s. ss.~~
2 ~~115.28 (7) (d) and 118.19 (10), teacher supply, information and analysis costs under~~
3 ~~s. 115.29 (5), and teacher improvement under s. 115.41 (1). Ninety percent of all~~
4 ~~monies received from the licensure of school and public library personnel under s.~~
5 ~~115.28 (7) (d), and all monies received under s. 115.41, shall be credited to this~~
6 ~~appropriation.~~

7 **SECTION 308.** 20.255 (2) (az) of the statutes is amended to read:

8 20.255 (2) (az) *Special Needs Scholarship Program.* A sum sufficient to make
9 the payments under s. 115.7915 (4m) (a), ~~(em)~~, and (e) and (4p).

10 **SECTION 309.** 20.255 (2) (b) of the statutes is amended to read:

11 20.255 (2) (b) *Aids for special education and school age parents programs.* ~~The~~
12 ~~amounts in the schedule~~ A sum sufficient for the payment of the full cost of special
13 education for children in hospitals and convalescent homes under s. 115.88 (4) and
14 for the payment of aids for special education and school age parents programs under
15 ss. 115.88, 115.93 and 118.255 as provided under s. 115.882.

16 **SECTION 310.** 20.255 (2) (bb) of the statutes is repealed.

17 **SECTION 311.** 20.255 (2) (bd) of the statutes is amended to read:

18 20.255 (2) (bd) *Additional special education aid.* ~~The amounts in the schedule~~
19 A sum sufficient for aid under s. 115.881.

20 **SECTION 312.** 20.255 (2) (bj) of the statutes is created to read:

21 20.255 (2) (bj) *Grants for milk coolers and dispensers.* The amounts in the
22 scheduled for grants under s. 115.342

23 **SECTION 313.** 20.255 (2) (bk) of the statutes is created to read:

24 20.255 (2) (bk) *Locally sourced food incentive payments.* The amounts in the
25 schedule for payments to school food authorities under s. 115.344.

ASSEMBLY BILL 43**SECTION 314**

1 **SECTION 314.** 20.255 (2) (cc) of the statutes is amended to read:

2 20.255 (2) (cc) *Bilingual-bicultural education aids.* ~~The amounts in the~~
3 ~~schedule A sum sufficient~~ for bilingual-bicultural education programs aid under
4 ~~subch. VII of ch. 115 s. 115.995.~~

5 **SECTION 315.** 20.255 (2) (cd) of the statutes is created to read:

6 20.255 (2) (cd) *Aid for English language acquisition.* A sum sufficient for aid
7 under s. 115.9955.

8 **SECTION 316.** 20.255 (2) (cg) of the statutes is amended to read:

9 20.255 (2) (cg) *Tuition payments; full-time open enrollment transfer payments.*
10 The amounts in the schedule for payment of tuition under subch. V of ch. 121 and
11 full-time open enrollment transfer payments under s. 118.51 (16) (b) 2. and (17) (c)
12 2. and (cm) 2.

13 **SECTION 317.** 20.255 (2) (ch) of the statutes is created to read:

14 20.255 (2) (ch) *Grow your own programs; teacher pipeline capacity building.*
15 The amounts in the schedule for grants under s. 115.422 to school districts and
16 operators of a charter school under s. 118.40 (2r) or (2x).

17 **SECTION 318.** 20.255 (2) (co) of the statutes is created to read:

18 20.255 (2) (co) *Supplemental nutrition aid.* A sum sufficient for payments
19 under s. 115.3415.

20 **SECTION 319.** 20.255 (2) (cv) of the statutes is created to read:

21 20.255 (2) (cv) *Driver education aid.* The amounts in the schedule for driver
22 education aid for qualified driver education providers under s. 121.42.

23 **SECTION 320.** 20.255 (2) (da) of the statutes is repealed.

24 **SECTION 321.** 20.255 (2) (db) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 321**

1 20.255 (2) (db) *Aid for school-based mental health professionals; staff.* The
2 amounts in the schedule for aid under s. 115.364.

3 **SECTION 322.** 20.255 (2) (dc) of the statutes is created to read:

4 20.255 (2) (dc) *Aid for comprehensive school mental health services.* The
5 amounts in the schedule for aid for comprehensive school mental health services
6 under s. 115.369.

7 **SECTION 323.** 20.255 (2) (de) of the statutes is created to read:

8 20.255 (2) (de) *Mathematics partnership grant.* The amounts in the schedule
9 for aid to a 1st class city school district under s. 119.313.

10 **SECTION 324.** 20.255 (2) (dk) of the statutes is created to read:

11 20.255 (2) (dk) *Out-of-school-time programs; grants.* As a continuing
12 appropriation, the amounts in the schedule for out-of-school-time program grants
13 under s. 115.449.

14 **SECTION 325.** 20.255 (2) (ds) of the statutes is repealed and recreated to read:

15 20.255 (2) (ds) *Computer science education grants.* The amounts in the
16 schedule for grants to school boards under s. 115.28 (29).

17 **SECTION 326.** 20.255 (2) (dt) of the statutes is repealed.

18 **SECTION 327.** 20.255 (2) (ef) of the statutes is created to read:

19 20.255 (2) (ef) *Personal financial literacy grants.* Biennially, the amounts in
20 the schedule for financial literacy curriculum grants under s. 115.28 (72).

21 **SECTION 328.** 20.255 (2) (er) of the statutes is created to read:

22 20.255 (2) (er) *Early literacy and reading improvement; stipends.* The amounts
23 in the schedule for payments to local educational agencies under 115.39 (5).

24 **SECTION 329.** 20.255 (2) (kg) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 329**

1 20.255 (2) (kg) *Grants to replace certain race-based nicknames, logos, mascots,*
2 *and team names.* The amounts in the schedule for grants to school boards under s.
3 118.134 (6). All moneys transferred from the appropriation account under s. 20.505
4 (8) (hm) 29. shall be credited to this appropriation account. Notwithstanding s.
5 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the
6 appropriation account under s. 20.505 (8) (hm).

7 **SECTION 330.** 20.255 (3) (bm) of the statutes is created to read:

8 20.255 (3) (bm) *General educational development test fee payments.* A sum
9 sufficient for payments to GED Testing Service LLC under s. 115.28 (66) (a).

10 **SECTION 331.** 20.255 (3) (ci) of the statutes is created to read:

11 20.255 (3) (ci) *Teacher improvement program stipends.* A sum sufficient for
12 payments to individuals under s. 115.41 (2).

13 **SECTION 332.** 20.255 (3) (cL) of the statutes is created to read:

14 20.255 (3) (cL) *Library intern stipend payments.* A sum sufficient for library
15 intern stipend payments under s. 43.05 (12m).

16 **SECTION 333.** 20.255 (3) (cs) of the statutes is created to read:

17 20.255 (3) (cs) *Student teacher stipends.* A sum sufficient for payments to
18 student teachers under s. 115.421.

19 **SECTION 334.** 20.255 (3) (ct) of the statutes is created to read:

20 20.255 (3) (ct) *Cooperating teacher stipends.* A sum sufficient for payments to
21 teachers under s. 115.424.

22 **SECTION 335.** 20.255 (3) (fs) of the statutes is created to read:

23 20.255 (3) (fs) *The Literacy Lab.* The amounts in the schedule for payments
24 to The Literacy Lab under s. 115.28 (71).

25 **SECTION 336.** 20.255 (3) (ft) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 336**

1 20.255 (3) (ft) *Reach Out and Read*. The amounts in the schedule for payments
2 to Reach Out and Read, Inc., under s. 115.28 (70).

3 **SECTION 337.** 20.255 (3) (fv) of the statutes is created to read:

4 20.255 (3) (fv) *Graduation Alliance*. The amounts in the schedule for payments
5 to Graduation Alliance, Inc., under s. 115.28 (68).

6 **SECTION 338.** 20.255 (3) (fw) of the statutes is created to read:

7 20.255 (3) (fw) *Mentor Greater Milwaukee*. Biennially, the amounts in the
8 schedule for grants to Mentor Greater Milwaukee, Inc., under s. 115.28 (69).

9 **SECTION 339.** 20.255 (3) (s) of the statutes is created to read:

10 20.255 (3) (s) *Recollection Wisconsin*. From the universal service fund, the
11 amounts in the schedule for payments to Wisconsin Library Services, Inc., under s.
12 115.28 (28).

13 **SECTION 340.** 20.285 (1) (at) of the statutes is created to read:

14 20.285 (1) (at) *Wisconsin financial futures incentive program*. As a continuing
15 appropriation, the amounts in the schedule for a Wisconsin financial futures
16 incentive program in the University of Wisconsin-Madison's division of extension
17 that makes financial education and coaching available statewide to assist residents
18 in reaching their financial goals.

19 **SECTION 341.** 20.285 (1) (av) of the statutes is created to read:

20 20.285 (1) (av) *Veterans services*. As a continuing appropriation, the amounts
21 in the schedule to provide support services to students who are veterans.

22 **SECTION 342.** 20.285 (1) (aw) of the statutes is created to read:

23 20.285 (1) (aw) *Rural Wisconsin entrepreneurship initiative*. As a continuing
24 appropriation, the amounts in the schedule for a rural Wisconsin entrepreneurship
25 initiative in the University of Wisconsin-Madison's division of extension that

ASSEMBLY BILL 43**SECTION 342**

1 provides business development assistance, rural entrepreneurship ecosystems, and
2 access to finance for rural entrepreneurs in this state.

3 **SECTION 343.** 20.285 (1) (ax) of the statutes is created to read:

4 20.285 (1) (ax) *Farm and industry short course at the University of*
5 *Wisconsin-River Falls.* Biennially, the amounts in the schedule for general program
6 operations of a farm and industry short course at the University of Wisconsin-River
7 Falls.

8 **SECTION 344.** 20.285 (1) (br) of the statutes is created to read:

9 20.285 (1) (br) *Health care provider loan assistance program.* As a continuing
10 appropriation, the amounts in the schedule for loan repayments to medical
11 assistants, dental assistants, dental auxiliaries, and dental therapists under s.
12 36.61.

13 **SECTION 345.** 20.285 (1) (bt) of the statutes is created to read:

14 20.285 (1) (bt) *Missing-in-Action Recovery and Identification Project.* As a
15 continuing appropriation, the amounts in the schedule for the purposes specified in
16 2023 Wisconsin Act (this act), section 9147 (7).

17 **SECTION 346.** 20.285 (1) (cr) of the statutes is created to read:

18 20.285 (1) (cr) *Foster youth support programs.* The amounts in the schedule
19 to provide funding for former foster youth support programs under s. 36.25 (43).

20 **SECTION 347.** 20.285 (1) (fm) of the statutes is created to read:

21 20.285 (1) (fm) *UniverCity Alliance program.* The amounts in the schedule for
22 the purposes specified in s. 36.25 (56).

23 **SECTION 348.** 20.292 (1) (c) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 348**

1 20.292 (1) (c) *Grants to technical colleges for dual enrollment courses related*
2 *to health care.* The amounts in the schedule for grants to technical colleges under
3 s. 38.04 (25).

4 **SECTION 349.** 20.292 (1) (f) of the statutes is amended to read:

5 20.292 (1) (f) *Grants to district boards.* As a continuing appropriation, the
6 amounts in the schedule for aids and grants to technical college districts under ss.
7 38.04 (13) (a), (20), (28), and (32) (a), 38.26, 38.27, 38.272, 38.274, 38.276, 38.28 (4),
8 38.29, 38.32, 38.33, 38.34, 38.38, 38.40 (4m), and 38.41.

9 **SECTION 350.** 20.320 (1) (sm) of the statutes is amended to read:

10 20.320 (1) (sm) *Land recycling loan program financial assistance.* From the
11 clean water fund program federal revolving loan fund account in the environmental
12 improvement fund, a sum sufficient, not to exceed ~~a total of \$20,000,000 less the~~
13 ~~maximum transfer amount specified in any agreement under s. 25.43 (2s)~~, to provide
14 land recycling loan program financial assistance under s. 281.60.

15 **SECTION 351.** 20.320 (2) (a) of the statutes is created to read:

16 20.320 (2) (a) *Lead service line replacement.* As a continuing appropriation, the
17 amounts in the schedule for lead service line replacement loans under s. 281.61 (8)
18 (b).

19 **SECTION 352.** 20.370 (1) (ed) of the statutes is created to read:

20 20.370 (1) (ed) *Parks - admission receipt fee waivers.* From the general fund,
21 a sum sufficient equal to the amount of the annual vehicle admission receipt fees
22 waived under s. 27.01 (9) (bg), for the operation of state parks.

23 **SECTION 353.** 20.370 (1) (et) of the statutes is created to read:

24 20.370 (1) (et) *Parks and forests - online sales systems.* As a continuing
25 appropriation, the amounts in the schedule for costs associated with an online sales

ASSEMBLY BILL 43**SECTION 353**

1 system for vehicle admission receipts for state parks, forests, and recreation areas
2 and an online sales system for state trail passes.

3 **SECTION 354.** 20.370 (1) (fe) of the statutes is amended to read:

4 20.370 (1) (fe) *Endangered resources — general fund.* From the general fund,
5 a sum sufficient in fiscal year 1993-94 and in each fiscal year thereafter that equals
6 the sum of the amount certified in that fiscal year under s. 71.10 (5) (h) 3. for the
7 previous fiscal year and the amounts received under par. (fu) in that fiscal year for
8 the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2.
9 The amount appropriated under this subdivision may not exceed ~~\$500,000~~ \$950,000
10 in a fiscal year, except that the amount appropriated under this subdivision in fiscal
11 year 2005-06 may not exceed \$364,000 and the amount appropriated under this
12 subdivision in fiscal year 2006-07 may not exceed \$364,000.

13 **SECTION 355.** 20.370 (1) (kf) of the statutes is created to read:

14 20.370 (1) (kf) *Wild rice stewardship in ceded territory waters.* From the
15 general fund, the amounts in the schedule for wild rice stewardship efforts
16 conducted, in consultation with federally recognized American Indian tribes or
17 bands domiciled in this state, within the waters of areas where the American Indian
18 tribes or bands hold treaty-based rights to harvest wild rice. Of the amounts in the
19 schedule for each fiscal year, not less than \$50,000 shall be allocated for public
20 education and outreach pertaining to wild rice harvesting.

21 **SECTION 356.** 20.370 (2) (jq) of the statutes is created to read:

22 20.370 (2) (jq) *Forestry-industry-wide strategic plan.* From the conservation
23 fund, the moneys received from forestry activities for the forestry-industry-wide
24 strategic plan and road map under 2023 Wisconsin Act ... (this act), section 9132
25 (10).

ASSEMBLY BILL 43**SECTION 357**

1 **SECTION 357.** 20.370 (3) (ak) of the statutes is repealed.

2 **SECTION 358.** 20.370 (4) (aj) of the statutes is amended to read:

3 20.370 (4) (aj) *Water resources—ballast water discharge permits commercial*
4 *vessel arrival fees.* From the general fund, all moneys received from fees collected
5 under ~~s. 283.35 (1m) to administer and enforce the ballast water discharge permit~~
6 ~~program under s. 283.35 (1m) and for grants under 2009 Wisconsin Act 28, section~~
7 ~~9137 (3w) s. 299.65 for management, administration, inspection, monitoring, and~~
8 ~~enforcement activities relating to incidental discharges, including ballast water~~
9 ~~discharges.~~

10 **SECTION 359.** 20.370 (4) (eq) of the statutes is repealed.

11 **SECTION 360.** 20.370 (4) (kg) of the statutes is created to read:

12 20.370 (4) (kg) *Aquatic plant management.* From the general fund, all moneys
13 received from aquatic plant management permit fees under s. 23.24 (3) (c) for the
14 aquatic plant management permit program under s. 23.24 (3).

15 **SECTION 361.** 20.370 (4) (mq) of the statutes is amended to read:

16 20.370 (4) (mq) *General program operations — environmental fund.* From the
17 environmental fund, the amounts in the schedule for administration of
18 environmental activities under subch. II of ch. 295 and chs. 160, 281, 283, 285, and
19 289 to 293, and 299.

20 **SECTION 362.** 20.370 (4) (ps) of the statutes is amended to read:

21 20.370 (4) (ps) *Fire PFAS-containing fire fighting foam.* As a continuing
22 appropriation, from the environmental fund, the amounts in the schedule for fire
23 fighting foam collection and for providing assistance to local fire departments in
24 replacing fire fighting foam that contains perfluoroalkyl or polyfluoroalkyl
25 substances with fire fighting foam that does not contain such substances.

ASSEMBLY BILL 43**SECTION 363**

1 **SECTION 363.** 20.370 (5) (bw) of the statutes is amended to read:

2 20.370 (5) (bw) *Resource aids — county sustainable forestry and county forest*
3 *administration grants.* Biennially, the amounts in the schedule for county
4 sustainable forestry grants under s. 28.11 (5r) and county forest administration
5 grants under s. 28.11 (5m).

6 **SECTION 364.** 20.370 (5) (fu) of the statutes is created to read:

7 20.370 (5) (fu) *Deer carcass disposal sites.* As a continuing appropriation, the
8 amounts in the schedule to provide financial assistance under s. 29.063 (7).

9 **SECTION 365.** 20.370 (5) (gs) of the statutes is created to read:

10 20.370 (5) (gs) *Terrestrial invasive species prevention.* The amounts in the
11 schedule for grants to cooperative invasive species management areas for surveying,
12 monitoring, and controlling terrestrial invasive species.

13 **SECTION 366.** 20.370 (5) (hq) of the statutes is amended to read:

14 20.370 (5) (hq) *Department land acquisition.* From the moneys received by the
15 department for forestry activities, the amounts in the schedule for transfer to the
16 capital improvement fund. The total amount transferred to the capital improvement
17 fund under this paragraph and par. (hr) may not exceed the total amounts in the
18 schedule under both paragraphs less the unencumbered balance in the capital
19 improvement fund at the end of that fiscal year. The amount transferred under each
20 paragraph is reduced on a pro rata basis by the unencumbered balance in the capital
21 improvement fund.

22 **SECTION 367.** 20.370 (5) (hr) of the statutes is amended to read:

23 20.370 (5) (hr) *County forest grants.* From the moneys received by the
24 department for forestry activities, the amounts in the schedule for transfer to the
25 capital improvement fund. The total amount transferred to the capital improvement

ASSEMBLY BILL 43**SECTION 367**

1 fund under this paragraph and par. (hq) may not exceed the total amounts in the
2 schedule under both paragraphs less the unencumbered balance in the capital
3 improvement fund at the end of that fiscal year. The amount transferred under each
4 paragraph is reduced on a pro rata basis by the unencumbered balance in the capital
5 improvement fund.

6 **SECTION 368.** 20.370 (5) (hs) of the statutes is created to read:

7 20.370 (5) (hs) *Public forest regeneration grants.* From the moneys received by
8 the department for forestry activities, the amounts in the schedule for the public
9 forest regeneration grant program under s. 28.25.

10 **SECTION 369.** 20.370 (5) (ht) of the statutes is created to read:

11 20.370 (5) (ht) *Resource aids - county forest administration grants.* Biennially,
12 the amounts in the schedule for county forest administration grants under s. 28.11
13 (5m).

14 **SECTION 370.** 20.370 (6) (cf) of the statutes is created to read:

15 20.370 (6) (cf) *Environmental aids - compensation for well contamination and*
16 *abandonment - general fund.* The amounts in the schedule to pay compensation
17 under s. 281.75.

18 **SECTION 371.** 20.370 (6) (dq) of the statutes is amended to read:

19 20.370 (6) (dq) *Environmental aids — urban nonpoint source.* Biennially, from
20 the environmental fund, the amounts in the schedule to provide financial assistance
21 for urban nonpoint source water pollution abatement and storm water management
22 under s. 281.66 and for municipal flood control and riparian restoration under s.
23 281.665, for the flood risk reduction pilot project under 2019 Wisconsin Act 157,
24 section 2 (1), and to make the grants under 2009 Wisconsin Act 28, section 9137 (5q)

ASSEMBLY BILL 43**SECTION 371**

1 and (6i) ~~and~~, 2017 Wisconsin Act 59, section 9133 (8t), and 2023 Wisconsin Act ...
2 (this act), section 9132 (9).

3 **SECTION 372.** 20.370 (6) (ed) of the statutes is created to read:

4 20.370 (6) (ed) *Environmental aids — PFAS municipal grant program —*
5 *general fund.* As a continuing appropriation, the amounts in the schedule for the
6 municipal grant program under s. 292.67.

7 **SECTION 373.** 20.370 (6) (eq) of the statutes is repealed.

8 **SECTION 374.** 20.370 (6) (es) of the statutes is created to read:

9 20.370 (6) (es) *Environmental aids — PFAS municipal grant program —*
10 *environmental fund.* As a continuing appropriation, from the environmental fund,
11 the amounts in the schedule for the municipal grant program under s. 292.67.

12 **SECTION 375.** 20.370 (6) (et) of the statutes is created to read:

13 20.370 (6) (et) *Environmental aids —revitalize Wisconsin program.* Biennially,
14 from the environmental fund, the amounts in the schedule for aid awards under s.
15 292.66 and to make any required payments under s. 25.43 (2s).

16 **SECTION 376.** 20.370 (6) (eu) of the statutes is created to read:

17 20.370 (6) (eu) *Environmental aids —waste removal and sampling.* Biennially,
18 from the environmental fund, the amounts in the schedule to provide financial
19 assistance for the purpose of removing waste materials that have accumulated or
20 been dumped on abandoned properties and to conduct sampling and testing to
21 determine if those properties pose a risk to public health and safety or the
22 environment.

23 **SECTION 377.** 20.370 (9) (bj) of the statutes is amended to read:

24 20.370 (9) (bj) *Storm water management — fees.* From the general fund, ~~the~~
25 ~~amounts in the schedule~~ all moneys received under s. 283.33 (9) and under 2009

ASSEMBLY BILL 43**SECTION 377**

1 Wisconsin Act 28, section 9110 (11f), for the administration, including enforcement,
2 of the storm water discharge permit program under s. 283.33. ~~All moneys received~~
3 ~~under s. 283.33 (9) and under 2009 Wisconsin Act 28, section 9110 (11f) shall be~~
4 ~~credited to this appropriation account.~~

5 **SECTION 378.** 20.370 (9) (gj) of the statutes is created to read:

6 20.370 (9) (gj) *Nonmetallic mining operations.* From the general fund, all
7 moneys received under s. 295.15 for the administration of the nonmetallic mining
8 program under subch. I of ch. 295.

9 **SECTION 379.** 20.370 (9) (hk) of the statutes is amended to read:

10 20.370 (9) (hk) *Approval fees to Lac du Flambeau band-service funds.* From
11 the general fund, the amounts in the schedule for the purpose of making payments
12 to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a).
13 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r.
14 shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (b), the
15 unencumbered balance on June 30 of each odd-numbered year shall revert to the
16 appropriation account under s. 20.505 (8) (hm).

17 **SECTION 380.** 20.370 (9) (nq) of the statutes is repealed.

18 **SECTION 381.** 20.370 (9) (pq) of the statutes is created to read:

19 20.370 (9) (pq) *Great Lakes and Mississippi River erosion control revolving loan*
20 *programs.* As a continuing appropriation, from the environmental fund, the
21 amounts in the schedule for the Great Lakes erosion control revolving loan program
22 under s. 23.1991 and the Mississippi River erosion control revolving loan program
23 under s. 23.1993. All moneys received as loan origination fees and repayments of
24 loan principal and interest under ss. 23.1991 and 23.1993 shall be credited to this
25 appropriation account.

ASSEMBLY BILL 43**SECTION 382**

1 **SECTION 382.** 20.380 (1) (b) of the statutes is amended to read:

2 20.380 (1) (b) *Tourism marketing; general purpose revenue.* Biennially, the
3 amounts in the schedule for tourism marketing service expenses and the execution
4 of the functions under ss. 41.11 (4) and 41.17. ~~In each fiscal year, the department~~
5 ~~shall expend for tourism marketing service expenses and the execution of the~~
6 ~~functions under ss. 41.11 (4) and 41.17 an amount that bears the same proportion to~~
7 ~~the amount in the schedule for the fiscal year as the amount expended under par. (kg)~~
8 ~~in that fiscal year bears to the amount in the schedule for par. (kg) for that fiscal year.~~
9 Of the amounts under this paragraph, not more than 50 percent shall be used to
10 match funds allocated under s. 41.17 by private or public organizations for the joint
11 effort marketing of tourism with the state.

12 **SECTION 383.** 20.380 (1) (c) of the statutes is created to read:

13 20.380 (1) (c) *Major opportunities and events.* As a continuing appropriation,
14 the amounts in the schedule for expenditures under s. 41.11 (1) (gm).

15 **SECTION 384.** 20.380 (1) (kc) of the statutes is repealed.

16 **SECTION 385.** 20.380 (1) (kg) of the statutes is repealed.

17 **SECTION 386.** 20.395 (1) (bt) of the statutes is created to read:

18 20.395 (1) (bt) *Transit capital assistance grants.* As a continuing
19 appropriation, the amounts in the schedule for transit capital assistance grants
20 under s. 85.203.

21 **SECTION 387.** 20.395 (2) (eq) of the statutes is amended to read:

22 20.395 (2) (eq) *Highway and local bridge improvement assistance, state funds.*
23 As a continuing appropriation, the amounts in the schedule for bridge development,
24 construction, and rehabilitation under s. 84.18, for the development and
25 construction of bridges under ss. 84.12 and 84.17, for payments to local units of

ASSEMBLY BILL 43**SECTION 387**

1 government for jurisdictional transfers under s. 84.16, for the improvement of the
2 state trunk highway system under 1985 Wisconsin Act 341, section 6 (1), to provide
3 for the payments specified under 2001 Wisconsin Act 16, section 9152 (3d), and for
4 the payment required under 2015 Wisconsin Act 55, section 9145 (3f), and for the
5 improvement specified under 2023 Wisconsin Act (this act), section 9144 (2).

6 **SECTION 388.** 20.395 (2) (fw) of the statutes is created to read:

7 20.395 (2) (fw) *Local transportation facility improvement assistance, state*
8 *funds.* As a continuing appropriation, the amounts in the schedule for providing
9 public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28
10 and for improving transportation facilities, including facilities funded under
11 applicable federal acts or programs, that are not state trunk or connecting highways,
12 for such purposes.

13 **SECTION 389.** 20.395 (2) (gt) of the statutes is created to read:

14 20.395 (2) (gt) *Interconnected traffic signal and railroad signal systems, state*
15 *funds.* As a continuing appropriation, the amounts in the schedule for the planning
16 and installation of interconnected traffic signal and railroad signal systems.

17 **SECTION 390.** 20.395 (2) (gw) of the statutes is created to read:

18 20.395 (2) (gw) *Interconnected traffic signal and railroad signal systems, local*
19 *funds.* All moneys received from any local unit of government for the planning and
20 installation of interconnected traffic signal and railroad signal systems, for such
21 purposes.

22 **SECTION 391.** 20.395 (2) (ja) of the statutes is created to read:

23 20.395 (2) (ja) *Local traffic calming grants.* From the general fund, as a
24 continuing appropriation, the amounts in the schedule for the local traffic calming
25 grant program under s. 85.024.

ASSEMBLY BILL 43**SECTION 392**

1 **SECTION 392.** 20.395 (4) (fq) of the statutes is created to read:

2 20.395 (4) (fq) *Electric vehicle infrastructure, state funds.* As a continuing
3 appropriation, the amounts in the schedule for the electric vehicle infrastructure
4 program under s. 85.53.

5 **SECTION 393.** 20.395 (4) (fv) of the statutes is created to read:

6 20.395 (4) (fv) *Electric vehicle infrastructure, local funds.* All moneys received
7 from any local unit of government or other source for the electric vehicle
8 infrastructure program under s. 85.53, for such purposes.

9 **SECTION 394.** 20.395 (4) (fx) of the statutes is created to read:

10 20.395 (4) (fx) *Electric vehicle infrastructure, federal funds.* All moneys
11 received from the federal government for the electric vehicle infrastructure program
12 under s. 85.53, for such purposes.

13 **SECTION 395.** 20.410 (1) (c) of the statutes is amended to read:

14 20.410 (1) (c) *Reimbursement claims of counties or municipalities containing*
15 *state prisons.* A sum sufficient to pay all valid claims made by county clerks of
16 counties, cities, villages, or towns containing state prisons as provided in s. 16.51 (7).

17 **SECTION 396.** 20.410 (3) (c) of the statutes is amended to read:

18 20.410 (3) (c) *Reimbursement claims of counties or municipalities containing*
19 *juvenile correctional facilities.* A sum sufficient to pay all valid claims made by
20 county clerks of counties, cities, villages, or towns containing state juvenile
21 correctional facilities as provided in s. 16.51 (7).

22 **SECTION 397.** 20.425 (1) (i) of the statutes is amended to read:

23 20.425 (1) (i) *Fees, collective bargaining training, publications, and appeals.*
24 The amounts in the schedule for the performance of fact-finding, mediation,
25 certification, and arbitration functions, for the provision of copies of transcripts, for

ASSEMBLY BILL 43**SECTION 397**

1 the cost of operating training programs under ss. 111.09 (3), 111.71 (5m), and 111.94
2 (3), for the preparation of publications, transcripts, reports, and other copied
3 material, and for costs related to conducting appeals under s. 230.45. All moneys
4 received under ss. 111.09 (1) and (2), ~~111.70 (4) (d) 3. b.,~~ 111.71 (1) and (2), ~~111.83 (3)~~
5 ~~(b),~~ 111.94 (1) and (2), and 230.45 (3), all moneys received from arbitrators and
6 arbitration panel members, and individuals who are interested in serving in such
7 positions, and from individuals and organizations who participate in other collective
8 bargaining training programs conducted by the commission, and all moneys received
9 from the sale of publications, transcripts, reports, and other copied material shall be
10 credited to this appropriation account.

11 **SECTION 398.** 20.435 (1) (b) of the statutes is amended to read:

12 20.435 (1) (b) *General aids and local assistance.* The amounts in the schedule
13 for aids and local assistance relating to public health services, for grants for the
14 suicide prevention program under s. 255.20 (4), and for grants for community
15 programs under s. 46.48. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
16 department may transfer funds between fiscal years under this paragraph. Except
17 as otherwise provided in this paragraph, all funds allocated but not encumbered by
18 December 31 of each year lapse to the general fund on the next January 1 unless
19 carried forward to the next calendar year by the joint committee on finance.

20 **SECTION 399.** 20.435 (1) (bc) of the statutes is created to read:

21 20.435 (1) (bc) *Emergency medical services grants.* As a continuing
22 appropriation, the amounts in the schedule for grants to providers of emergency
23 medical services under s. 256.42.

24 **SECTION 400.** 20.435 (1) (ca) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 400**

1 20.435 (1) (ca) *State stockpile of personal protective equipment.* Biennially, the
2 amounts in the schedule for the establishment and maintenance of a state stockpile
3 of personal protective equipment under s. 252.02 (8), including associated storage
4 and warehousing.

5 **SECTION 401.** 20.435 (1) (ew) of the statutes is created to read:

6 20.435 (1) (ew) *Congenital disorders; general purpose revenue.* The amounts
7 in the schedule to provide diagnostic services, special dietary treatment, and
8 follow-up counseling for congenital disorders and periodic evaluation of infant
9 screening programs as specified under s. 253.13, to provide referrals under s.
10 253.115, to administer the programs under ss. 253.115 and 253.13, and for the costs
11 of consulting with appropriate experts as specified in s. 253.13 (5).

12 **SECTION 402.** 20.435 (1) (ex) of the statutes is created to read:

13 20.435 (1) (ex) *Maternal and infant mortality prevention and response.* The
14 amounts in the schedule for the prevention of and response to maternal and infant
15 mortality under s. 253.143.

16 **SECTION 403.** 20.435 (2) (bm) of the statutes is amended to read:

17 20.435 (2) (bm) *Secure mental health units or facilities.* The amounts in the
18 schedule for the general program operations of the Wisconsin Resource Center under
19 s. 46.056 and other secure mental health units or facilities under s. 980.065 at which
20 persons committed under s. 980.06 are placed, ~~but not for security operations at the~~
21 ~~Wisconsin Resource Center.~~

22 **SECTION 404.** 20.435 (4) (bm) of the statutes is amended to read:

23 20.435 (4) (bm) *Medical Assistance, food stamps, and Badger Care*
24 *administration; contract costs, insurer reports, and resource centers.* Biennially, the
25 amounts in the schedule to provide a portion of the state share of administrative

ASSEMBLY BILL 43**SECTION 404**

1 contract costs for the Medical Assistance program under subch. IV of ch. 49 and the
2 Badger Care health care program under s. 49.665 and to provide the state share of
3 administrative costs for the food stamp program under s. 49.79, other than payments
4 under s. 49.78 (8), to develop and implement a registry of recipient immunizations,
5 to reimburse 3rd parties for their costs under s. 49.475, for costs associated with
6 outreach activities, for state administration of state supplemental grants to
7 supplemental security income recipients under s. 49.77, for grants under s. 46.73,
8 and for services of resource centers under s. 46.283. No state positions may be funded
9 in the department of health services from this appropriation, except positions for the
10 performance of duties under a contract in effect before January 1, 1987, related to
11 the administration of the Medical Assistance program between the subunit of the
12 department primarily responsible for administering the Medical Assistance
13 program and another subunit of the department. Total administrative funding
14 authorized for the program under s. 49.665 may not exceed 10 percent of the amounts
15 budgeted under pars. (p) and (x).

16 **SECTION 405.** 20.435 (4) (bq) of the statutes is repealed.

17 **SECTION 406.** 20.435 (4) (bu) of the statutes is created to read:

18 20.435 (4) (bu) *Healthy eating incentives.* The amounts in the schedule for the
19 development and administration of the healthy eating incentives program under s.
20 49.79 (7m) and to provide electronic benefit transfer and credit and debit card
21 processing equipment and services to farmers' markets and farmers who sell directly
22 to consumers under s. 49.79 (7s).

23 **SECTION 407.** 20.435 (4) (jw) of the statutes is amended to read:

24 20.435 (4) (jw) *BadgerCare Plus and hospital assessment.* All moneys received
25 ~~from payment of enrollment fees under the program under s. 49.45 (23), all moneys~~

ASSEMBLY BILL 43**SECTION 407**

1 transferred under s. 50.38 (9), all moneys transferred under s. 256.23 (6), all moneys
2 transferred from the appropriation account under par. (jz), and 10 percent of all
3 moneys received from penalty assessments under s. 49.471 (9) (c), ~~for administration~~
4 ~~of the program under s. 49.45 (23)~~, to provide a portion of the state share of
5 administrative costs for the BadgerCare Plus Medical Assistance program under s.
6 49.471, ~~and for administration of the hospital assessment under s. 50.38~~, and for
7 administration of the ambulance service provider fee under s. 256.23.

8 **SECTION 408.** 20.435 (4) (pa) of the statutes is amended to read:

9 20.435 (4) (pa) *Federal aid; Medical Assistance and food stamp contracts*
10 *administration.* All federal moneys received for the federal share of the cost of
11 contracting for payment and services administration and reporting, other than
12 moneys received under pars. (nn) and (np), to reimburse 3rd parties for their costs
13 under s. 49.475, for administrative contract costs for the food stamp program under
14 s. 49.79, for grants under s. 46.73, and for services of resource centers under s. 46.283.

15 **SECTION 409.** 20.435 (4) (xm) of the statutes is created to read:

16 20.435 (4) (xm) *Ambulance service provider trust fund; ambulance payments.*
17 From the ambulance service provider trust fund, all moneys received from the
18 assessment under s. 256.23, except amounts transferred to the appropriation under
19 s. 20.435 (4) (jw) as specified in s. 256.23 (6), to make payments to eligible ambulance
20 service providers as specified under s. 49.45 (3) (em).

21 **SECTION 410.** 20.435 (5) (bf) of the statutes is amended to read:

22 20.435 (5) (bf) *Brighter futures initiative Grants for youth services.* The
23 amounts in the schedule to be transferred to the appropriation account under s.
24 20.437 (1) (kb) for ~~the brighter futures initiative under s. 48.545~~ grants for youth
25 services under s. 48.481.

ASSEMBLY BILL 43**SECTION 411**

1 **SECTION 411.** 20.435 (5) (bw) of the statutes is amended to read:

2 20.435 (5) (bw) ~~Child psychiatry and addiction medicine consultation~~
3 ~~programs~~ Mental health consultation program. Biennially, the amounts in the
4 schedule for operating the ~~child psychiatry consultation program under s. 51.442 and~~
5 ~~the addiction medicine consultation program under s. 51.448~~ mental health
6 consultation program under s. 51.443.

7 **SECTION 412.** 20.435 (5) (bx) of the statutes is created to read:

8 20.435 (5) (bx) *Addiction medicine consultation program*. Biennially, the
9 amounts in the schedule for operating the addiction medicine consultation program
10 under s. 51.448.

11 **SECTION 413.** 20.435 (5) (by) of the statutes is repealed.

12 **SECTION 414.** 20.435 (5) (cc) of the statutes is created to read:

13 20.435 (5) (cc) *Youth crisis stabilization facilities; grants*. The amounts in the
14 schedule for grants under s. 51.042 (3m).

15 **SECTION 415.** 20.435 (5) (ch) of the statutes is created to read:

16 20.435 (5) (ch) *Suicide and crisis lifeline grants*. The amounts in the schedule
17 for grants under s. 46.533.

18 **SECTION 416.** 20.435 (5) (cj) of the statutes is created to read:

19 20.435 (5) (cj) *Crisis urgent care and observation facilities*. The amounts in the
20 schedule for grants to develop and support crisis urgent care and observation
21 facilities under s. 51.036.

22 **SECTION 417.** 20.435 (5) (cm) of the statutes is created to read:

23 20.435 (5) (cm) *Service dog training grants*. The amounts in the schedule for
24 awarding grants to organizations for service dog training under s. 46.250.

25 **SECTION 418.** 20.435 (5) (ct) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 419**

1 **SECTION 419.** 20.435 (5) (q) of the statutes is created to read:

2 20.435 (5) (q) *Payments to counties.* From the community reinvestment fund,
3 all moneys received under subch. IV of ch. 139 for grants to counties under s. 250.22.

4 **SECTION 420.** 20.435 (7) (b) of the statutes is amended to read:

5 20.435 (7) (b) *Community aids and Medical Assistance payments.* The
6 amounts in the schedule for human services and community mental health services
7 under s. 46.40, to fund services provided by resource centers under s. 46.283 (5), to
8 fund activities in support of resource center operations, for services under the family
9 care benefit under s. 46.284 (5), for grants to federally recognized American Indian
10 tribes and bands located in this state under s. 46.41, for Medical Assistance payment
11 adjustments under s. 49.45 (52) (a) for services described in s. 49.45 (52) (a) 1., for
12 Medical Assistance payments under s. 49.45 (6tw), and for Medical Assistance
13 payments under s. 49.45 (53) for services described in s. 49.45 (53) that are provided
14 before January 1, 2012. Social services disbursements under s. 46.03 (20) (b) may
15 be made from this appropriation. Refunds received relating to payments made under
16 s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under
17 this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001
18 (3) (a) and 20.002 (1), the department of health services may transfer funds between
19 fiscal years under this paragraph. The department shall deposit into this
20 appropriation funds it recovers under ss. 46.495 (2) (b) and 51.423 (15), from prior
21 year audit adjustments including those resulting from audits of services under s.
22 46.26, 1993 stats., or s. 46.27, 2017 stats. Except for amounts authorized to be
23 carried forward under s. 46.45, all funds recovered under ss. 46.495 (2) (b) and 51.423
24 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December

ASSEMBLY BILL 43**SECTION 420**

1 31 of each year shall lapse to the general fund on the succeeding January 1 unless
2 carried forward to the next calendar year by the joint committee on finance.

3 **SECTION 421.** 20.435 (7) (d) of the statutes is created to read:

4 20.435 (7) (d) *Complex patient pilot program.* Biennially, the amounts in the
5 schedule for the complex patient pilot program under 2023 Wisconsin Act (this
6 act), section 9119 (13).

7 **SECTION 422.** 20.435 (7) (d) of the statutes, as affected by 2023 Wisconsin Act
8 (this act), is repealed.

9 **SECTION 423.** 20.437 (1) (bc) of the statutes is amended to read:

10 20.437 (1) (bc) *Grants for ~~children's community programs~~ youth services.* The
11 amounts in the schedule for grants for ~~children's community programs~~ youth
12 services under s. 48.481. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
13 department may transfer funds between fiscal years under this paragraph. All
14 moneys under this appropriation account that are distributed under s. 48.481 but are
15 not encumbered by December 31 of each year lapse to the general fund on the next
16 January 1 unless carried forward to the next calendar year by the joint committee
17 on finance.

18 **SECTION 424.** 20.437 (1) (bd) of the statutes is created to read:

19 20.437 (1) (bd) *Tribal family services grants.* The amounts in the schedule for
20 tribal family services grants under s. 48.487.

21 **SECTION 425.** 20.437 (1) (bg) of the statutes is amended to read:

22 20.437 (1) (bg) *Grants to support foster parents and children.* The amounts in
23 the schedule for grants by the department of children and families under ~~2017~~
24 ~~Wisconsin Act 260, section 3~~ s. 48.53.

25 **SECTION 426.** 20.437 (1) (bm) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 426**

1 20.437 (1) (bm) *Intensive family preservation services*. The amounts in the
2 schedule to provide services under s. 48.48 (17m).

3 **SECTION 427.** 20.437 (1) (bn) of the statutes is created to read:

4 20.437 (1) (bn) *Tribal placements*. The amounts in the schedule to be used for
5 unexpected or unusually high-cost out-of-home care placements of Indian children
6 by tribal courts, including placements of Indian juveniles who have been adjudicated
7 delinquent.

8 **SECTION 428.** 20.437 (1) (ce) of the statutes is created to read:

9 20.437 (1) (ce) *Assistance to survivors of domestic abuse*. The amounts in the
10 schedule for the purposes of the living independently through financial
11 empowerment program under s. 49.166.

12 **SECTION 429.** 20.437 (1) (cj) of the statutes is amended to read:

13 20.437 (1) (cj) *Community youth and family aids*. The amounts in the schedule
14 for the improvement and provision of community-based juvenile
15 delinquency-related services under s. 48.526 and juvenile correctional services
16 under s. 301.26 and for reimbursement to counties having a population of less than
17 750,000 for the cost of court attached intake services as provided in s. 938.06 (4).
18 Disbursements may be made from this appropriation account under s. 49.32 (2).
19 Refunds received relating to payments made under s. 49.32 (2) shall be returned to
20 this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
21 department of children and families may transfer moneys under this paragraph
22 between fiscal years. Except for moneys authorized to be carried forward under s.
23 48.526 (3) (dm) or for transfer under s. 48.526 (3) (e), all moneys from this paragraph
24 allocated under s. 48.526 (3) and not spent or encumbered by counties by December

ASSEMBLY BILL 43**SECTION 429**

1 31 of each year shall lapse into the general fund on the succeeding January 1. The
2 joint committee on finance may transfer additional moneys to the next calendar year.

3 **SECTION 430.** 20.437 (1) (cL) of the statutes is created to read:

4 20.437 (1) (cL) *Seventeen-year-old juvenile justice aids.* A sum sufficient for
5 the purposes under s. 48.5275.

6 **SECTION 431.** 20.437 (1) (cm) of the statutes is amended to read:

7 20.437 (1) (cm) ~~*Community intervention program*~~ *Youth justice system*
8 *improvement program.* The amounts in the schedule for the ~~community intervention~~
9 ~~program~~ *youth justice system improvement program* under s. 48.528.

10 **SECTION 432.** 20.437 (1) (dd) of the statutes is amended to read:

11 20.437 (1) (dd) *State out-of-home care, adoption services, and subsidized*
12 *guardianships.* The amounts in the schedule for foster care, institutional child care,
13 and subsidized adoptions under ss. 48.48 (12) and 48.52, for the cost of care for
14 children under s. 49.19 (10) (d), for the cost of placements of children 18 years of age
15 or over in residential care centers for children and youth under voluntary
16 agreements under s. 48.366 (3) or under orders that terminate as provided in s.
17 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., for the cost of the foster care
18 monitoring system, for the cost of reimbursing counties and Indian tribes for
19 subsidized guardianship payments under s. 48.623 (3) (a), for the cost of services to
20 children with special needs who are under the guardianship of the department to
21 prepare those children for adoption, and for the cost of postadoption services to
22 children with special needs.

23 **SECTION 433.** 20.437 (1) (dm) of the statutes is created to read:

24 20.437 (1) (dm) *Sibling connections scholarships.* The amounts in the schedule
25 for the scholarship program under s. 48.483.

ASSEMBLY BILL 43**SECTION 434**

1 **SECTION 434.** 20.437 (1) (e) of the statutes is repealed.

2 **SECTION 435.** 20.437 (1) (eg) of the statutes is repealed.

3 **SECTION 436.** 20.437 (1) (er) of the statutes is repealed.

4 **SECTION 437.** 20.437 (1) (es) of the statutes is created to read:

5 20.437 (1) (es) *Kinship care; flexible support.* The amounts in the schedule for
6 flexible support for a kinship care provider under s. 48.57 (3m) (as).

7 **SECTION 438.** 20.437 (1) (kb) of the statutes is amended to read:

8 20.437 (1) (kb) *Interagency aids; ~~brighter futures initiative~~ grants for youth*
9 *services.* All moneys transferred from the appropriation account under s. 20.435 (5)
10 (bf) for the ~~brighter futures initiative~~ under s. 48.545 grants for youth services under
11 s. 48.481.

12 **SECTION 439.** 20.437 (1) (kp) of the statutes is created to read:

13 20.437 (1) (kp) *Youth aids funding for the youth justice system improvement*
14 *program.* All moneys transferred from the appropriation account under par. (cj), as
15 provided under s. 48.526 (3) (e), for the youth justice system improvement program
16 under s. 48.528.

17 **SECTION 440.** 20.437 (1) (pd) of the statutes is amended to read:

18 20.437 (1) (pd) *Federal aid; state out-of-home care, adoption services, and*
19 *subsidized guardianships.* All federal moneys received for meeting the costs of
20 providing foster care, institutional child care, and subsidized adoptions under ss.
21 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost of
22 placements of children 18 years of age or over in residential care centers for children
23 and youth under voluntary agreements under s. 48.366 (3) or under orders that
24 terminate as provided in s. 48.355 (4) (b) 4., 48.357 (6) (a) 4., or 48.365 (5) (b) 4., the
25 cost of reimbursing counties and Indian tribes for subsidized guardianship

ASSEMBLY BILL 43**SECTION 440**

1 payments under s. 48.623 (3) (a), the cost of services to children with special needs
2 who are under the guardianship of the department to prepare those children for
3 adoption, and the cost of postadoption services to children with special needs.
4 Disbursements for foster care under s. 49.32 (2) and for the purposes described under
5 s. 48.627 may be made from this appropriation.

6 **SECTION 441.** 20.437 (2) (c) of the statutes is created to read:

7 20.437 (2) (c) *Child care quality improvement program.* The amounts in the
8 schedule for the program under s. 49.133.

9 **SECTION 442.** 20.437 (2) (d) of the statutes is created to read:

10 20.437 (2) (d) *Child care partnership grant program.* The amounts in the
11 schedule for the grants under s. 49.133.

12 **SECTION 443.** 20.437 (2) (er) of the statutes is created to read:

13 20.437 (2) (er) *Boys and Girls Clubs of Wisconsin.* The amounts in the schedule
14 to provide funding to the Boys and Girls Clubs of Wisconsin under s. 49.170.

15 **SECTION 444.** 20.437 (2) (fm) of the statutes is created to read:

16 20.437 (2) (fm) *Early childhood education center.* Biennially, the amounts in
17 the schedule for payments under 2023 Wisconsin Act (this act), section 9106 (3).

18 **SECTION 445.** 20.437 (2) (fm) of the statutes, as affected by 2023 Wisconsin Act
19 (this act), is repealed.

20 **SECTION 446.** 20.445 (1) (bj) of the statutes is created to read:

21 20.445 (1) (bj) *Local workforce development boards; grants for youth services*
22 *and training.* As a continuing appropriation, the amounts in the schedule for grants
23 to local workforce development boards under s. 106.112.

24 **SECTION 447.** 20.445 (1) (bm) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 447**

1 20.445 (1) (bm) *Workforce training; administration.* Biennially, the amounts
2 in the schedule for the administration of the local youth apprenticeship grant
3 program under s. 106.13 (3m), the youth summer jobs program under s. 106.18, the
4 employment transit assistance grant program under s. 106.26, the workforce
5 training ~~program~~ programs under s. 106.27, the teacher development program
6 grants under s. 106.272, the career and technical education incentive grant program
7 under s. 106.273, the technical education equipment grant program under s.
8 106.275, and the apprentice programs under subch. I of ch. 106.

9 **SECTION 448.** 20.445 (1) (bp) of the statutes is created to read:

10 20.445 (1) (bp) *Wisconsin green jobs training program; grants.* As a continuing
11 appropriation, the amounts in the schedule for green jobs training program grants
12 under s. 106.27 (1p).

13 **SECTION 449.** 20.445 (1) (bq) of the statutes is created to read:

14 20.445 (1) (bq) *Clean energy training and reemployment program.* As a
15 continuing appropriation, the amounts in the schedule for program administration
16 and associated costs under s. 106.28.

17 **SECTION 450.** 20.445 (1) (bw) of the statutes is created to read:

18 20.445 (1) (bw) *Workforce innovation grants.* As a continuing appropriation,
19 the amounts in the schedule for workforce innovation grants under s. 106.29.

20 **SECTION 451.** 20.445 (1) (cm) of the statutes is created to read:

21 20.445 (1) (cm) *Worker advancement initiative.* As a continuing appropriation,
22 the amounts in the schedule for the worker advancement initiative under s. 106.145.

23 **SECTION 452.** 20.445 (1) (fd) of the statutes is created to read:

24 20.445 (1) (fd) *Enforcement of laws related to migrant workers.* The amounts
25 in the schedule for enforcement activities related to wages, hours, and working

ASSEMBLY BILL 43**SECTION 452**

1 conditions of migrant workers, the certification, maintenance, and inspection of
2 migrant labor camps, and the recruitment and hiring of migrant workers under ss.
3 103.905 to 103.97.

4 **SECTION 453.** 20.445 (1) (ga) of the statutes is amended to read:

5 20.445 (1) (ga) *Auxiliary services.* All moneys received from fees collected
6 under ss. 102.16 (2m) (d), 103.005 (15), 103.91 (3), 103.92 (1) (a), and 106.09 (7) for
7 the delivery of services under ss. 102.16 (2m) (f), 103.005 (15), and 106.09 and ch. 108,
8 and for administrative services under ss. 103.905 to 103.97.

9 **SECTION 454.** 20.445 (1) (ra) of the statutes is amended to read:

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

25 **SECTION 455.** 20.445 (1) (rr) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 455**

1 20.445 (1) (rr) *Worker's compensation operations fund; special assessment*
2 *insurer reimbursements.* From the worker's compensation operations fund, the
3 amounts in the schedule for providing reimbursement to insurance carriers paying
4 supplemental benefits under s. 102.44 (1) (c). All moneys received under s. 102.75
5 (1g) shall be credited to this appropriation account.

6 **SECTION 456.** 20.445 (1) (sm) of the statutes is amended to read:

7 20.445 (1) (sm) *Uninsured employers fund; payments.* From the uninsured
8 employers fund, ~~a sum sufficient to make~~ all moneys received from sources identified
9 under s. 102.80 (1m) for the purpose of making the payments under s. 102.81 (1) and
10 to obtain reinsurance under s. 102.81 (2). No moneys may be expended or
11 encumbered under this paragraph until the first day of the first July beginning after
12 the day that the secretary of workforce development files the certificate under s.
13 102.80 (3) (a).

14 **SECTION 457.** 20.445 (6) (q) of the statutes is created to read:

15 20.445 (6) (q) *Payment of benefits; family and medical leave benefits insurance*
16 *trust fund.* From the family and medical leave benefits insurance trust fund, a sum
17 sufficient to pay for the payment of benefits under s. 103.105 (3) and to refund
18 moneys erroneously paid into the fund.

19 **SECTION 458.** 20.445 (6) (r) of the statutes is created to read:

20 20.445 (6) (r) *Administrative expenses; family and medical leave benefits*
21 *insurance trust fund.* Biennially, from the family and medical leave benefits
22 insurance trust fund, the amounts in the schedule for the administrative expenses
23 of the family and medical leave benefits insurance program.

24 **SECTION 459.** 20.455 (1) (hg) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 459**

1 20.455 (1) (hg) *Legal services; tobacco settlement agreement.* As a continuing
2 appropriation, the amounts in the schedule for legal expenses as set forth under s.
3 165.14.

4 **SECTION 460.** 20.455 (1) (hn) of the statutes is created to read:

5 20.455 (1) (hn) *Payments to relators.* All moneys received by the department
6 that are owed to a relator, to provide payments owed to a relator.

7 **SECTION 461.** 20.455 (2) (bc) of the statutes is created to read:

8 20.455 (2) (bc) *Grants for community policing and community prosecution*
9 *programs.* As a continuing appropriation, the amounts in the schedule to provide
10 grants for community policing and community prosecution programs under s.
11 165.990.

12 **SECTION 462.** 20.455 (2) (be) of the statutes is created to read:

13 20.455 (2) (be) *Law enforcement recruitment, retention, and wellness grant*
14 *program.* As a continuing appropriation, the amounts in the schedule to provide
15 grants under s. 165.991 to law enforcement agencies to fund programs designed to
16 recruit and retain law enforcement officers and promote officer wellness.

17 **SECTION 463.** 20.455 (2) (cv) of the statutes is amended to read:

18 20.455 (2) (cv) *Shot-Spotter Gunfire Detection Program.* The amounts in the
19 schedule for the Shot-Spotter Gunfire Detection Program in the city of Milwaukee.

20 **SECTION 464.** 20.455 (2) (ek) of the statutes is repealed.

21 **SECTION 465.** 20.455 (2) (em) (title) of the statutes is amended to read:

22 20.455 (2) (em) (title) *Alternatives Grants for alternatives to prosecution and*
23 *incarceration for persons who use alcohol or other drugs; presentencing assessments.*

24 **SECTION 466.** 20.455 (2) (fw) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 466**

1 20.455 (2) (fw) *Elder abuse hotline and grant program.* As a continuing
2 appropriation, the amounts in the schedule to fund a statewide elder abuse hotline
3 and to provide grants under s. 165.937 to programs that promote the protection of
4 elders.

5 **SECTION 467.** 20.455 (2) (gb) of the statutes is amended to read:

6 20.455 (2) (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the~~
7 ~~purposes for which gifts and grants are made and received.~~ All moneys received from
8 gifts and grants, other than moneys received for and credited to another
9 appropriation account under this subsection, ~~shall be credited to this appropriation~~
10 ~~account to carry out the purposes for which made and received.~~

11 **SECTION 468.** 20.455 (2) (gr) of the statutes is amended to read:

12 20.455 (2) (gr) *Handgun Firearm purchaser record check; checks for licenses or*
13 *certifications to carry concealed weapons.* All moneys received as fee payments under
14 ss. 175.35 (2i) (a), 175.49 (5m), and 175.60 (7) (c) and (d), (13), and (15) (b) 4. a. and
15 b. to provide services under ss. 175.35, 175.49, and 175.60.

16 **SECTION 469.** 20.455 (2) (jd) of the statutes is amended to read:

17 20.455 (2) (jd) *Alternatives to prosecution and incarceration grant program.*
18 The amounts in the schedule to provide grants under s. 165.95 (2) to counties that
19 are not a recipient of a grant under the alternatives to incarceration grant program
20 on ~~September 23, 2017~~ the effective date of this paragraph [LRB inserts date].
21 All moneys transferred under 2017 Wisconsin Act 59, section 9228 (15t), and 2023
22 Wisconsin Act (this act), section 9227 (1), shall be credited to this appropriation
23 account.

24 **SECTION 470.** 20.455 (2) (kn) (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 470**

1 20.455 (2) (kn) (title) *Alternatives to prosecution and incarceration for persons*
2 *who use alcohol or other drugs; justice information fee.*

3 **SECTION 471.** 20.455 (2) (kr) of the statutes is repealed.

4 **SECTION 472.** 20.455 (2) (kv) (title) of the statutes is amended to read:

5 20.455 (2) (kv) (title) *Grants for substance abuse treatment programs for*
6 *criminal offenders.*

7 **SECTION 473.** 20.455 (3) (g) of the statutes is amended to read:

8 20.455 (3) (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry~~
9 ~~out the purposes for which gifts and grants are made and collected.~~ All moneys
10 received from gifts and grants and all proceeds from services, conferences, and sales
11 of publications and promotional materials to carry out the purposes for which made
12 or collected, except as provided in sub. (2) (gm) and (gp) and to transfer to s. 20.505
13 (1) (kg), at the discretion of the attorney general, an amount not to exceed \$98,300
14 annually, ~~shall be credited to this appropriation account.~~

15 **SECTION 474.** 20.455 (5) (bf) of the statutes is created to read:

16 20.455 (5) (bf) *Grants to provide services to crime victims.* As a continuing
17 appropriation, the amounts in the schedule to provide grants under s. 165.935 for
18 crime victim service programs.

19 **SECTION 475.** 20.455 (5) (c) of the statutes is created to read:

20 20.455 (5) (c) *Office of missing and murdered indigenous women.* The amounts
21 in the schedule for the administration of the office of missing and murdered
22 indigenous women and to provide grants under s. 165.97 (3).

23 **SECTION 476.** 20.465 (1) (am) of the statutes is created to read:

24 20.465 (1) (am) *Office of homeland security.* The amounts in the schedule for
25 the general operations of the office of homeland security under 321.52.

ASSEMBLY BILL 43**SECTION 477**

1 **SECTION 477.** 20.465 (1) (j) of the statutes is created to read:

2 20.465 (1) (j) *Demolition of abated former drug dwellings.* All moneys received
3 as reimbursement from local units of government, as defined in s. 323.02 (15), for the
4 demolition of abated former drug dwellings that have been abated during narcotics
5 investigations, placed into receivership, then left unsold, unmaintained, and
6 unoccupied, to be used for such demolitions.

7 **SECTION 478.** 20.465 (1) (km) of the statutes is amended to read:

8 20.465 (1) (km) *Agency services.* The amounts in the schedule to render
9 services to the department and to other state agencies, perform services under s.
10 321.03 (2) (c), and perform other general program operations. All moneys received
11 from other state agencies and all moneys received by the department from the
12 department for services rendered shall be credited to this appropriation.

13 **SECTION 479.** 20.465 (3) (bm) of the statutes is created to read:

14 20.465 (3) (bm) *Statewide public safety interoperable communication system.*
15 As a continuing appropriation, the amounts in the schedule to develop and operate
16 a statewide public safety interoperable communication system.

17 **SECTION 480.** 20.485 (1) (gk) of the statutes is amended to read:

18 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
19 care of the members of the Wisconsin veterans homes under s. 45.50, for the payment
20 of stipends under s. 45.50 (2m) (f), for the transfer of moneys to the appropriation
21 account under s. 20.435 (4) (ky) for payment of the state share of the medical
22 assistance costs related to the provision of stipends under s. 45.50 (2m) (f), for the
23 payment of assistance to indigent veterans under s. 45.43 to allow them to reside at
24 the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the
25 appropriation accounts under pars. (kc) and (kj), for the transfer of moneys in an

ASSEMBLY BILL 43**SECTION 480**

1 amount up to \$10,000,000 to the appropriation account under par. (ks), for the
2 payment of burial expenses under s. 45.61 (5), and for the payment of grants under
3 s. 45.82. Not more than 1 percent of the moneys credited to this appropriation
4 account may be used for the payment of assistance to indigent veterans under s.
5 45.43. All moneys received under par. (m) and s. 45.51 (7) (b) and (8) and all moneys
6 received for the care of members under medical assistance, as defined in s. 49.43 (8),
7 shall be credited to this appropriation account. All moneys transferred under 2023
8 Wisconsin Act (this act), section 9248 (1), shall be credited to this appropriation
9 account. Except for the moneys transferred under this paragraph to the
10 appropriation account under par. (kc), no moneys may be expended from this
11 appropriation for the purposes specified in par. (kc).

12 **SECTION 481.** 20.485 (2) (vm) (title) of the statutes is repealed and recreated
13 to read:

14 20.485 (2) (vm) (title) *Veterans assistance grants.*

15 **SECTION 482.** 20.490 (6) of the statutes is created to read:

16 20.490 (6) WORKFORCE HOUSING REHABILITATION. (a) *Workforce housing*
17 *rehabilitation fund.* As a continuing appropriation, the amounts in the schedule to
18 be transferred to the workforce housing rehabilitation fund under s. 234.043 for the
19 purposes of that fund.

20 **SECTION 483.** 20.505 (1) (bm) of the statutes is created to read:

21 20.505 (1) (bm) *Grant to a local professional baseball park district.* As a
22 continuing appropriation, the amount in the schedule for a grant to a local
23 professional baseball park district under s. 16.09.

24 **SECTION 484.** 20.505 (1) (cf) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 484**

1 20.505 (1) (cf) *Climate risk assessment and resiliency plan technical assistance*
2 *grants*. Biennially, the amounts in the schedule for the climate risk assessment and
3 resiliency plan technical assistance grants under s. 16.035 (3).

4 **SECTION 485.** 20.505 (1) (dm) of the statutes is created to read:

5 20.505 (1) (dm) *Justice information systems; general purpose revenue*. The
6 amounts in the schedule for the development and operation of automated justice
7 information systems under s. 16.971 (9).

8 **SECTION 486.** 20.505 (1) (e) of the statutes is created to read:

9 20.505 (1) (e) *Indigent civil legal services*. The amounts in the schedule to
10 provide grants for the provision of civil legal services to indigent persons under s.
11 16.19.

12 **SECTION 487.** 20.505 (1) (fn) of the statutes is created to read:

13 20.505 (1) (fn) *Neighborhood capital investment grant program; health-care*
14 *infrastructure capital grant program; tourism capital investment grant program*. As
15 a continuing appropriation, the amounts in the schedule for the grant programs
16 under ss. 16.316, 16.317, and 16.318.

17 **SECTION 488.** 20.505 (1) (ft) of the statutes is created to read:

18 20.505 (1) (ft) *Online customer service hub*. The amounts in the schedule for
19 the development and maintenance of an online customer service hub.

20 **SECTION 489.** 20.505 (1) (fv) of the statutes is created to read:

21 20.505 (1) (fv) *Security operations centers*. The amounts in the schedule for the
22 establishment and operation of security operations centers and regional security
23 operations centers under s. 16.978.

24 **SECTION 490.** 20.505 (1) (fz) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 490**

1 20.505 (1) (fz) *Office of environmental justice; office of sustainability and clean*
2 *energy; administration.* The amounts in the schedule for the administration of the
3 office of environmental justice and the office of sustainability and clean energy and
4 for the chief resiliency officer.

5 **SECTION 491.** 20.505 (1) (ge) of the statutes is renumbered 20.155 (1) (gg) and
6 amended to read:

7 20.155 (1) (gg) *High-voltage transmission line annual impact fee distributions.*
8 All moneys received from the payment of fees under the rules promulgated under s.
9 ~~16.969~~ 196.492 (2) (a) for distributions to towns, villages and cities under s. ~~16.969~~
10 196.492 (3) (a).

11 **SECTION 492.** 20.505 (1) (gr) of the statutes is repealed.

12 **SECTION 493.** 20.505 (1) (gs) of the statutes is renumbered 20.155 (1) (gr) and
13 amended to read:

14 20.155 (1) (gr) *High-voltage transmission line environmental impact fee*
15 *distributions.* All moneys received from the payment of fees under the rules
16 promulgated under s. ~~16.969~~ 196.492 (2) (b) for distributions to counties, towns,
17 villages and cities under s. ~~16.969~~ 196.492 (3) (b).

18 **SECTION 494.** 20.505 (1) (jg) of the statutes is created to read:

19 20.505 (1) (jg) *Security operations centers; program revenues.* All moneys from
20 fees charged under s. 16.978 (4) (c) for the operation of security operations centers
21 and regional security operations centers under s. 16.978 and for the provision of
22 services through those centers.

23 **SECTION 495.** 20.505 (1) (kk) of the statutes is created to read:

24 20.505 (1) (kk) *Tribal grants.* The amounts in the schedule for the grants to
25 American Indian tribes or bands in this state under ss. 16.07 and 16.08. All moneys

ASSEMBLY BILL 43**SECTION 495**

1 transferred from the appropriation account under sub. (8) (hm) 26. shall be credited
2 to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered
3 balance on June 30 of each year shall revert to the appropriation account under sub.
4 (8) (hm).

5 **SECTION 496.** 20.505 (1) (ks) of the statutes is amended to read:

6 20.505 (1) (ks) *Collective bargaining grievance arbitrations.* The amounts in
7 the schedule for the payment of the state's share of costs related to collective
8 bargaining grievance arbitrations under s. 111.86. All moneys received from state
9 agencies or authorities for the purpose of reimbursing the state's share of the costs
10 related to grievance arbitrations under s. 111.86 and to reimburse the state's share
11 of costs for training related to grievance arbitrations shall be credited to this
12 appropriation account.

13 **SECTION 497.** 20.505 (1) (kt) of the statutes is created to read:

14 20.505 (1) (kt) *Tribal grants; other.* The amounts in the schedule for the grants
15 under s. 16.085. All moneys transferred from the appropriation account under sub.
16 (8) (hm) 27. shall be credited to this appropriation account. Notwithstanding s.
17 20.001 (3) (a), the unencumbered balance on June 30 of each year shall revert to the
18 appropriation account under sub. (8) (hm).

19 **SECTION 498.** 20.505 (4) (c) of the statutes is created to read:

20 20.505 (4) (c) *Telecommunications access for educational agencies.* Biennially,
21 the amounts in the schedule to make payments to telecommunications providers
22 under contracts under s. 16.971 (13), (14), and (15) to the extent that the amounts
23 due are not paid from the appropriation under sub. (1) (is), and to make payments
24 to telecommunications providers under contracts under s. 16.971 (16) to the extent
25 that the amounts due are not paid from the appropriation under sub. (1) (kL).

ASSEMBLY BILL 43**SECTION 499**

1 **SECTION 499.** 20.505 (4) (cm) of the statutes is created to read:

2 20.505 (4) (cm) *Clean energy grants.* Biennially, the amounts in the schedule
3 for grants under s. 16.954 (4).

4 **SECTION 500.** 20.505 (4) (cn) of the statutes is created to read:

5 20.505 (4) (cn) *Clean energy small business incubator.* Biennially, the amounts
6 in the schedule for the operation of the clean energy small business incubator under
7 s. 16.955 (1) and grants under s. 16.955 (3).

8 **SECTION 501.** 20.505 (4) (o) of the statutes is amended to read:

9 20.505 (4) (o) *National and community service board; federal aid for*
10 *administration.* ~~From the All moneys received from the corporation for national and~~
11 ~~community service under 42 USC ~~12542 (a)~~ 4950 and 12571 (a), as a continuing~~
12 ~~appropriation, the amounts in the schedule for the administration of the national~~
13 ~~and community service program under s. 16.22.~~

14 **SECTION 502.** 20.505 (4) (s) of the statutes is amended to read:

15 20.505 (4) (s) *Telecommunications access for educational agencies;*
16 *infrastructure grants.* Biennially, from the universal service fund, the amounts in
17 the schedule to make payments to telecommunications providers under contracts
18 under s. 16.971 (13), (14), and (15) to the extent that the amounts due are not paid
19 from the appropriation under sub. (1) (is), and to make payments to
20 telecommunications providers under contracts under s. 16.971 (16) to the extent that
21 the amounts due are not paid from the appropriation under sub. (1) (kL), ~~and to make~~
22 ~~information technology infrastructure grants under s. 16.9945.~~

23 **SECTION 503.** 20.505 (7) (bp) of the statutes is created to read:

24 20.505 (7) (bp) *Housing quality standards grants.* The amounts in the schedule
25 for housing quality standards grants under s. 16.3077.

ASSEMBLY BILL 43**SECTION 504**

1 **SECTION 504.** 20.505 (7) (bq) of the statutes is created to read:

2 20.505 (7) (bq) *Rental assistance for homeless veterans.* The amounts in the
3 schedule for the rental assistance grants awarded under s. 16.3078.

4 **SECTION 505.** 20.505 (7) (d) of the statutes is created to read:

5 20.505 (7) (d) *Municipal home rehabilitation grants.* Biennially, the amounts
6 in the schedule for program operations and grants to municipalities under s. 16.3095.

7 **SECTION 506.** 20.505 (7) (dd) of the statutes is created to read:

8 20.505 (7) (dd) *Water utility assistance for low-income households;*
9 *administration.* The amounts in the schedule to pay program operations costs for the
10 water utility assistance program for low-income households under s. 16.293.

11 **SECTION 507.** 20.505 (7) (ee) of the statutes is created to read:

12 20.505 (7) (ee) *Water utility assistance for low-income households; payments.*
13 As a continuing appropriation, the amounts in the schedule to make assistance
14 payments to eligible households under the water utility assistance program for
15 low-income households under s. 16.293.

16 **SECTION 508.** 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 **SECTION 509.** 20.505 (7) (fr) of the statutes is created to read:

20 20.505 (7) (fr) *Whole-home upgrade grants.* Biennially, the amounts in the
21 schedule for grants under s. 16.3069.

22 **SECTION 510.** 20.505 (7) (fs) of the statutes is created to read:

23 20.505 (7) (fs) *Rental housing safety grants.* Biennially, the amounts in the
24 schedule for grants to a 1st class city under s. 16.3067.

25 **SECTION 511.** 20.505 (8) (d) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 511**

1 20.505 (8) (d) *Gaming investigative services*. The amounts in the schedule for
2 investigative and outreach services under chs. 563 and 569.

3 **SECTION 512.** 20.505 (8) (hm) (intro.) of the statutes is amended to read:

4 20.505 (8) (hm) *Indian gaming receipts*. (intro.) All moneys required to be
5 credited to this appropriation under s. 569.06, all moneys transferred under 2001
6 Wisconsin Act 16, sections 9201 (5mk), 9205 (1mk), 9210 (3mk), 9223 (5mk), 9224
7 (1mk), 9225 (1mk), 9231 (1mk), 9237 (4mk), 9240 (1mk), 9251 (1mk), 9256 (1mk),
8 9257 (2mk), and 9258 (2mk), and all moneys that revert to this appropriation account
9 from the appropriation accounts specified in subds. 1c. to ~~19., 22., and 23.~~ 29., less
10 the amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of
11 annually transferring the following amounts:

12 **SECTION 513.** 20.505 (8) (hm) 6. of the statutes is repealed.

13 **SECTION 514.** 20.505 (8) (hm) 8k. of the statutes is repealed.

14 **SECTION 515.** 20.505 (8) (hm) 24m. of the statutes is created to read:

15 20.505 (8) (hm) 24m. The amount transferred to s. 20.115 (4) (k) shall be
16 \$1,500,000 for grants for purchasing food and supporting distribution operations
17 and \$500,000 for grants for supporting the growth and operations of producers.

18 **SECTION 516.** 20.505 (8) (hm) 26. of the statutes is created to read:

19 20.505 (8) (hm) 26. The amount transferred to sub. (1) (kk) shall be the amount
20 in the schedule under sub. (1) (kk).

21 **SECTION 517.** 20.505 (8) (hm) 27. of the statutes is created to read:

22 20.505 (8) (hm) 27. The amount transferred to sub. (1) (kt) shall be the amount
23 in the schedule under sub. (1) (kt).

24 **SECTION 518.** 20.505 (8) (hm) 29. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 518**

1 20.505 (8) (hm) 29. The amount transferred to s. 20.255 (2) (kg) shall be the
2 amount in the schedule under s. 20.255 (2) (kg).

3 **SECTION 519.** 20.510 (1) (c) of the statutes is amended to read:

4 20.510 (1) (c) ~~*Voter identification*~~ *County and municipal clerk training*. The
5 amounts in the schedule for training of county and municipal clerks concerning the
6 administration of elections as provided in chs. 5 to 10 and 12, including voter
7 identification requirements provided in 2011 Wisconsin Act 23.

8 **SECTION 520.** 20.510 (1) (f) of the statutes is created to read:

9 20.510 (1) (f) *Local aids for special elections*. A sum sufficient to reimburse
10 counties and municipalities for certain special primary or election costs under s. 5.05
11 (11m).

12 **SECTION 521.** 20.510 (1) (ff) of the statutes is created to read:

13 20.510 (1) (ff) *Local aids for the purchase of election supplies and equipment*.
14 The amounts in the schedule to award grants to counties and municipalities for the
15 purchase of election supplies or equipment under s. 5.05 (11r).

16 **SECTION 522.** 20.510 (1) (g) of the statutes is amended to read:

17 20.510 (1) (g) *Recount fees*. ~~The amounts in the schedule~~ All moneys received
18 on account of recount petitions filed with the commission, to be apportioned to the
19 commission and the county clerks or county board of election commissioners as
20 prescribed in s. 9.01 (1) (ag). ~~All moneys received on account of recount petitions filed~~
21 ~~with the commission shall be credited to this appropriation account.~~

22 **SECTION 523.** 20.566 (1) (bn) of the statutes is created to read:

23 20.566 (1) (bn) *Administration and enforcement of marijuana tax and*
24 *regulation*. The amounts in the schedule for the purposes of administering the
25 marijuana tax imposed under subch. IV of ch. 139 and for the costs incurred in

ASSEMBLY BILL 43**SECTION 523**

1 enforcing the taxing and regulation of marijuana producers, marijuana processors,
2 and marijuana retailers under subch. IV of ch. 139.

3 **SECTION 524.** 20.566 (1) (g) of the statutes is amended to read:

4 20.566 (1) (g) *Administration of county and municipal sales and use taxes.*

5 From moneys received from the appropriation under s. 20.835 (4) (g), the amounts
6 in the schedule for the purpose of administering the county and municipal taxes
7 under subch. V of ch. 77. The balance of all taxes collected under subch. V of ch. 77,
8 after the distribution under s. 77.76 (3), shall be credited to this appropriation.
9 Notwithstanding s. 20.001 (3) (a), at the end of the fiscal year the unencumbered
10 balance of this appropriation account lapses to the general fund.

11 **SECTION 525.** 20.566 (1) (gc) of the statutes is created to read:

12 20.566 (1) (gc) *Administration of transit authority taxes.* From the moneys
13 received from the appropriation account under s. 20.835 (4) (gc), the amounts in the
14 schedule for the purpose of administering the transit authority taxes imposed under
15 s. 77.708. Notwithstanding s. 20.001 (3) (a), at the end of the fiscal year the
16 unencumbered balance in this appropriation account shall be transferred to the
17 appropriation account under s. 20.835 (4) (gc).

18 **SECTION 526.** 20.566 (1) (gd) of the statutes is repealed.

19 **SECTION 527.** 20.566 (1) (gh) of the statutes is created to read:

20 20.566 (1) (gh) *Administration of regional transit authority fees.* The amounts
21 in the schedule for administering the fees imposed under subch. XIII of ch. 77. An
22 amount equal to 2.55 percent of all moneys received from the fees imposed under
23 subch. XIII of ch. 77 shall be credited to this appropriation. Notwithstanding s.
24 20.001 (3) (a), at the end of each fiscal year the unencumbered balance in this
25 appropriation account that exceeds 10 percent of the expenditures from this

ASSEMBLY BILL 43**SECTION 527**

1 appropriation during the fiscal year shall be transferred to the appropriation account
2 under s. 20.835 (4) (gh).

3 **SECTION 528.** 20.566 (1) (r) of the statutes is amended to read:

4 20.566 (1) (r) *Administration of dry cleaner fees.* From the ~~dry cleaner~~
5 ~~environmental response~~ environmental fund, the amounts in the schedule for the
6 purpose of administering the fees under subch. XII of ch. 77.

7 **SECTION 529.** 20.625 (1) (cg) of the statutes is amended to read:

8 20.625 (1) (cg) *Circuit court costs; generally.* Biennially, the amounts in the
9 schedule to make payments to counties for circuit court costs under s. 758.19 (5) (am)
10 to (i).

11 **SECTION 530.** 20.625 (1) (d) of the statutes is created to read:

12 20.625 (1) (d) *Circuit court costs; pretrial risk assessments.* Biennially, the
13 amounts in the schedule to reimburse counties for circuit court costs under s. 758.19
14 (5) (j).

15 **SECTION 531.** 20.625 (1) (h) of the statutes is repealed.

16 **SECTION 532.** 20.680 (2) (hm) of the statutes is created to read:

17 20.680 (2) (hm) *County law libraries.* All moneys received from counties for
18 providing materials or other services under contracts for county law libraries.

19 **SECTION 533.** 20.835 (1) (db) of the statutes is amended to read:

20 20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make
21 payments to counties, towns, villages, and cities under s. 79.035, less the amount
22 paid from the appropriation under par. (r), not including the payments under s.
23 79.035 (9).

24 **SECTION 534.** 20.835 (1) (dc) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 534**

1 20.835 (1) (dc) *Municipal and county shared revenue*. A sum sufficient to make
2 the payments under s. 79.036.

3 **SECTION 535.** 20.835 (1) (dd) of the statutes is created to read:

4 20.835 (1) (dd) *County and municipal aid; special supplement*. The amounts
5 in the schedule to make payments to towns and counties under s. 79.035 (9).

6 **SECTION 536.** 20.835 (1) (em) of the statutes is repealed.

7 **SECTION 537.** 20.835 (2) (eq) of the statutes is created to read:

8 20.835 (2) (eq) *Marijuana tax refunds*. A sum sufficient to pay refunds under
9 subch. IV of ch. 139.

10 **SECTION 538.** 20.835 (4) (g) of the statutes is amended to read:

11 20.835 (4) (g) *County and municipal taxes*. All moneys received from the taxes
12 imposed under s. 77.70 for distribution to the counties and municipalities that enact
13 an ordinance imposing taxes under that section and for interest payments on refunds
14 under s. 77.76 (3), except that 1.75 percent of those tax revenues collected under that
15 section shall be credited to the appropriation account under s. 20.566 (1) (g).

16 **SECTION 539.** 20.835 (4) (gb) of the statutes is amended to read:

17 20.835 (4) (gb) *Special district taxes revenues*. All moneys received from the
18 taxes imposed under s. 77.705, and from the appropriation account under s. 20.566
19 (1) (gd), and all moneys received under s. 341.14 (6r) (b) 13. b., for the purpose of
20 distribution to the special districts that adopt a resolution imposing taxes under
21 subch. V of ch. 77 III of ch. 229, and for the purpose of financing a local professional
22 baseball park district, except that of those tax revenues collected under subch. V of
23 ch. 77 3 percent for the first 2 years of collection and 1.5 percent thereafter shall be
24 credited to the appropriation account under s. 20.566 (1) (gd).

25 **SECTION 540.** 20.835 (4) (gc) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 540**

1 20.835 (4) (gc) *Transit authority taxes.* All moneys received from the taxes
2 imposed under s. 77.708, and from the appropriation account under s. 20.566 (1) (gc),
3 for the purpose of distribution to the transit authorities that adopt a resolution
4 imposing taxes under subch. V of ch. 77, except that 1.5 percent of those tax revenues
5 collected under subch. V of ch. 77 shall be credited to the appropriation account under
6 s. 20.566 (1) (gc).

7 **SECTION 541.** 20.835 (4) (gh) of the statutes is created to read:

8 20.835 (4) (gh) *Regional transit authority fees.* All moneys received from the
9 fees imposed under subch. XIII of ch. 77, and from the appropriation account under
10 s. 20.566 (1) (gh), for distribution to regional transit authorities created under s.
11 66.1039 (2), except that 2.55 percent of the moneys received from the fees imposed
12 under subch. XIII of ch. 77 shall be credited to the appropriation account under s.
13 20.566 (1) (gh).

14 **SECTION 542.** 20.865 (1) (e) of the statutes is amended to read:

15 20.865 (1) (e) *Additional biweekly payroll.* The amounts in the schedule to pay
16 salary and fringe benefit costs incurred during the 27th pay period in any fiscal year
17 in which such a period occurs for employment of permanent state employees,
18 including permanent project employees, on the biweekly payroll system, and
19 permanent University of Wisconsin System employees, including permanent project
20 employees, on the biweekly payroll system of the University of Wisconsin System.

21 **SECTION 543.** 20.865 (1) (jm) of the statutes is amended to read:

22 20.865 (1) (jm) *Additional biweekly payroll; nonfederal program revenues.*
23 From the appropriate nonfederal program revenue and program revenue — service
24 accounts, a sum sufficient to pay salary and fringe benefit costs incurred during the
25 27th pay period in any fiscal year in which such a period occurs for employment of

ASSEMBLY BILL 43**SECTION 543**

1 permanent state employees, including permanent project employees, on the
2 biweekly payroll system, and and permanent University of Wisconsin System
3 employees, including permanent project employees, on the biweekly payroll system
4 of the University of Wisconsin System.

5 **SECTION 544.** 20.865 (1) (m) of the statutes is amended to read:

6 20.865 (1) (m) *Additional biweekly payroll; federal program revenues.* From
7 the appropriate federal program revenue accounts, a sum sufficient to pay salary and
8 fringe benefit costs incurred during the 27th pay period in any fiscal year in which
9 such a period occurs for employment of permanent state employees, including
10 permanent project employees, on the biweekly payroll system, and permanent
11 University of Wisconsin System employees, including permanent project employees,
12 on the biweekly payroll system of the University of Wisconsin System.

13 **SECTION 545.** 20.865 (1) (tm) of the statutes is amended to read:

14 20.865 (1) (tm) *Additional biweekly payroll; nonfederal segregated revenues.*
15 From the appropriate segregated funds derived from nonfederal segregated
16 revenues, a sum sufficient to pay salary and fringe benefit costs incurred during the
17 27th pay period in any fiscal year in which such a period occurs for employment of
18 permanent state employees, including permanent project employees, on the
19 biweekly payroll system, and permanent University of Wisconsin System employees,
20 including permanent project employees, on the biweekly payroll system of the
21 University of Wisconsin System.

22 **SECTION 546.** 20.865 (1) (x) of the statutes is amended to read:

23 20.865 (1) (x) *Additional biweekly payroll; federal segregated revenues.* From
24 the appropriate segregated funds derived from federal segregated revenues, a sum
25 sufficient to pay salary and fringe benefit costs incurred during the 27th pay period

ASSEMBLY BILL 43**SECTION 546**

1 in any fiscal year in which such a period occurs for employment of permanent state
2 employees, including permanent project employees, on the biweekly payroll system,
3 and permanent University of Wisconsin System employees, including permanent
4 project employees, on the biweekly payroll system of the University of Wisconsin
5 System.

6 **SECTION 547.** 20.866 (2) (tf) of the statutes is amended to read:

7 20.866 (2) (tf) *Natural resources; nonpoint source.* From the capital
8 improvement fund, a sum sufficient for the department of natural resources to fund
9 nonpoint source water pollution abatement projects under s. 281.65 (4c) and (4e).
10 The state may contract public debt in an amount not to exceed \$44,050,000
11 \$67,050,000 for this purpose. ~~The state may contract additional public debt in an~~
12 ~~amount up to \$6,500,000 for this purpose. The state may contract additional public~~
13 ~~debt in an amount up to \$6,500,000 for this purpose.~~

14 **SECTION 548.** 20.866 (2) (th) of the statutes is amended to read:

15 20.866 (2) (th) *Natural resources; urban nonpoint source cost-sharing.* From
16 the capital improvement fund, a sum sufficient for the department of natural
17 resources to provide cost-sharing grants for urban nonpoint source water pollution
18 abatement and storm water management projects under s. 281.66, to provide
19 municipal flood control and riparian restoration cost-sharing grants under s.
20 281.665, and to make the grant under 2007 Wisconsin Act 20, section 9135 (1i). The
21 state may contract public debt in an amount not to exceed \$53,600,000 \$72,600,000
22 for this purpose. ~~The state may contract additional public debt in an amount up to~~
23 ~~\$4,000,000 for this purpose. The state may contract additional public debt in an~~
24 ~~amount up to \$4,000,000 for this purpose.~~ Of those amounts, \$500,000 is allocated
25 in fiscal biennium 2001-03 for dam rehabilitation grants under s. 31.387.

ASSEMBLY BILL 43**SECTION 549**

1 **SECTION 549.** 20.866 (2) (ti) of the statutes is amended to read:

2 20.866 (2) (ti) *Natural resources; contaminated sediment removal.* From the
3 capital improvement fund, a sum sufficient for the department of natural resources
4 to fund removal of contaminated sediment under s. 281.87. The state may contract
5 public debt in an amount not to exceed ~~\$32,000,000~~ \$55,000,000 for this purpose.
6 ~~The state may contract additional public debt in an amount up to \$4,000,000 for this~~
7 ~~purpose. The state may contract additional public debt in an amount up to~~
8 ~~\$4,000,000 for this purpose.~~

9 **SECTION 550.** 20.866 (2) (tx) of the statutes is amended to read:

10 20.866 (2) (tx) *Natural resources; dam safety projects.* From the capital
11 improvement fund, a sum sufficient for the department of natural resources to
12 provide financial assistance to counties, cities, villages, towns, and public inland
13 lake protection and rehabilitation districts for dam safety projects under s. 31.385.
14 The state may contract public debt in an amount not to exceed \$25,500,000
15 \$49,500,000 for this purpose. ~~The state may contract additional public debt in an~~
16 ~~amount up to \$4,000,000 for this purpose. The state may contract additional public~~
17 ~~debt in an amount up to \$10,000,000 for this purpose.~~

18 **SECTION 551.** 20.866 (2) (ug) of the statutes is amended to read:

19 20.866 (2) (ug) *Transportation; accelerated bridge improvements.* From the
20 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge or
21 improve local bridges under s. 84.11 and interstate bridges under s. 84.12. The state
22 may contract public debt in an amount not to exceed \$46,849,800 for this purpose.
23 In addition, the state may contract public debt in an amount not to exceed
24 \$50,000,000 for the construction of the Southern Bridge project crossing the Fox
25 River in Brown County.

ASSEMBLY BILL 43**SECTION 552**

1 **SECTION 552.** 20.866 (2) (ugm) of the statutes is amended to read:

2 20.866 (2) (ugm) *Transportation; major interstate bridge construction.* From
3 the capital improvement fund, a sum sufficient for the department of transportation
4 to fund major interstate bridge projects under s. 84.016. The state may contract
5 public debt in an amount not to exceed ~~\$245,000,000~~ \$319,200,000 for this purpose.
6 ~~The state may contract additional public debt in an amount up to \$27,000,000 for this~~
7 ~~purpose.~~

8 **SECTION 553.** 20.866 (2) (uup) 1. of the statutes is amended to read:

9 20.866 (2) (uup) 1. From the capital improvement fund, a sum sufficient for the
10 department of transportation to fund the Marquette interchange reconstruction
11 project under s. 84.014, as provided under s. 84.555, the reconstruction of the I 94
12 north-south corridor and the zoo interchange, as provided under s. 84.555 (1m), the
13 reconstruction of the I 94 east-west corridor, as provided under s. 84.555 (1m),
14 southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s.
15 84.555 (1m), and high-cost state highway bridge projects under s. 84.017, as
16 provided under s. 84.555 (1m). The state may contract public debt in an amount not
17 to exceed \$704,750,000 for these purposes. In addition, the state may contract public
18 debt in an amount not to exceed \$107,000,000 for the reconstruction of the Zoo
19 interchange and I 94 north-south corridor, as provided under s. 84.555 (1m), as
20 southeast Wisconsin freeway megaprojects under s. 84.0145, in an amount not to
21 exceed \$216,800,000 for high-cost state highway bridge projects under s. 84.017, as
22 provided under s. 84.555 (1m), in an amount not to exceed \$300,000,000 for southeast
23 Wisconsin freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m),
24 in an amount not to exceed \$95,000,000 for the reconstruction of the Zoo interchange,
25 as provided under s. 84.555 (1m), as a southeast Wisconsin freeway megaproject

ASSEMBLY BILL 43**SECTION 553**

1 under s. 84.0145, and in an amount up to ~~\$40,000,000~~ \$180,873,000 for the
2 reconstruction of the I 94 east-west corridor, as provided under s. 84.555 (1m), as a
3 southeast Wisconsin freeway megaproject under s. 84.0145.

4 **SECTION 554.** 20.866 (2) (uv) of the statutes is amended to read:

5 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital
6 improvement fund, a sum sufficient for the department of transportation to provide
7 grants for harbor improvements. The state may contract public debt in an amount
8 not to exceed ~~\$120,000,000~~ \$183,300,000 for this purpose. ~~The state may contract~~
9 ~~additional public debt in an amount up to \$32,000,000 for this purpose. The state~~
10 ~~may contract additional public debt in an amount up to \$15,300,000 for this purpose.~~

11 **SECTION 555.** 20.866 (2) (uw) of the statutes is amended to read:

12 20.866 (2) (uw) *Transportation; rail acquisitions and improvements and*
13 *intermodal freight facilities.* From the capital improvement fund, a sum sufficient
14 for the department of transportation to acquire railroad property under ss. 85.08 (2)
15 (L) and 85.09; to provide grants and loans for rail property acquisitions and
16 improvements under s. 85.08 (4m) (c) and (d); and to provide intermodal freight
17 facilities grants under s. 85.093. The state may contract public debt in an amount
18 not to exceed ~~\$250,300,000~~ \$320,300,000 for these purposes. ~~The state may contract~~
19 ~~additional public debt in an amount up to \$30,000,000 for these purposes. The state~~
20 ~~may contract additional public debt in an amount up to \$20,000,000 for these~~
21 ~~purposes.~~

22 **SECTION 556.** 20.866 (2) (we) of the statutes is amended to read:

23 20.866 (2) (we) *Agriculture; soil and water.* From the capital improvement
24 fund, a sum sufficient for the department of agriculture, trade and consumer
25 protection to provide for soil and water resource management under s. 92.14. The

ASSEMBLY BILL 43**SECTION 556**

1 state may contract public debt in an amount not to exceed ~~\$68,075,000~~ \$89,075,000
2 for this purpose. ~~The state may contract additional public debt in an amount up to~~
3 ~~\$7,000,000 for this purpose. The state may contract additional public debt in an~~
4 ~~amount up to \$7,000,000 for this purpose.~~

5 **SECTION 557.** 20.866 (2) (xm) of the statutes is amended to read:

6 20.866 (2) (xm) *Building commission; refunding tax-supported and*
7 *self-amortizing general obligation debt.* From the capital improvement fund, a sum
8 sufficient to refund the whole or any part of any unpaid indebtedness used to finance
9 tax-supported or self-amortizing facilities. In addition to the amount that may be
10 contracted under par. (xe), the state may contract public debt in an amount not to
11 exceed ~~\$7,510,000,000~~ \$11,235,000,000 for this purpose. ~~The state may contract~~
12 ~~additional public debt in an amount up to \$2,000,000,000 for this purpose.~~ Such
13 indebtedness shall be construed to include any premium and interest payable with
14 respect thereto. Debt incurred by this paragraph shall be repaid under the
15 appropriations providing for the retirement of public debt incurred for
16 tax-supported and self-amortizing facilities in proportional amounts to the
17 purposes for which the debt was refinanced. No moneys may be expended under this
18 paragraph unless the true interest costs to the state can be reduced by the
19 expenditure.

20 **SECTION 558.** 20.921 (1) (a) 2. of the statutes is amended to read:

21 20.921 (1) (a) 2. If the state employee is a public safety employee under s. 111.81
22 (15r) or is in a collective bargaining unit containing a frontline worker under s. 111.81
23 (9b), payment of dues to employee organizations.

24 **SECTION 559.** 20.923 (4) (c) 1s. of the statutes is created to read:

25 20.923 (4) (c) 1s. Administration, department of: chief resiliency officer.

ASSEMBLY BILL 43**SECTION 560**

1 **SECTION 560.** 20.923 (4) (c) 1t. of the statutes is created to read:

2 20.923 (4) (c) 1t. Administration, department of: director of the office of
3 environmental justice.

4 **SECTION 561.** 20.923 (4) (c) 7. of the statutes is created to read:

5 20.923 (4) (c) 7. Justice, department of: director of the office of missing and
6 murdered indigenous women.

7 **SECTION 562.** 20.923 (4) (c) 8. of the statutes is created to read:

8 20.923 (4) (c) 8. Administration, department of: director of Native American
9 affairs.

10 **SECTION 563.** 20.923 (4) (d) 2. of the statutes is created to read:

11 20.923 (4) (d) 2. Administration, department of: chief equity officer.

12 **SECTION 564.** 20.923 (4) (f) 6f. of the statutes is created to read:

13 20.923 (4) (f) 6f. Legislature; legislative human resources office: director.

14 **SECTION 565.** 20.923 (6) (as) of the statutes is amended to read:

15 20.923 (6) (as) Each elective executive officer other than the state treasurer,
16 ~~secretary of state~~, attorney general, and superintendent of public instruction: a
17 deputy or assistant.

18 **SECTION 566.** 20.923 (6) (fm) of the statutes is created to read:

19 20.923 (6) (fm) Legislative human resources office: all positions.

20 **SECTION 567.** 20.923 (8) of the statutes is amended to read:

21 20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3)
22 (b), 15.04 (2), and 551.601 (1) shall be set by the appointing authority. The salary,
23 other than the salary of the deputy secretary of the department of employee trust
24 funds, shall not exceed the maximum of the salary range one range below the salary
25 range of the executive salary group to which the department or agency head is

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1 assigned. The assistant secretary of state and associate director of the historical
2 society shall be treated as an unclassified deputy deputies for pay purposes under
3 this subsection. The salary of the deputy director of the office of business
4 development in the department of administration is assigned to executive salary
5 group 2.

6 **SECTION 568.** 20.9275 (2) (intro.) of the statutes is amended to read:

7 20.9275 (2) (intro.) No state agency or local governmental unit may authorize
8 payment of funds of this state, of any local governmental unit or, subject to sub. (3m),
9 of federal funds passing through the state treasury as a grant, subsidy or other
10 funding that wholly or partially or directly or indirectly involves pregnancy
11 programs, projects or services, that is a grant, subsidy or other funding under s.
12 48.481, 48.487, ~~48.545~~, 253.05, 253.07, 253.08, or 253.085 or 42 USC 701 to 710, if
13 any of the following applies:

14 **SECTION 569.** 20.9315 of the statutes is created to read:

15 **20.9315 False claims; actions by or on behalf of state. (1)** In this section:

16 (a) 1. "Claim" means any request or demand, whether under a contract or
17 otherwise, for money or property, whether the state has title to the money or property,
18 that is any of the following:

19 a. Presented to an officer, employee, agent, or other representative of the state.

20 b. Made to a contractor, grantee, or other person if the money or property is to
21 be spent or used on the state's behalf or to advance a state program or interest and
22 if the state provides any portion of the money or property that is requested or
23 demanded or will reimburse directly or indirectly the contractor, grantee, or other
24 person for any portion of the money or property that is requested or demanded.

ASSEMBLY BILL 43**SECTION 569**

1 2. "Claim" includes a request or demand for services from a state agency or as
2 part of a state program.

3 3. "Claim" does not include requests or demands for money or property that the
4 state has paid to an individual as compensation for state employment or as an income
5 subsidy with no restriction on that individual's use of the money or property.

6 (b) "Knowingly" means, with respect to information, having actual knowledge
7 of the information, acting in deliberate ignorance of the truth or falsity of the
8 information, or acting in reckless disregard of the truth or falsity of the information.
9 "Knowingly" does not mean specifically intending to defraud.

10 (c) "Material" means having a natural tendency to influence, or be capable of
11 influencing, the payment or receipt of money or property or the receipt of services.

12 (d) "Medical assistance" has the meaning given under s. 49.43 (8).

13 (e) "Obligation" has the meaning given in 31 USC 3729 (b) (3).

14 (f) "Original source" has the meaning given in 31 USC 3730 (e) (4) (B).

15 (g) "Proceeds" includes damages, civil penalties, surcharges, payments for
16 costs of compliance, and any other economic benefit realized by this state as a result
17 of an action or settlement of a claim.

18 **(2)** Except as provided in sub. (3), any person who does any of the following is
19 liable to this state for 3 times the amount of the damages that were sustained by the
20 state or would have been sustained by the state, whichever is greater, because of the
21 actions of the person and shall forfeit, for each violation, an amount within the range
22 specified under 31 USC 3729 (a):

23 (a) Knowingly presents or causes to be presented a false or fraudulent claim
24 to a state agency, including a false or fraudulent claim for medical assistance.

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1 (b) Knowingly makes, uses, or causes to be made or used a false record or
2 statement material to a false or fraudulent claim to a state agency, including a false
3 or fraudulent claim for medical assistance.

4 (c) Knowingly makes, uses, or causes to be made or used a false record or
5 statement material to an obligation to pay or transmit money or property to the
6 Medical Assistance program, or knowingly conceals or knowingly and improperly
7 avoids or decreases an obligation to pay or transmit money or property to the Medical
8 Assistance program.

9 (d) Knowingly makes, uses, or causes to be made or used a false record or
10 statement material to an obligation to pay or transmit money or property to a state
11 agency or knowingly conceals or knowingly and improperly avoids or decreases an
12 obligation to pay or transmit money or property to a state agency.

13 (e) Conspires to commit a violation under par. (a), (b), (c), or (d).

14 **(3)** The court may assess against a person who violates sub. (2) not less than
15 2 nor more than 3 times the amount of the damages sustained by the state because
16 of the acts of the person, and shall not assess any forfeiture, if the court finds all of
17 the following:

18 (a) The person who commits the acts furnished the attorney general with all
19 information known to the person about the acts within 30 days after the date on
20 which the person obtained the information.

21 (b) The person fully cooperated with any investigation by this state of the acts.

22 (c) At the time that the person furnished the attorney general with information
23 concerning the acts, no criminal prosecution or civil or administrative enforcement
24 action had been commenced with respect to any such act, and the person did not have
25 actual knowledge of the existence of any investigation into any such act.

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1 (5) (a) Except as provided in subs. (10) and (12), any person may bring a civil
2 action as a qui tam plaintiff against a person who commits an act in violation of sub.
3 (2) for the person and the state in the name of the state.

4 (b) The plaintiff under par. (a) shall serve upon the attorney general a copy of
5 the complaint and documents disclosing substantially all material evidence and
6 information that the plaintiff possesses. The plaintiff shall file a copy of the
7 complaint with the court for inspection in camera. Except as provided in par. (c), the
8 complaint shall remain under seal for a period of 60 days from the date of filing and
9 shall not be served upon the defendant until the court so orders. Within 60 days from
10 the date of service upon the attorney general of the complaint, evidence, and
11 information under this paragraph, the attorney general may intervene in the action.

12 (bm) Any complaint filed by the state in intervention, whether filed separately
13 or as an amendment to the qui tam plaintiff's complaint, shall relate back to the filing
14 date of the qui tam plaintiff's complaint to the extent that the state's claim arises out
15 of the conduct, transactions, or occurrences set forth, or attempted to be set forth, in
16 the qui tam plaintiff's complaint.

17 (c) The attorney general may, for good cause shown, move the court for one or
18 more extensions of the period during which a complaint in an action under this
19 subsection remains under seal.

20 (d) Before the expiration of the period during which the complaint remains
21 under seal, the attorney general shall do one of the following:

22 1. Proceed with the action or an alternate remedy under sub. (10), in which case
23 the action or proceeding under sub. (10) shall be prosecuted by the state.

24 2. Notify the court that he or she declines to proceed with the action, in which
25 case the person bringing the action may proceed with the action.

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1 (e) If a person brings a valid action under this subsection, no person other than
2 the state may intervene or bring a related action based upon the same facts
3 underlying the original action while the original action is pending.

4 (f) In any action brought under this subsection or other proceeding under sub.
5 (10), the plaintiff is required to prove all essential elements of the cause of action or
6 complaint, including damages, by a preponderance of the evidence.

7 **(6)** If the state proceeds with an action under sub. (5) or an alternate remedy
8 under sub. (10), the state has primary responsibility for prosecuting the action under
9 sub. (5) or proceeding under sub. (10). The state is not bound by any act of the person
10 bringing the action, but that person has the right to continue as a party to the action.

11 **(7)** (b) With the approval of the governor, the attorney general may compromise
12 and settle an action under sub. (5) or an administrative proceeding under sub. (10)
13 to which the state is a party, notwithstanding objection of the person bringing the
14 action, if the court determines, after affording to the person bringing the action the
15 right to a hearing at which the person is afforded the opportunity to present evidence
16 in opposition to the proposed settlement, that the proposed settlement is fair,
17 adequate, and reasonable considering the relevant circumstances pertaining to the
18 violation.

19 (c) Upon a showing by the state that unrestricted participation in the
20 prosecution of an action under sub. (5) or an alternate proceeding under sub. (10) to
21 which the state is a party by the person bringing the action would interfere with or
22 unduly delay the prosecution of the action or proceeding, or would result in
23 consideration of repetitious or irrelevant evidence or evidence presented for
24 purposes of harassment, the court may limit the person's participation in the
25 prosecution, such as:

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- 1 1. Limiting the number of witnesses that the person may call.
- 2 2. Limiting the length of the testimony of the witnesses.
- 3 3. Limiting the cross-examination of witnesses by the person.
- 4 4. Otherwise limiting the participation by the person in the prosecution of the
- 5 action or proceeding.

6 (d) Upon a showing by a defendant that unrestricted participation in the
7 prosecution of an action under sub. (5) or alternate proceeding under sub. (10) to
8 which the state is a party by the person bringing the action would result in
9 harassment or would cause the defendant undue burden or unnecessary expense, the
10 court may limit the person's participation in the prosecution.

11 (8) Except as provided in sub. (7), if the state elects not to participate in an
12 action filed under sub. (5), the person bringing the action may prosecute the action.
13 If the attorney general so requests, the attorney general shall, at the state's expense,
14 be served with copies of all pleadings and deposition transcripts in the action. If the
15 person bringing the action initiates prosecution of the action, the court, without
16 limiting the status and rights of that person, may permit the state to intervene at a
17 later date upon a showing by the state of good cause for the proposed intervention.

18 (9) Whether or not the state participates in an action under sub. (5), upon a
19 showing in camera by the attorney general that discovery by the person bringing the
20 action would interfere with the state's ongoing investigation or prosecution of a
21 criminal or civil matter arising out of the same facts as the facts upon which the
22 action is based, the court may stay such discovery in whole or in part for a period of
23 not more than 60 days. The court may extend the period of any such stay upon a
24 further showing in camera by the attorney general that the state has pursued the
25 criminal or civil investigation of the matter with reasonable diligence and the

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1 proposed discovery in the action brought under sub. (5) will interfere with the
2 ongoing criminal or civil investigation or prosecution.

3 (10) The attorney general may pursue a claim relating to an alleged violation
4 of sub. (2) through an alternate remedy available to the state or any state agency,
5 including an administrative proceeding to assess a civil forfeiture. If the attorney
6 general elects any such alternate remedy, the attorney general shall serve timely
7 notice of his or her election upon the person bringing the action under sub. (5), and
8 that person has the same rights in the alternate venue as the person would have had
9 if the action had continued under sub. (5). Any finding of fact or conclusion of law
10 made by a court or by a state agency in the alternate venue that has become final is
11 conclusive upon all parties named in an action under sub. (5). For purposes of this
12 subsection, a finding or conclusion is final if it has been finally determined on appeal,
13 if all time for filing an appeal or petition for review with respect to the finding or
14 conclusion has expired, or if the finding or conclusion is not subject to judicial review.

15 (11) (a) Except as provided in pars. (b) and (e), if the state proceeds with an
16 action brought by a person under sub. (5) or the state pursues an alternate remedy
17 relating to the same acts under sub. (10), the person who brings the action shall
18 receive at least 15 percent but not more than 25 percent of the proceeds of the action
19 or settlement of the claim, depending upon the extent to which the person
20 contributed to the prosecution of the action or claim.

21 (b) Except as provided in par. (e), if an action or claim is one that the court or
22 other adjudicator finds to be based primarily upon disclosures of specific information
23 not provided by the person who brings the action or claim under sub. (5) relating to
24 allegations or transactions specifically disclosed in a criminal, civil, or
25 administrative hearing; legislative or administrative report, hearing, audit, or

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1 investigation; or report made by the news media, the court or other adjudicator may
2 award an amount to the person as it considers appropriate, but not more than 10
3 percent of the proceeds of the action or settlement of the claim, depending upon the
4 significance of the information and the role of the person bringing the action in
5 advancing the prosecution of the action or claim.

6 (c) Except as provided in par. (e), in addition to any amount received under par.
7 (a) or (b), a person bringing an action under sub. (5) shall be awarded his or her
8 reasonable expenses necessarily incurred in bringing the action together with the
9 person's costs and reasonable actual attorney fees. The court or other adjudicator
10 shall assess any award under this paragraph against the defendant.

11 (d) Except as provided in par. (e), if the state does not proceed with an action
12 under sub. (5) or an alternate proceeding under sub. (10), the person bringing the
13 action shall receive an amount that the court decides is reasonable for collection of
14 the civil penalty and damages. The amount shall be not less than 25 percent and not
15 more than 30 percent of the proceeds of the action and shall be paid from the
16 proceeds. In addition, the person shall be paid his or her expenses, costs, and fees
17 under par. (c).

18 (e) Whether or not the state proceeds with an action under sub. (5) or an
19 alternate proceeding under sub. (10), if the court or other adjudicator finds that an
20 action under sub. (5) was brought by a person who planned or initiated the violation
21 upon which the action or proceeding is based, then the court may, to the extent that
22 the court considers appropriate, reduce the share of the proceeds of the action that
23 the person would otherwise receive under par. (a), (b), or (d), taking into account the
24 role of that person in advancing the prosecution of the action or claim and any other
25 relevant circumstance pertaining to the violation, except that if the person bringing

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1 the action is convicted of criminal conduct arising from his or her role in a violation
2 of sub. (2), the court or other adjudicator shall dismiss the person as a party and the
3 person shall not receive any share of the proceeds of the action or claim or any
4 expenses, costs, or fees under par. (c).

5 (12) Except if the action is brought by the attorney general or the person
6 bringing the action is an original source of the information, the court shall dismiss
7 an action or claim under this section, unless opposed by the state, if substantially the
8 same allegations or transactions as alleged in the action or claim were publicly
9 disclosed in any of the following ways:

10 (a) In a federal criminal, civil, or administrative hearing in which the state or
11 its agent is a party.

12 (b) In a congressional, government accountability office, or other federal report,
13 hearing, audit, or investigation.

14 (c) From the news media.

15 (13) The state is not liable for any expenses incurred by a private person in
16 bringing an action under sub. (5).

17 (14) Any employee, contractor, or agent who is discharged, demoted,
18 suspended, threatened, harassed, or in any other manner discriminated against in
19 the terms and conditions of employment because of lawful actions taken by the
20 employee, contractor, or agent or by others in furtherance of an action or claim filed
21 under this section or on behalf of the employee, contractor, or agent, including
22 investigation for, initiation of, testimony for, or assistance in an action or claim filed
23 or to be filed under sub. (5), is entitled to all necessary relief to make the employee,
24 contractor, or agent whole. Such relief shall in each case include reinstatement with
25 the same seniority status that the employee, contractor, or agent would have had but

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1 for the discrimination, 2 times the amount of back pay, interest on the back pay at
2 the legal rate, and compensation for any special damages sustained as a result of the
3 discrimination, including costs and reasonable attorney fees. An employee,
4 contractor, or agent may bring an action to obtain the relief to which the employee,
5 contractor, or agent is entitled under this subsection within 3 years after the date the
6 retaliation occurred.

7 (15) A civil action may be brought under sub. (5) based upon acts occurring
8 prior to the effective date of this subsection ... [LRB inserts date], if the action is
9 brought within the period specified in s. 893.9815.

10 (16) A judgment of guilty entered against a defendant in a criminal action in
11 which the defendant is charged with fraud or making false statements estops the
12 defendant from denying the essential elements of the offense in any action under sub.
13 (5) that involves the same elements as in the criminal action.

14 (17) The remedies provided for under this section are in addition to any other
15 remedies provided for under any other law or available under the common law.

16 (18) This section shall be liberally construed and applied to promote the public
17 interest and to effect the congressional intent in enacting 31 USC 3729 to 3733, as
18 reflected in the federal False Claims Act and the legislative history of the act.

19 **SECTION 570.** 20.940 of the statutes is repealed.

20 **SECTION 571.** 23.09 (2) (d) (intro.) of the statutes is amended to read:

21 23.09 (2) (d) *Lands, acquisition.* (intro.) Acquire by purchase, lease or
22 agreement, and receive by gifts or devise, lands or waters suitable for the purposes
23 enumerated in this paragraph, and maintain such lands and waters for such
24 purposes; and, ~~except for the purpose specified under subd. 12.,~~ may condemn lands
25 or waters suitable for such purposes after obtaining approval of the appropriate

ASSEMBLY BILL 43**SECTION 571**

1 standing committees of each house of the legislature as determined by the presiding
2 officer thereof:

3 **SECTION 572.** 23.09165 (2) (ac) of the statutes is renumbered 23.09165 (2).

4 **SECTION 573.** 23.09165 (2) (bc) of the statutes is repealed.

5 **SECTION 574.** 23.0917 (3) (bt) 3. of the statutes is amended to read:

6 23.0917 (3) (bt) 3. For each fiscal year beginning with fiscal year 2022-23 and
7 ending with fiscal year 2025-26, \$1,000,000 plus the amount transferred to the
8 capital improvement fund amounts in the schedule under s. 20.370 (5) (hq) in that
9 fiscal year.

10 **SECTION 575.** 23.0917 (3) (bw) 2. of the statutes is amended to read:

11 23.0917 (3) (bw) 2. In obligating moneys under the subprogram for land
12 acquisition, for each fiscal year beginning with fiscal year 2022-23 and ending with
13 fiscal year 2025-26, the department shall set aside the amount transferred to the
14 capital improvement fund amounts in the schedule under s. 20.370 (5) (hr) in that
15 fiscal year to be obligated only to provide grants to counties under s. 23.0953.

16 **SECTION 576.** 23.0917 (6m) (c) of the statutes is amended to read:

17 23.0917 (6m) (c) The procedures under par. (a) apply only to an amount for a
18 project or activity that exceeds ~~\$250,000~~ \$500,000, except as provided in pars. (d),
19 (dg), and (dm), ~~and~~ (dr).

20 **SECTION 577.** 23.0917 (6m) (dm) (intro.) and 1. of the statutes are amended to
21 read:

22 23.0917 (6m) (dm) (intro.) The procedures under par. (a) apply to an amount
23 for a project or activity that is less than or equal to ~~\$250,000~~ \$500,000 if all of the
24 following apply:

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1 1. The project or activity is so closely related to one or more other department
2 projects or activities for which the department has proposed to obligate or has
3 obligated moneys under s. 20.866 (2) (ta) that the projects or activities, if combined,
4 would constitute a larger project or activity that exceeds \$250,000 \$500,000.

5 **SECTION 578.** 23.0917 (6m) (dr) of the statutes is repealed.

6 **SECTION 579.** 23.1991 of the statutes is created to read:

7 **23.1991 Great Lakes erosion control revolving loan program. (1)** The
8 department shall administer a revolving loan program to assist municipalities and
9 owners of homes located on the shore of Lake Michigan or Lake Superior where the
10 structural integrity of municipal buildings or homes is threatened by erosion of the
11 shoreline.

12 **(2)** The department shall make loans under this section from the appropriation
13 under s. 20.370 (9) (pq).

14 **(3)** The department shall promulgate rules to administer this section,
15 including rules establishing eligibility criteria and income limitations for loans
16 under this section.

17 **SECTION 580.** 23.1993 of the statutes is created to read:

18 **23.1993 Mississippi River erosion control revolving loan program. (1)**
19 The department shall administer a revolving loan program to assist municipalities
20 and owners of homes located on the shore of the Mississippi River where the
21 structural integrity of municipal buildings or homes is threatened by erosion of the
22 shoreline.

23 **(2)** The department shall make loans under this section from the appropriation
24 under s. 20.370 (9) (pq).

ASSEMBLY BILL 43**SECTION 580**

1 **(3)** The department shall promulgate rules to administer this section,
2 including rules establishing eligibility criteria and income limitations for loans
3 under this section.

4 **SECTION 581.** 23.41 (6) (b) of the statutes is amended to read:

5 23.41 **(6)** (b) The department shall attempt to ensure that at least 1 percent of
6 the total amount expended under this section in each fiscal year is paid to disabled
7 veteran-owned businesses, as defined in s. 16.75 (3m) (a) ~~1.~~ 5.

8 **SECTION 582.** 23.41 (6) (c) of the statutes is created to read:

9 23.41 **(6)** (c) The department shall attempt to ensure that at least 1 percent of
10 the total amount expended under this section in each fiscal year is paid to lesbian,
11 gay, bisexual, or transgender-owned businesses certified by the department of
12 administration under s. 16.288 (3).

13 **SECTION 583.** 23.41 (6) (d) of the statutes is created to read:

14 23.41 **(6)** (d) The department shall attempt to ensure that at least 1 percent of
15 the total amount expended under this section in each fiscal year is paid to
16 disability-owned businesses certified by the department of administration under s.
17 16.289 (3).

18 **SECTION 584.** 24.40 (3) of the statutes is amended to read:

19 24.40 **(3)** Notwithstanding s. 28.02 (5) or any contrary rule promulgated by the
20 department, if the department grants an easement under sub. (1r) for the
21 construction of broadband infrastructure in ~~underserved~~ unserved areas, as
22 designated under s. 196.504 (2) ~~(d)~~ (e), the department may not require any appraisal
23 or the payment of any fee to grant the easement.

24 **SECTION 585.** 25.17 (1) (d) of the statutes is repealed.

25 **SECTION 586.** 25.17 (1) (er) of the statutes is created to read:

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

2 **SECTION 587.** 25.185 (title) of the statutes is amended to read:

3 **25.185** (title) ~~Minority financial advisers and investment firms;~~
4 ~~disabled; veteran-owned; lesbian, gay, bisexual, or transgender-owned;~~
5 ~~and disability-owned financial advisers and investment firms.~~

6 **SECTION 588.** 25.185 (1) (a) of the statutes is renumbered 25.185 (1) (e) and
7 amended to read:

8 25.185 (1) (e) “~~Disabled veteran-owned~~ Veteran-owned financial adviser”
9 means a financial adviser certified by the department of administration under s.
10 16.283 (3).

11 **SECTION 589.** 25.185 (1) (ae) of the statutes is created to read:

12 25.185 (1) (ae) “Disability-owned financial adviser” means a financial adviser
13 certified by the department of administration under s. 16.289 (3).

14 **SECTION 590.** 25.185 (1) (af) of the statutes is created to read:

15 25.185 (1) (af) “Disability-owned investment firm” means an investment firm
16 certified by the department of administration under s. 16.289 (3).

17 **SECTION 591.** 25.185 (1) (b) of the statutes is renumbered 25.185 (1) (f) and
18 amended to read:

19 25.185 (1) (f) “~~Disabled veteran-owned~~ Veteran-owned investment firm”
20 means an investment firm certified by the department of administration under s.
21 16.283 (3).

22 **SECTION 592.** 25.185 (1) (br) of the statutes is created to read:

23 25.185 (1) (br) “Lesbian, gay, bisexual, or transgender-owned financial
24 adviser” means a financial adviser certified by the department of administration
25 under s. 16.288 (3).

ASSEMBLY BILL 43**SECTION 593**

1 **SECTION 593.** 25.185 (1) (bs) of the statutes is created to read:

2 25.185 (1) (bs) “Lesbian, gay, bisexual, or transgender-owned investment firm”
3 means an investment firm certified by the department of administration under s.
4 16.288 (3).

5 **SECTION 594.** 25.185 (2) (b) of the statutes is amended to read:

6 25.185 (2) (b) The board shall attempt to ensure that at least 1 percent of the
7 total funds expended for financial and investment analysis and for common stock
8 and convertible bond brokerage commissions in each fiscal year is expended for the
9 services of disabled veteran-owned financial advisers or disabled veteran-owned
10 investment firms.

11 **SECTION 595.** 25.185 (2) (c) of the statutes is created to read:

12 25.185 (2) (c) The board shall attempt to ensure that at least 1 percent of the
13 total funds expended for financial and investment analysis and for common stock
14 and convertible bond brokerage commissions in each fiscal year is expended for the
15 services of lesbian, gay, bisexual, or transgender-owned financial advisers or
16 lesbian, gay, bisexual, or transgender-owned investment firms.

17 **SECTION 596.** 25.185 (2) (d) of the statutes is created to read:

18 25.185 (2) (d) The board shall attempt to ensure that at least 1 percent of the
19 total funds expended for financial and investment analysis and for common stock
20 and convertible bond brokerage commissions in each fiscal year is expended for the
21 services of disability-owned financial advisers or disability-owned investment
22 firms.

23 **SECTION 597.** 25.185 (3) of the statutes is amended to read:

24 25.185 (3) The board shall annually report to the department of administration
25 the total amount of moneys expended under sub. (2) for common stock and

ASSEMBLY BILL 43**SECTION 597**

1 convertible bond brokerage commissions, the services of minority ~~and disabled,~~
2 ~~veteran-owned, lesbian, gay, bisexual, or transgender-owned, and disability-owned~~
3 financial advisers, and the services of minority ~~and disabled,~~ veteran-owned,
4 ~~lesbian, gay, bisexual, or transgender-owned, and disability-owned~~ investment
5 firms during the preceding fiscal year.

6 **SECTION 598.** 25.316 of the statutes is created to read:

7 **25.316 Community reinvestment fund.** There is established a separate
8 nonlapsible trust fund, designated the community reinvestment fund consisting of
9 all moneys received under subch. IV of ch. 139, including interest and penalties.

10 **SECTION 599.** 25.43 (2s) of the statutes is repealed and recreated to read:

11 25.43 (2s) The secretary of administration and the secretary of natural
12 resources shall ensure that any moneys required to be repaid to the environmental
13 improvement fund as a result of a transfer under s. 25.43 (2s), 2021 stats., shall be
14 paid from the environmental fund to the environmental improvement fund.

15 **SECTION 600.** 25.46 (1) (rr) of the statutes is repealed.

16 **SECTION 601.** 25.46 (1) (s) of the statutes is created to read:

17 25.46 (1) (s) All moneys received under s. 77.9964 (3) for environmental
18 management.

19 **SECTION 602.** 25.46 (2m) of the statutes is amended to read:

20 25.46 (2m) Of the moneys described in sub. (1) that are received for the purpose
21 of environmental management, except the moneys described in sub. (1) (ej), (ek),
22 (hm), (j), (jj), (s), (t), and (u), \$6,150,000 shall, in each fiscal year, be considered to
23 have been received for the purpose of nonpoint source water pollution abatement.

24 **SECTION 603.** 25.48 of the statutes is repealed.

25 **SECTION 604.** 25.50 (3) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 604**

1 25.50 (3) (b) On the dates specified and to the extent to which they are
2 available, subject to s. 16.53 (10), funds payable to local governments under ss.
3 79.035, 79.036, 79.04, 79.05, 79.08, and 79.10 shall be considered local funds and,
4 pursuant to the instructions of local officials, may be paid into the separate accounts
5 of all local governments established in the local government pooled-investment fund
6 and, pursuant to the instructions of local officials, to the extent to which they are
7 available, be disbursed or invested.

8 **SECTION 605.** 25.52 of the statutes is created to read:

9 **25.52 Family and medical leave benefits insurance trust fund.** There
10 is created a separate nonlapsible trust fund designated as the family and medical
11 leave benefits insurance trust fund, to consist of all moneys deposited in that fund
12 under s. 103.105 (8).

13 **SECTION 606.** 27.01 (2) (a) of the statutes is amended to read:

14 27.01 (2) (a) Acquire by purchase, lease or agreement lands or waters suitable
15 for state park purposes and may acquire such lands and waters by condemnation
16 after obtaining approval of the senate and assembly committees on natural
17 resources. ~~The power of condemnation may not be used for the purpose of~~
18 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
19 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
20 ~~346.02 (8) (a).~~

21 **SECTION 607.** 27.01 (9) (bg) of the statutes is created to read:

22 27.01 (9) (bg) *Annual 4th grade pass.* 1. In this paragraph:

23 a. "Fourth grade pupil" means a child receiving a 4th grade level of instruction
24 in a school or a home-based private educational program, as defined in s. 115.001
25 (3g).

ASSEMBLY BILL 43**SECTION 607**

1 b. “Guardian” has the meaning given in s. 48.02 (8).

2 c. “Parent” has the meaning given in s. 48.02 (13).

3 2. The parent or guardian of a child may apply for an annual vehicle admission
4 receipt fee waiver by submitting an application to the department. An application
5 may not be submitted to a regional office of the department or to a person who is
6 subject to an appointment or a contract as authorized under s. 29.024 (6) (a) 2. to 4.
7 but must be submitted directly to the main office of the department. An application
8 shall be submitted on a form provided by the department and shall include all of the
9 following information:

10 a. The child’s name.

11 b. The child’s date of birth.

12 c. The name of the school the child is or will be attending or a certification that
13 the child is in a home-based private educational program, as defined in s. 115.001
14 (3g).

15 d. A certification that the child is, was, or will be a 4th grade pupil on the first
16 day of January of the calendar year for which the waiver is issued. This certification
17 may be satisfied with dated report cards, dated and signed enrollment forms, a dated
18 letter from the child’s school on official letterhead, or any other proof deemed
19 acceptable by the department.

20 3. Subject to subd. 4., the department shall provide to an individual whose
21 application submitted under subd. 2. is approved an annual vehicle admission
22 receipt fee waiver that is valid for the calendar year in which the waiver is issued.

23 4. A parent or guardian may receive only one fee waiver under this paragraph
24 in his or her lifetime. If a parent or guardian receives a fee waiver under this

ASSEMBLY BILL 43**SECTION 607**

1 paragraph, the department may not issue a fee waiver under this paragraph for any
2 other member of the parent's or guardian's household.

3 5. The department shall waive the fee, including the issuing fee, imposed under
4 sub. (7) for an annual vehicle admission receipt for a single vehicle, except a motor
5 bus, that has Wisconsin registration plates and that is operated by a person who
6 holds a valid fee waiver issued under this paragraph.

7 **SECTION 608.** 27.01 (15) (b) 1. of the statutes is amended to read:

8 27.01 (15) (b) 1. No more than ~~35~~ 40 percent of all state park campsites in the
9 state have electric receptacles.

10 **SECTION 609.** 27.019 (10) of the statutes is amended to read:

11 27.019 (10) ACQUISITION OF LAND. Any county in which there does not exist a
12 county park commission acting through its rural planning committee may acquire
13 by gift, grant, devise, donation, purchase, condemnation or otherwise, with the
14 consent of the county board, a sufficient tract or tracts of land for the reservation for
15 public use of river fronts, lake shores, picnic groves, outlook points from hilltops,
16 places of special historic interest, memorial grounds, parks, playgrounds, sites for
17 public buildings, and reservations in and about and along and leading to any or all
18 of the same, and to develop and maintain the same for public use. ~~The power of
19 condemnation may not be used for the purpose of establishing or extending a
20 recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined
21 in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

22 **SECTION 610.** 27.05 (3) of the statutes is amended to read:

23 27.05 (3) Acquire, in the name of the county, by purchase, land contract, lease,
24 condemnation, or otherwise, with the approval and consent of the county board, such
25 tracts of land or public ways as it deems suitable for park purposes; including lands

ASSEMBLY BILL 43**SECTION 610**

1 in any other county not more than three-fourths of a mile from the county line; but
2 no land so acquired shall be disposed of by the county without the consent of said
3 commission, and all moneys received for any such lands, or any materials, so
4 disposed of, shall be paid into the county park fund hereinafter established. The
5 power of condemnation may not be used for the purpose of establishing or extending
6 a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as
7 defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).

8 **SECTION 611.** 27.065 (1) (a) of the statutes is amended to read:

9 27.065 (1) (a) The county board of any county which shall have adopted a
10 county system of parks or a county system of streets and parkways, pursuant to s.
11 27.04, may acquire the lands necessary for carrying out all or part of such plan by
12 gift, purchase, condemnation or otherwise; provided, however, that no lands shall be
13 acquired by condemnation unless and until the common council of the city or the
14 board of trustees of the village or the board of supervisors of the town wherein such
15 land is situated shall consent thereto. ~~The power of condemnation may not be used~~
16 ~~for the purpose of establishing or extending a recreational trail; a bicycle way, as~~
17 ~~defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian~~
18 ~~way, as defined in s. 346.02 (8) (a).~~ The cost of acquiring such lands by purchase or
19 condemnation may be paid in whole or in part by the county or by the property to be
20 benefited thereby, as the county board shall direct but in no case shall the amount
21 assessed to any parcel of real estate exceed the benefits accruing thereto; provided,
22 that no assessment for paying the cost of acquiring lands may be levied or collected
23 against the property to be benefited until the governing body of the city, village or
24 town where such lands are located has by resolution determined that the public

ASSEMBLY BILL 43**SECTION 611**

1 welfare will be promoted thereby. Title to all lands acquired hereunder shall be an
2 estate in fee simple.

3 **SECTION 612.** 27.08 (2) (b) of the statutes is amended to read:

4 27.08 (2) (b) To acquire in the name of the city for park, parkway, boulevard or
5 pleasure drive purposes by gift, devise, bequest or condemnation, either absolutely
6 or in trust, money, real or personal property, or any incorporeal right or privilege;
7 ~~except that no lands may be acquired by condemnation for the purpose of~~
8 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
9 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
10 ~~346.02 (8) (a).~~ Gifts to any city of money or other property, real or personal, either
11 absolutely or in trust, for park, parkway, boulevard or pleasure drive purposes shall
12 be accepted only after they shall have been recommended by the board to the common
13 council and approved by said council by resolution. Subject to the approval of the
14 common council the board may execute every trust imposed upon the use of property
15 or property rights by the deed, testament or other conveyance transferring the title
16 of such property to the city for park, parkway, boulevard or pleasure drive purposes.

17 **SECTION 613.** 27.08 (2) (c) of the statutes is amended to read:

18 27.08 (2) (c) Subject to the approval of the common council to buy or lease lands
19 in the name of the city for park, parkway, boulevard or pleasure drive purposes
20 within or without the city and, with the approval of the common council, to sell or
21 exchange property no longer required for its purposes. Every city is authorized, upon
22 recommendation of its officers, board or body having the control and management
23 of its public parks, to acquire by condemnation in the name of the city such lands
24 within or without its corporate boundaries as it may need for public parks, parkways,
25 boulevards and pleasure drives. ~~The power of condemnation may not be used for the~~

ASSEMBLY BILL 43**SECTION 613**

1 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~
2 ~~s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as~~
3 ~~defined in s. 346.02 (8) (a).~~

4 **SECTION 614.** 28.11 (5m) (a) (intro.) of the statutes is amended to read:

5 28.11 **(5m)** (a) (intro.) The department may make grants, from the
6 appropriation under s. 20.370 (5) ~~(bw)~~ (ht), to counties having lands entered under
7 sub. (4) to fund all of the following for one professional forester in the position of
8 county forest administrator or assistant county forest administrator:

9 **SECTION 615.** 28.11 (5m) (am) of the statutes is amended to read:

10 28.11 **(5m)** (am) The department may make grants, from the appropriation
11 under s. 20.370 (5) ~~(bw)~~ (ht), to counties having lands entered under sub. (4) to fund
12 up to 50 percent of the costs of a county's annual dues to a nonprofit organization that
13 provides leadership and counsel to that county's forest administrator and that
14 functions as an organizational liaison to the department. The total amount that the
15 department may award in grants under this paragraph in any fiscal year may not
16 exceed \$50,000.

17 **SECTION 616.** 28.25 of the statutes is created to read:

18 **28.25 Public forest regeneration grants.** The department shall establish
19 a grant program under which it awards grants for projects involving reforestation,
20 forest regeneration, and forest management on public land. A project is eligible for
21 a grant under this section if it is located on public land owned by a local government
22 or school district or by this state, except for land under the jurisdiction and control
23 of the department.

24 **SECTION 617.** 29.001 (69) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 617**

1 29.001 **(69)** “Resident” means a person who has maintained his or her place of
2 permanent abode in this state for a period of 30 days immediately preceding his or
3 her application for an approval. Domiciliary intent is required to establish that a
4 person is maintaining his or her place of permanent abode in this state. Mere
5 ownership of property is not sufficient to establish domiciliary intent. Evidence of
6 domiciliary intent includes, without limitation, the location where the person votes,
7 pays personal income taxes, or obtains a driver’s license or an identification card
8 issued under s. 343.50.

9 **SECTION 618.** 29.063 (7) of the statutes is created to read:

10 29.063 **(7)** The department shall provide financial assistance to cities, villages,
11 towns, and counties; individuals; businesses; and nonprofit conservation
12 organizations for the purchase of large metal containers in which hunters may
13 dispose of deer carcasses.

14 **SECTION 619.** 29.193 (1m) (a) 2. (intro.) of the statutes is amended to read:

15 29.193 **(1m)** (a) 2. (intro.) Has a permanent substantial loss of function in one
16 or both arms or one or both hands and fails to meet the minimum standards of any
17 one of the following standard tests, administered under the direction of a licensed
18 physician, a licensed physician assistant, a licensed chiropractor, or a ~~certified~~
19 licensed advanced practice registered nurse ~~prescriber~~:

20 **SECTION 620.** 29.193 (2) (b) 2. of the statutes is amended to read:

21 29.193 **(2)** (b) 2. An applicant shall submit an application on a form prepared
22 and furnished by the department, which shall include a written statement or report
23 prepared and signed by a licensed physician, a licensed physician assistant, a
24 licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed advanced practice

ASSEMBLY BILL 43**SECTION 620**

1 ~~registered~~ nurse ~~prescriber~~ prepared no more than 6 months preceding the
2 application and verifying that the applicant is physically disabled.

3 **SECTION 621.** 29.193 (2) (c) 3. of the statutes is amended to read:

4 29.193 (2) (c) 3. The department may issue a Class B permit to an applicant
5 who is ineligible for a permit under subd. 1., 2. or 2m. or who is denied a permit under
6 subd. 1., 2. or 2m. if, upon review and after considering the physical condition of the
7 applicant and the recommendation of a licensed physician, a licensed physician
8 assistant, a licensed chiropractor, a licensed podiatrist, or a ~~certified~~ licensed
9 advanced practice registered nurse ~~prescriber~~ selected by the applicant from a list
10 of licensed physicians, licensed physician assistants, licensed chiropractors, licensed
11 podiatrists, and ~~certified~~ licensed advanced practice nurse ~~prescribers~~ registered
12 nurses compiled by the department, the department finds that issuance of a permit
13 complies with the intent of this subsection. The use of this review procedure is
14 discretionary with the department and all costs of the review procedure shall be paid
15 by the applicant.

16 **SECTION 622.** 29.193 (2) (cd) 2. b. of the statutes is amended to read:

17 29.193 (2) (cd) 2. b. The person has a permanent substantial loss of function
18 in one or both arms and fails to meet the minimum standards of the standard upper
19 extremity pinch test, the standard grip test, or the standard nine-hole peg test,
20 administered under the direction of a licensed physician, a licensed physician
21 assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced practice registered
22 nurse ~~prescriber~~.

23 **SECTION 623.** 29.193 (2) (cd) 2. c. of the statutes is amended to read:

24 29.193 (2) (cd) 2. c. The person has a permanent substantial loss of function in
25 one or both shoulders and fails to meet the minimum standards of the standard

ASSEMBLY BILL 43**SECTION 623**

1 shoulder strength test, administered under the direction of a licensed physician, a
2 licensed physician assistant, a licensed chiropractor, or a ~~certified~~ licensed advanced
3 practice registered nurse ~~prescriber~~.

4 **SECTION 624.** 29.193 (2) (e) of the statutes is amended to read:

5 29.193 (2) (e) *Review of decisions.* An applicant denied a permit under this
6 subsection, except a permit under par. (c) 3., may obtain a review of that decision by
7 a licensed physician, a licensed physician assistant, a licensed chiropractor, a
8 licensed podiatrist, or a ~~certified~~ licensed advanced practice registered nurse
9 ~~prescriber~~ designated by the department and with an office located in the
10 department district in which the applicant resides. The department shall pay for the
11 cost of a review under this paragraph unless the denied application on its face fails
12 to meet the standards set forth in par. (c) 1. or 2. A review under this paragraph is
13 the only method of review of a decision to deny a permit under this subsection and
14 is not subject to further review under ch. 227.

15 **SECTION 625.** 29.193 (3) (a) of the statutes is amended to read:

16 29.193 (3) (a) Produces a certificate from a licensed physician, a licensed
17 physician assistant, a licensed optometrist, or a ~~certified~~ licensed advanced practice
18 registered nurse ~~prescriber~~ stating that his or her sight is impaired to the degree that
19 he or she cannot read ordinary newspaper print with or without corrective glasses.

20 **SECTION 626.** 29.219 (4) of the statutes is amended to read:

21 29.219 (4) ~~HUSBAND AND WIFE~~ SPOUSES RESIDENT LICENSES. A combined husband
22 and wife spouses resident fishing license shall be issued subject to s. 29.024 by the
23 department to residents applying for this license. This license confers upon both
24 husband and wife spouses the privileges of resident fishing licenses.

25 **SECTION 627.** 29.228 (5) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 627**

1 29.228 (5) ANNUAL FAMILY FISHING LICENSE. The department shall issue a
2 nonresident annual family fishing license, subject to s. 29.024, to any nonresident
3 who applies for this license. This license entitles the ~~husband, wife~~ spouses and any
4 minor children to fish under this license.

5 **SECTION 628.** 29.228 (6) of the statutes is amended to read:

6 29.228 (6) FIFTEEN-DAY FAMILY FISHING LICENSE. The department shall issue a
7 nonresident 15-day family fishing license, subject to s. 29.024, to any nonresident
8 who applies for this license. This license entitles the ~~husband, wife~~ spouses and any
9 minor children to fish under this license.

10 **SECTION 629.** 29.229 (2) (i) of the statutes is amended to read:

11 29.229 (2) (i) ~~Husband and wife~~ Spouses fishing licenses.

12 **SECTION 630.** 29.2295 (2) (i) of the statutes is amended to read:

13 29.2295 (2) (i) ~~Husband and wife~~ Spouses fishing licenses.

14 **SECTION 631.** 29.563 (2) (b) 3. of the statutes is amended to read:

15 29.563 (2) (b) 3. Deer: ~~\$157.25~~ \$182.25.

16 **SECTION 632.** 29.563 (3) (a) 3. of the statutes is amended to read:

17 29.563 (3) (a) 3. ~~Husband and wife~~ Spouses: \$30.25.

18 **SECTION 633.** 29.563 (3) (c) 1. of the statutes is amended to read:

19 29.563 (3) (c) 1. Inland waters trout: ~~\$9.75~~ \$14.75.

20 **SECTION 634.** 29.607 (3) of the statutes is amended to read:

21 29.607 (3) LICENSE REQUIRED; EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every
22 person over the age of 16 and under the age of 65 shall obtain the appropriate wild
23 rice license to harvest or deal in wild rice but no license to harvest is required of the
24 members of the immediate family of a licensee or of a recipient of old-age assistance
25 or members of their immediate families. The department, subject to s. 29.024 (2g)

ASSEMBLY BILL 43**SECTION 634**

1 and (2r), shall issue a wild rice identification card to each member of a licensee's
2 immediate family, to a recipient of old-age assistance and to each member of the
3 recipient's family. The term "immediate family" includes ~~husband and wife spouses~~
4 and minor children having their abode and domicile with the parent or legal
5 guardian.

6 **SECTION 635.** 31.39 (2) (a) (intro.) of the statutes is amended to read:

7 31.39 (2) (a) (intro.) ~~For~~ Except as provided under par. (am), for fees charged
8 for permits and approvals under ss. 31.02 to 31.185 and 31.33 to 31.38, the
9 department shall classify the types of permits and approvals based on the estimated
10 time spent by the department in reviewing, investigating, and making
11 determinations whether to grant the permits or approvals. The department shall
12 then set the fees as follows:

13 **SECTION 636.** 31.39 (2) (am) of the statutes is created to read:

14 31.39 (2) (am) 1. In this paragraph:

15 a. "High hazard dam" has the meaning given under s. 31.19 (1g) (a).

16 b. "Large dam" means a dam determined to be large under s. 31.19 (1m).

17 c. "Low hazard dam" has the meaning given under s. 31.19 (1g) (b).

18 d. "Significant hazard dam" has the meaning given under s. 31.19 (1g) (c).

19 2. For fees charged for permits and approvals under ss. 31.02 to 31.185 and
20 31.33 to 31.38 for large dams, the department shall classify the types of permits and
21 approvals based on the dam's hazard classification under s. 31.19 (2) (ar). The
22 department shall then set the fees as follows:

23 a. For a permit or approval for a large dam that is a high hazard dam, the fee
24 shall be \$1,000.

ASSEMBLY BILL 43**SECTION 636**

1 b. For a permit or approval for a large dam that is a significant hazard dam,
2 the fee shall be \$500.

3 c. For a permit or approval for a large dam that is a low hazard dam, the fee
4 shall be \$200.

5 **SECTION 637.** 32.015 of the statutes is repealed.

6 **SECTION 638.** 32.02 (11) of the statutes is amended to read:

7 32.02 (11) Any housing authority created under ss. 66.1201 to 66.1211;
8 redevelopment authority created under s. 66.1333; community development
9 authority created under s. 66.1335; local cultural arts district created under subch.
10 V of ch. 229, subject to s. 229.844 (4) (c); ~~or~~ local exposition district created under
11 subch. II of ch. 229; or transit authority created under s. 66.1039.

12 **SECTION 639.** 32.05 (1) (a) of the statutes is amended to read:

13 32.05 (1) (a) Except as provided under par. (b), a county board of supervisors
14 or a county highway committee when so authorized by the county board of
15 supervisors, a city council, a village board, a town board, a sewerage commission
16 governing a metropolitan sewerage district created by ss. 200.05 or 200.21 to 200.65,
17 the secretary of transportation, a commission created by contract under s. 66.0301,
18 a joint local water authority created by contract under s. 66.0823, a transit authority
19 created under s. 66.1039, a housing authority under ss. 66.1201 to 66.1211, a local
20 exposition district created under subch. II of ch. 229, a local cultural arts district
21 created under subch. V of ch. 229, a redevelopment authority under s. 66.1333 or a
22 community development authority under s. 66.1335 shall make an order providing
23 for the laying out, relocation and improvement of the public highway, street, alley,
24 storm and sanitary sewers, watercourses, water transmission and distribution
25 facilities, mass transit facilities, airport, or other transportation facilities, gas or

ASSEMBLY BILL 43**SECTION 639**

1 leachate extraction systems to remedy environmental pollution from a solid waste
2 disposal facility, housing project, redevelopment project, cultural arts facilities,
3 exposition center or exposition center facilities which shall be known as the
4 relocation order. This order shall include a map or plat showing the old and new
5 locations and the lands and interests required. A copy of the order shall, within 20
6 days after its issue, be filed with the county clerk of the county wherein the lands are
7 located or, in lieu of filing a copy of the order, a plat may be filed or recorded in
8 accordance with s. 84.095.

9 **SECTION 640.** 32.07 (2) of the statutes is amended to read:

10 32.07 (2) The petitioner shall determine necessity if application is by the state
11 or any commission, department, board or other branch of state government or by a
12 city, village, town, county, school district, board, commission, public officer,
13 commission created by contract under s. 66.0301, joint local water authority under
14 s. 66.0823, transit authority created under s. 66.1039, redevelopment authority
15 created under s. 66.1333, local exposition district created under subch. II of ch. 229,
16 local cultural arts district created under subch. V of ch. 229, housing authority
17 created under ss. 66.1201 to 66.1211 or for the right-of-way of a railroad up to 100
18 feet in width, for a telegraph, telephone or other electric line, for the right-of-way
19 for a gas pipeline, main or service or for easements for the construction of any
20 elevated structure or subway for railroad purposes.

21 **SECTION 641.** 32.51 (1) (intro.) of the statutes is amended to read:

22 32.51 (1) PURPOSES. (intro.) In addition to the powers granted under subch. I
23 ~~and subject to the limitations under s. 32.015~~, any city may condemn or otherwise
24 acquire property under this subchapter for:

25 **SECTION 642.** 36.09 (1) (e) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 642**

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 643.** 36.11 (3) (a) of the statutes is amended to read:

16 36.11 (3) (a) ~~The Subject to par. (am), the~~ board shall establish the policies for
17 admission within the system and within these policies each institution shall
18 establish specific requirements for admission to its courses of instruction. No
19 sectarian or partisan tests or any tests based upon race, religion, national origin of
20 U.S. citizens or sex shall ever be allowed in the admission of students thereto.

21 **SECTION 644.** 36.11 (3) (am) of the statutes is created to read:

22 36.11 (3) (am) The board shall establish a direct admission program that
23 provides Wisconsin high school graduates with conditional or guaranteed
24 undergraduate admission to an institution based on established eligibility criteria.

25 **SECTION 645.** 36.11 (6) (c) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 645**

1 36.11 **(6)** (c) By February 10 of each year, the board shall develop and submit
2 to the higher educational aids board for its review under s. 39.285 (1) a proposed
3 formula for the awarding of grants under s. 39.435, ~~except for grants awarded under~~
4 ~~s. 39.435 (2) or (5)~~, for the next fiscal year to students enrolled in the system.

5 **SECTION 646.** 36.25 (43) of the statutes is created to read:

6 36.25 **(43)** FOSTER YOUTH SUPPORT PROGRAMS. From the appropriation under s.
7 20.285 (1) (cr), the board shall allocate funding to each institution to establish or
8 maintain support programs for students enrolled in the institution who formerly
9 resided in a foster home or group home. Support programs funded under this
10 subsection may offer students who formerly resided in a foster home or group home,
11 among other forms of support, any of the following:

12 (a) Scholarships.

13 (b) Employment.

14 (c) Emergency funds.

15 (d) Basic supplies.

16 (e) Mentorships to assist with academic preparations and successful
17 navigation of the complex college environment.

18 (f) Other resources such as career planning, financial literacy training, and
19 math and writing support.

20 **SECTION 647.** 36.25 (56) of the statutes is created to read:

21 36.25 **(56)** UNIVERCITY ALLIANCE PROGRAM. From the appropriation under s.
22 20.285 (1) (fm), the board shall provide funding for the UniverCity Alliance program
23 to connect in partnership Wisconsin communities, towns, cities, and counties with
24 University of Wisconsin-Madison education, service, and research activities in order
25 to address the communities' biggest local challenges.

ASSEMBLY BILL 43**SECTION 648**

1 **SECTION 648.** 36.25 (58) of the statutes is created to read:

2 **36.25 (58)** INSTITUTE FOR SUSTAINABLE TECHNOLOGY AT THE UNIVERSITY OF
3 WISCONSIN-STEVENSON POINT. From the appropriation under s. 20.285 (1) (a), the Board
4 of Regents shall provide funding to the Wisconsin Institute for Sustainable
5 Technology at the University of Wisconsin-Stevens Point to broaden the institute's
6 support for, and further technical contributions to, the state's forest and paper
7 industries and for the institute's ongoing operations.

8 **SECTION 649.** 36.27 (2) (ar) of the statutes is created to read:

9 **36.27 (2) (ar)** A student is entitled to the exemption under par. (a) if all of the
10 following apply:

11 1. The student, or the student's parent or grandparent, is a member of a
12 federally recognized American Indian tribe or band in this state or is a member of
13 a federally recognized tribe in Minnesota, Illinois, Iowa, or Michigan.

14 2. The student has resided in Wisconsin, Minnesota, Illinois, Iowa, or
15 Michigan, or in any combination of these states, for at least 12 months immediately
16 preceding the beginning of any semester or session in which the student enrolls in
17 an institution.

18 **SECTION 650.** 36.27 (2) (b) 5. of the statutes is created to read:

19 **36.27 (2) (b) 5.** A person who is a resident of and living in this state at the time
20 of registering at an institution, and who is a veteran as described under s. 45.01 (12)
21 (fm), is entitled to the exemption under par. (a).

22 **SECTION 651.** 36.27 (2) (cr) of the statutes is created to read:

23 **36.27 (2) (cr)** A person who is not a citizen of the United States is entitled to
24 the exemption under par. (a) if that person meets all of the following requirements:

ASSEMBLY BILL 43**SECTION 651**

1 1. The person graduated from a high school in this state or received a
2 declaration of equivalency of high school graduation from this state.

3 2. The person was continuously present in this state for at least 3 years
4 following the first day of attending a high school in this state or immediately
5 preceding receipt of a declaration of equivalency of high school graduation.

6 3. The person enrolls in an institution and provides that institution with proof
7 that the person has filed or will file an application for lawful permanent resident
8 status with the U.S. citizenship and immigration services as soon as the person is
9 eligible to do so.

10 **SECTION 652.** 36.27 (3p) (a) 1r. g. of the statutes is created to read:

11 36.27 (3p) (a) 1r. g. The person meets the criteria described under s. 45.01 (12)
12 (fm).

13 **SECTION 653.** 36.61 (1) (ae) of the statutes is created to read:

14 36.61 (1) (ae) “Dental assistant” means an individual who holds a certified
15 dental assistant credential issued by a national credentialing organization.

16 **SECTION 654.** 36.61 (1) (af) of the statutes is created to read:

17 36.61 (1) (af) “Dental auxiliary” means an expanded function dental auxiliary
18 holding a certification under s. 447.04 (3).

19 **SECTION 655.** 36.61 (1) (ak) of the statutes is created to read:

20 36.61 (1) (ak) “Dental therapist” means an individual licensed under s. 447.04
21 (1m).

22 **SECTION 656.** 36.61 (1) (am) of the statutes is amended to read:

23 36.61 (1) (am) “Eligible practice area” has the meaning given in s. 36.60 (1) (ag),
24 except that, with respect to a dental hygienist, dental assistant, dental auxiliary, or

ASSEMBLY BILL 43**SECTION 656**

1 dental therapist, “eligible practice area” means a dental health shortage area or a
2 free or charitable clinic.

3 **SECTION 657.** 36.61 (1) (b) of the statutes is renumbered 36.61 (1) (b) (intro.)
4 and amended to read:

5 36.61 (1) (b) (intro.) “Health care provider” means a any of the following:

6 1. A dental hygienist,

7 2. A physician assistant,

8 3. A nurse-midwife, ~~or,~~

9 4. A nurse practitioner.

10 **SECTION 658.** 36.61 (1) (b) 5., 6., 7. and 8. of the statutes are created to read:

11 36.61 (1) (b) 5. A medical assistant.

12 6. A dental assistant.

13 7. A dental auxiliary.

14 8. A dental therapist.

15 **SECTION 659.** 36.61 (1) (c) of the statutes is created to read:

16 36.61 (1) (c) “Medical assistant” means an individual who has received a
17 medical assistant technical diploma from a technical college under ch. 38 or who has
18 successfully completed the national certification examination for medical assistants.

19 **SECTION 660.** 36.61 (2) of the statutes is renumbered 36.61 (2) (a) and amended
20 to read:

21 36.61 (2) (a) The Except as provided in par. (b), the board may repay, on behalf
22 of a health care provider, up to \$25,000 in educational loans obtained by the health
23 care provider from a public or private lending institution for education related to the
24 health care provider’s field of practice, as determined by the board with the advice
25 of the council.

ASSEMBLY BILL 43**SECTION 661**

1 **SECTION 661.** 36.61 (2) (b) of the statutes is created to read:

2 36.61 (2) (b) For a health care provider that is a medical assistant, the board's
3 repayment under par. (a) may not exceed \$12,500.

4 **SECTION 662.** 36.61 (3) (a) of the statutes is amended to read:

5 36.61 (3) (a) The board shall enter into a written agreement with the health
6 care provider. In the agreement, the health care provider shall agree to practice at
7 least 32 clinic hours per week for 3 years in one or more eligible practice areas in this
8 state or in a rural area, except that a health care provider in the expanded loan
9 assistance program under sub. (8) who is not a dental hygienist, dental assistant,
10 dental auxiliary, or dental therapist may only agree to practice at a public or private
11 nonprofit entity in a health professional shortage area.

12 **SECTION 663.** 36.61 (3) (b) of the statutes is amended to read:

13 36.61 (3) (b) The agreement shall specify that the responsibility of the board
14 to make the payments under the agreement is subject to the amount of funds
15 transferred to the board under s. 20.505 (8) (hm) 6r., the contributions received and
16 penalties assessed by the board, and the ~~appropriation~~ appropriations under s.
17 20.285 (1) (br) and (qj).

18 **SECTION 664.** 36.61 (4) of the statutes is renumbered 36.61 (4) (am), and 36.61
19 (4) (am) (intro.), as renumbered, is amended to read:

20 36.61 (4) (am) (intro.) ~~Principal~~ Except as provided in par. (bm), principal and
21 interest due on loans, exclusive of any penalties, may be repaid by the board at the
22 following rate:

23 **SECTION 665.** 36.61 (4) (bm) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 665**

1 36.61 (4) (bm) For a health care provider that is a medical assistant, principal
2 and interest due on loans, exclusive of any penalties, may be repaid by the board at
3 the following rate:

4 1. Up to 40 percent of the principal of the loan or \$5,000, whichever is less,
5 during the first year of participation in the program under this section.

6 2. Up to an additional 40 percent of the principal of the loan or \$5,000,
7 whichever is less, during the 2nd year of participation in the program under this
8 section.

9 3. Up to an additional 20 percent of the principal of the loan or \$2,500,
10 whichever is less, during the 3rd year of participation in the program under this
11 section.

12 **SECTION 666.** 36.61 (5) (a) of the statutes is amended to read:

13 36.61 (5) (a) The obligation of the board to make payments under an agreement
14 entered into under sub. (3) is subject to the amount of funds transferred to the board
15 under s. 20.505 (8) (hm) 6r., the contributions received and penalties assessed by the
16 board, and the ~~appropriation~~ appropriations under s. 20.285 (1) (br) and (qj).

17 **SECTION 667.** 36.61 (5) (b) (intro.) of the statutes is amended to read:

18 36.61 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,
19 when added to the cost of loan repayments scheduled under existing agreements,
20 exceeds the total amount of funds transferred to the board under s. 20.505 (8) (hm)
21 6r., the contributions received and penalties assessed by the board, and the
22 ~~appropriation~~ appropriations under s. 20.285 (1) (br) and (qj), then, subject to par.
23 (bm), the board shall establish priorities among the eligible applicants based upon
24 the following considerations:

25 **SECTION 668.** 36.61 (5) (b) 1. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 668**

1 36.61 (5) (b) 1. The degree to which there is an extremely high need for medical
2 care in the eligible practice area, health professional shortage area, or rural area in
3 which an eligible applicant who is not a dental hygienist, dental assistant, dental
4 auxiliary, or dental therapist desires to practice and the degree to which there is an
5 extremely high need for dental care in the dental health shortage area or rural area
6 in which an eligible applicant who is a dental hygienist, dental assistant, dental
7 auxiliary, or dental therapist desires to practice.

8 **SECTION 669.** 36.61 (8) (c) 3. of the statutes is amended to read:

9 36.61 (8) (c) 3. Practice at a public or private nonprofit entity in a health
10 professional shortage area, if the health care provider is not a dental hygienist,
11 dental assistant, dental auxiliary, or dental therapist, or in a dental health shortage
12 area, if the health care provider is a dental hygienist, dental assistant, dental
13 auxiliary, or dental therapist.

14 **SECTION 670.** 36.62 (2) of the statutes is amended to read:

15 36.62 (2) Advise the board on the amount, up to \$25,000 for health care
16 providers other than medical assistants and up to \$12,500 for medical assistants, to
17 be repaid on behalf of each health care provider who participates in the health care
18 provider loan assistance program under s. 36.61.

19 **SECTION 671.** 38.04 (7m) of the statutes is amended to read:

20 38.04 (7m) FINANCIAL AIDS. By February 10 of each year, the board shall develop
21 and submit to the higher educational aids board for its review under s. 39.285 (1) a
22 proposed formula for the awarding of grants under s. 39.435, ~~except for grants~~
23 ~~awarded under s. 39.435 (2) or (5)~~, for the next fiscal year to students enrolled in the
24 technical colleges.

25 **SECTION 672.** 38.04 (25) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 672**

1 38.04 **(25)** GRANTS TO TECHNICAL COLLEGES FOR DUAL ENROLLMENT COURSES
2 RELATED TO HEALTH CARE. From the appropriation under s. 20.292 (1) (c), the board
3 shall award grants to technical colleges to reimburse the technical colleges for
4 expenses related to providing to high school students dual enrollment courses
5 related to health care, as determined by the board.

6 **SECTION 673.** 38.16 (3) (a) 4. of the statutes is amended to read:

7 38.16 **(3)** (a) 4. “Valuation factor” means a percentage equal to the greater of
8 either zero 2 percent as compared to the previous year or the percentage change in
9 the district’s January 1 equalized value due to the aggregate new construction, less
10 improvements removed, in municipalities located in the district between the
11 previous year and the current year, as determined by the department of revenue
12 under par. (am).

13 **SECTION 674.** 38.22 (6) (e) of the statutes is created to read:

14 38.22 **(6)** (e) Any person who is not a citizen of the United States if that person
15 meets all of the following requirements:

16 1. The person graduated from a high school in this state or received a
17 declaration of equivalency of high school graduation from this state.

18 2. The person was continuously present in this state for at least 3 years
19 following the first day of attending a high school in this state or immediately
20 preceding receipt of a declaration of equivalency of high school graduation.

21 3. The person enrolls in a district school and provides the district board with
22 proof that the person has filed or will file an application for lawful permanent
23 resident status with the U.S. citizenship and immigration services as soon as the
24 person is eligible to do so.

25 **SECTION 675.** 38.22 (6) (g) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 675**

1 38.22 (6) (g) Any person who meets all of the following requirements:

2 1. The person, or the person's parent or grandparent, is a member of a federally
3 recognized American Indian tribe or band in this state or is a member of a federally
4 recognized tribe in Minnesota, Illinois, Iowa, or Michigan.

5 2. The person has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan,
6 or in any combination of these states, for at least 12 months immediately preceding
7 the beginning of any semester or session in which the person enrolls in a district
8 school.

9 **SECTION 676.** 38.24 (8) (a) 1r. g. of the statutes is created to read:

10 38.24 (8) (a) 1r. g. The person meets the criteria described under s. 45.01 (12)
11 (fm).

12 **SECTION 677.** 38.274 of the statutes is created to read:

13 **38.274 Workforce advancement training grants.** From the appropriation
14 under s. 20.292 (1) (f), the board shall award grants to district boards for the purpose
15 of increasing the number of customized instruction and training opportunities for
16 businesses to meet current workforce demands in various industries.

17 **SECTION 678.** 38.276 of the statutes is created to read:

18 **38.276 Open educational resources grants.** From the appropriation under
19 s. 20.292 (1) (f), the board shall award grants to district boards for the creation of open
20 educational resources that will allow the public and technical colleges across the
21 technical college system to access technical college course materials.

22 **SECTION 679.** 38.34 of the statutes is created to read:

23 **38.34 Grant to support advanced manufacturing engineering**
24 **technology and apprenticeship center.** From the appropriation under s. 20.292
25 (1) (f), the board shall award a grant of \$250,000 to Mid-State Technical College in

ASSEMBLY BILL 43**SECTION 679**

1 each fiscal year for an advanced manufacturing engineering technology and
2 apprenticeship center to train and maintain a workforce to meet workforce needs for
3 the state's paper, pulp, and converting mills. Grants may be used for the center's
4 maintenance of capital equipment and supplies, information technology equipment,
5 equipment for student learning infrastructure and student learning support, and
6 the center's ongoing operations.

7 **SECTION 680.** 39.285 (1) (b) of the statutes is amended to read:

8 39.285 (1) (b) If the board determines during a fiscal year that any formula
9 approved under par. (a) during the prior fiscal year needs to be modified during the
10 fiscal year in order to expend the entire amount appropriated for grants to students
11 under s. 39.30 or 39.435, ~~except s. 39.435 (2) or (5)~~, in that fiscal year, the board shall
12 submit the modified formula to the joint committee on finance. If the cochairpersons
13 of the committee do not notify the board that the committee has scheduled a meeting
14 for the purpose of reviewing the modified formula within 14 working days after the
15 date of the submittal, the modified formula may be implemented as proposed by the
16 board. If, within 14 working days after the date of the submittal, the cochairpersons
17 of the committee notify the board that the committee has scheduled a meeting for the
18 purpose of reviewing the modified formula, the modified formula may be
19 implemented only upon approval of the committee.

20 **SECTION 681.** 39.285 (3) of the statutes is amended to read:

21 39.285 (3) By February 10 of each year, each tribally controlled college in this
22 state is requested to develop and submit to the board for its review under sub. (1) a
23 proposed formula for the awarding of grants under s. 39.435, ~~except for grants~~
24 ~~awarded under s. 39.435 (2) or (5)~~, for the next fiscal year to students enrolled at that
25 tribally controlled college.

ASSEMBLY BILL 43**SECTION 682**

1 **SECTION 682.** 39.30 (3) of the statutes is repealed and recreated to read:

2 39.30 (3) BASIS OF GRANTS. (a) The board shall award grants under this section
3 based on a formula that accounts for a family's expected family contribution, as
4 defined in s. 39.437 (3) (a), and that is consistent with generally accepted definitions
5 and nationally approved needs analysis methodology.

6 (b) The awarding of grants under this section is subject to any formula
7 approved or modified by the board under s. 39.285 (1).

8 **SECTION 683.** 39.31 (intro.) of the statutes is amended to read:

9 **39.31 Determination of student costs.** (intro.) In determining a student's
10 total cost of attending a postsecondary institution for the purpose of calculating the
11 amount of a grant under s. 39.30, 39.38, 39.435, 39.436, or 39.44, the board shall
12 include the following:

13 **SECTION 684.** 39.435 (title) and (1) of the statutes are amended to read:

14 **39.435 (title) Wisconsin grants and talent incentive grants. (1)** There
15 is established, to be administered by the board, a grant program for postsecondary
16 resident students enrolled at least half-time and registered as freshmen,
17 sophomores, juniors, or seniors in accredited institutions of higher education or in
18 tribally controlled colleges in this state, or enrolled at least quarter-time in a
19 technical college within the technical college system in this state. ~~Except as~~
20 ~~authorized under sub. (5), such~~ These grants shall be made only to students enrolled
21 in nonprofit public institutions or tribally controlled colleges in this state.

22 **SECTION 685.** 39.435 (2) of the statutes is renumbered 39.436 (1).

23 **SECTION 686.** 39.435 (2m) of the statutes is created to read:

24 39.435 (2m) The board may award a grant under this section to the same
25 student for up to 12 semesters of full-time enrollment or their equivalent. If the

ASSEMBLY BILL 43**SECTION 686**

1 student receiving the grant is enrolled less than full-time in any semester or session,
2 only the fraction of the student's enrollment, in proportion to full-time enrollment,
3 shall be applied toward this 12-semester limit.

4 **SECTION 687.** 39.435 (3) of the statutes is amended to read:

5 39.435 (3) Grants under sub. (1) shall not be less than \$250 during any one
6 academic year, unless the joint committee on finance approves an adjustment in the
7 amount of the minimum grant. Grants under sub. (1) shall not exceed ~~\$3,000~~ \$3,150
8 during any one academic year, except that beginning in academic year 2009-10
9 2023-24, grants under sub. (1) ~~shall not exceed \$3,150 during any one academic year~~
10 for students enrolled in a University of Wisconsin System institution or college
11 campus shall not exceed during any one academic year half of the in-state,
12 undergraduate tuition and fees charged at the University of Wisconsin-Madison for
13 an academic year corresponding to the academic year for which the grant is made.
14 The board shall, by rule, establish a reporting system to periodically provide student
15 economic data and shall promulgate other rules the board deems necessary to assure
16 uniform administration of the program.

17 **SECTION 688.** 39.435 (4) (a) of the statutes is amended to read:

18 39.435 (4) (a) The board shall award grants under this section based on a
19 formula that accounts for ~~expected parental and student contributions~~ a family's
20 expected family contribution, as defined in s. 39.437 (3) (a), and that is consistent
21 with generally accepted definitions and nationally approved needs analysis
22 methodology.

23 **SECTION 689.** 39.435 (5) of the statutes is renumbered 39.436 (2) and amended
24 to read:

ASSEMBLY BILL 43**SECTION 689**

1 39.436 (2) ~~The board shall ensure that grants under this section are made~~
2 ~~available to students~~ administer a grant program for postsecondary resident
3 students enrolled at least half-time and attending private or public institutions in
4 this state who are deaf or hard of hearing or visually impaired and who demonstrate
5 need. Grants may also be made available to such students attending private or
6 public institutions in other states under criteria established by the board. In
7 determining the financial need of these students special consideration shall be given
8 to their unique and unusual costs. A grant awarded under this subsection may not
9 be less than \$250 nor more than \$1,800 for any academic year. The board may award
10 a grant under this subsection to the same student for up to 10 semesters or their
11 equivalent, but may not award a grant to the same student more than 6 years after
12 the initial grant is awarded to that student.

13 **SECTION 690.** 39.436 (title), (3) and (4) of the statutes are created to read:

14 **39.436 (title) Talent incentive grants; grants for students with visual**
15 **or hearing impairment.**

16 **(3)** The board shall award grants under this section based on a formula that
17 accounts for a family's expected family contribution, as defined in s. 39.437 (3) (a),
18 and that is consistent with generally accepted definitions and nationally approved
19 needs analysis methodology.

20 **(4)** The board may not make a grant under this section to a person whose name
21 appears on the statewide support lien docket under s. 49.854 (2) (b), unless the
22 person provides to the board a payment agreement that has been approved by the
23 county child support agency under s. 59.53 (5) and that is consistent with rules
24 promulgated under s. 49.858 (2) (a).

25 **SECTION 691.** 39.437 (3) (a) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 691**

1 39.437 (3) (a) In this subsection, “expected family contribution” means the
2 amount that a student and the student’s family are expected to contribute in an
3 academic year to the cost of the student’s postsecondary education, as determined by
4 use of the most recent federal Free Application for Federal Student Aid, as described
5 in 20 USC 1090 (a), except that, upon implementation of the FAFSA Simplification
6 Act, Pub. Law 116-260, section 702, as affected by the FAFSA Simplification
7 Technical Corrections Act, Pub. Law 117-103, section 102, “expected family
8 contribution” shall be determined consistently with requirements for determining
9 the student aid index under 20 USC 472 to 477.

10 **SECTION 692.** 40.02 (8) (b) 3. of the statutes is repealed.

11 **SECTION 693.** 40.02 (21d) (intro.) of the statutes is amended to read:

12 40.02 (21d) (intro.) “Domestic partnership” means a relationship between 2
13 individuals, ~~who submitted an affidavit of domestic partnership to the department~~
14 ~~before September 23, 2017,~~ that satisfies all of the following:

15 **SECTION 694.** 40.02 (28) of the statutes is amended to read:

16 40.02 (28) “Employer” means the state, including each state agency, any
17 county, city, village, town, school district, other governmental unit or
18 instrumentality of 2 or more units of government now existing or hereafter created
19 within the state, any federated public library system established under s. 43.19
20 whose territory lies within a single county with a population of 750,000 or more, a
21 local exposition district created under subch. II of ch. 229, a transit authority created
22 under s. 66.1039, and a long-term care district created under s. 46.2895, except as
23 provided under ss. 40.51 (7) and 40.61 (3). “Employer” does not include a local
24 cultural arts district created under subch. V of ch. 229. Each employer shall be a
25 separate legal jurisdiction for OASDHI purposes.

ASSEMBLY BILL 43**SECTION 695**

1 **SECTION 695.** 40.03 (1) (dm) of the statutes is created to read:

2 40.03 (1) (dm) Shall develop and implement policies, principles, and directives
3 for the office of internal audit and determine the qualifications of and appoint, in the
4 classified service, staff for the office of internal audit. Staff appointed under this
5 paragraph shall report directly to the board.

6 **SECTION 696.** 40.03 (1) (i) of the statutes is amended to read:

7 40.03 (1) (i) May determine that some or all of the disability annuities and
8 death benefits provided from the Wisconsin retirement system shall instead be
9 provided through group insurance plans ~~to be established by the group insurance~~
10 ~~board~~ either as separate plans or as integral parts of the group life and income
11 continuation insurance plans established under this chapter.

12 **SECTION 697.** 40.03 (1) (p) of the statutes is amended to read:

13 40.03 (1) (p) May, upon the recommendation of the actuary, transfer in whole
14 or in part the assets and reserves held in any account described in s. 40.04 (9) to a
15 different account described in s. 40.04 (9), for the purpose of providing any group
16 insurance benefit ~~offered by the group insurance board~~.

17 **SECTION 698.** 40.03 (1) (q) of the statutes is created to read:

18 40.03 (1) (q) For the purposes of the group income continuation insurance plan
19 established under ss. 40.61 and 40.62 and the group long-term disability insurance
20 plan established under s. 40.64:

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

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

ASSEMBLY BILL 43**SECTION 698**

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

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

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

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

15 **SECTION 699.** 40.03 (2) (i) of the statutes is amended to read:

16 40.03 (2) (i) ~~Shall Except as provided under pars. (ig) and (ir), shall promulgate,~~
17 ~~with the approval of the board, all rules, except rules promulgated under par. (ig) or~~
18 ~~(ir), that are required for the efficient administration of the fund or of any of the~~
19 ~~benefit plans established by this chapter. In addition to being approved by the board,~~
20 ~~and shall promulgate rules as necessary for a group long-term disability insurance~~
21 ~~plan established under s. 40.64. All rules promulgated under this paragraph are~~
22 ~~subject to board approval under sub. (1) (m). Except for rules promulgated under s.~~
23 ~~40.30 (6), the rules promulgated under this paragraph relating to teachers must be~~
24 ~~approved are subject to approval by the teachers retirement board and under sub.~~
25 ~~(7) (d). Except for rules promulgated under s. 40.30 (6), the rules promulgated under~~

ASSEMBLY BILL 43**SECTION 699**

1 this paragraph relating to participants other than teachers ~~must be approved~~ are
2 subject to approval by the Wisconsin retirement board, ~~except rules promulgated~~
3 under ~~s. 40.30 sub. (8) (d)~~.

4 **SECTION 700.** 40.03 (2) (ig) of the statutes is amended to read:

5 40.03 (2) (ig) Shall promulgate, with the approval of the group insurance board,
6 all rules required for the administration of the group health, long-term care, ~~income~~
7 ~~continuation~~ or life insurance plans established under subchs. IV to and VI and
8 health savings accounts under subch. IV.

9 **SECTION 701.** 40.03 (4m) of the statutes is created to read:

10 40.03 (4m) OFFICE OF INTERNAL AUDIT. (a) The office of internal audit shall
11 provide independent assurance that the public employee trust fund assets under the
12 control of the department are safeguarded for the purpose of ensuring the fulfillment
13 of the benefit commitments to individuals under this chapter.

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

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

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

23 **SECTION 702.** 40.03 (6) (intro.) of the statutes is amended to read:

24 40.03 (6) GROUP INSURANCE BOARD. (intro.) The With respect to the group
25 insurance plans provided for by this chapter other than the group income

ASSEMBLY BILL 43**SECTION 702**

1 continuation insurance plan established under ss. 40.61 and 40.62 and the group
2 long-term disability insurance plan established under s. 40.64, the group insurance
3 board:

4 **SECTION 703.** 40.03 (6) (a) 1. of the statutes is amended to read:

5 40.03 (6) (a) 1. Except as provided in par. (m), shall, on behalf of the state, enter
6 into a contract or contracts with one or more insurers authorized to transact
7 insurance business in this state for the purpose of providing the group insurance
8 plans ~~provided for by this chapter~~; or

9 **SECTION 704.** 40.03 (6) (d) (intro.) of the statutes is amended to read:

10 40.03 (6) (d) (intro.) May take any action as trustees ~~which~~ that is deemed
11 advisable and not specifically prohibited or delegated to some other governmental
12 agency, to carry out the purpose and intent of the group insurance plans ~~provided~~
13 ~~under this chapter~~, including, but not limited to, provisions in the appropriate
14 contracts relating to:

15 **SECTION 705.** 40.03 (6) (i) of the statutes is amended to read:

16 40.03 (6) (i) Shall accept timely appeals of determinations made by the
17 department affecting any right or benefit under any group insurance plan ~~provided~~
18 ~~for under this chapter~~ that is overseen by the group insurance board.

19 **SECTION 706.** 40.04 (3) (a) of the statutes is amended to read:

20 40.04 (3) (a) The net gain or loss of the variable retirement investment trust
21 shall be distributed annually on December 31 to each participating account in the
22 same ratio as each account's average ~~daily~~ balance within the respective trust bears
23 to the total average ~~daily~~ balance of all participating accounts in the trust. The
24 amount to be distributed shall be the excess of the increase within the period in the
25 value of the assets of the trust resulting from income from the investments of the

ASSEMBLY BILL 43**SECTION 706**

1 trust and from the sale or appreciation in value of any investment of the trust, over
2 the decrease within the period in the value of the assets resulting from the sale or
3 the depreciation in value of any investments of the trust.

4 **SECTION 707.** 40.04 (3) (am) 3. (intro.) of the statutes is amended to read:

5 40.04 (3) (am) 3. (intro.) Annually, on December 31, the sum of all of the
6 following shall be distributed from the market recognition account to each
7 participating account in the core retirement investment trust in the same ratio as
8 each account's average daily balance bears to the total average daily balance of all
9 participating accounts in the trust:

10 **SECTION 708.** 40.05 (4) (a) 2. of the statutes is amended to read:

11 40.05 (4) (a) 2. For an insured employee who is an eligible employee under s.
12 40.02 (25) (a) 2. or (b) 1m. or 2c., the employer shall pay required employer
13 contributions toward the health insurance premium of the insured employee
14 beginning on the date on which the employee becomes insured. For an insured state
15 employee who is currently employed, but who is not a limited term appointment
16 under s. 230.26 or an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2c., the
17 employer shall pay required employer contributions toward the health insurance
18 premium of the insured employee beginning on the first day of the 3rd 2nd month
19 beginning after the date on which the employee begins employment with the state,
20 not including any leave of absence. For an insured employee who has a limited term
21 appointment under s. 230.26, the employer shall pay required employer
22 contributions toward the health insurance premium of the insured employee
23 beginning on the first day of the 7th month beginning after the date on which the
24 employee first becomes a participating employee.

ASSEMBLY BILL 43**SECTION 709**

1 **SECTION 709.** 40.05 (5) (intro.) of the statutes is renumbered 40.05 (5) and
2 amended to read:

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

10 **SECTION 710.** 40.05 (5) (a) of the statutes is repealed.

11 **SECTION 711.** 40.05 (5) (b) of the statutes is repealed.

12 **SECTION 712.** 40.22 (1) of the statutes is amended to read:

13 40.22 (1) Except as otherwise provided in sub. (2) and s. 40.26 ~~(6)~~ (1), each
14 employee currently in the service of, and receiving earnings from, a state agency or
15 other participating employer shall be included within the provisions of the Wisconsin
16 retirement system as a participating employee of that state agency or participating
17 employer.

18 **SECTION 713.** 40.22 (2) (L) of the statutes is amended to read:

19 40.22 (2) (L) The employee is employed by a participating employer after the
20 person becomes an annuitant, unless the service is after the annuity is suspended
21 by the election of the employee under s. 40.26.

22 **SECTION 714.** 40.22 (2m) (intro.) of the statutes is amended to read:

23 40.22 (2m) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), an employee
24 who was a participating employee before July 1, 2011, who is not expected to work
25 at least one-third of what is considered full-time employment by the department,

ASSEMBLY BILL 43**SECTION 714**

1 as determined by rule, and who is not otherwise excluded under sub. (2) from
2 becoming a participating employee shall become a participating employee if he or she
3 is subsequently employed by the state agency or other participating employer for
4 either of the following periods:

5 **SECTION 715.** 40.22 (2r) (intro.) of the statutes is amended to read:

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

13 **SECTION 716.** 40.22 (3) (intro.) of the statutes is amended to read:

14 40.22 (3) (intro.) Except as otherwise provided in s. 40.26 ~~(6)~~ (1), a person who
15 qualifies as a participating employee shall be included within, and shall be subject
16 to, the Wisconsin retirement system effective on one of the following dates:

17 **SECTION 717.** 40.23 (1) (bm) of the statutes is renumbered 40.23 (1) (bm) 1. and
18 amended to read:

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

ASSEMBLY BILL 43**SECTION 718**

1 **SECTION 718.** 40.26 (1) of the statutes is amended to read:

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

11 **SECTION 719.** 40.26 (1m) of the statutes is repealed.

12 **SECTION 720.** 40.26 (2) (intro.) of the statutes is amended to read:

13 40.26 (2) (intro.) Upon suspension of an annuity under sub. (1) ~~or (1m)~~, the
14 retirement account of the participant whose annuity is so suspended shall be
15 established on the following basis:

16 **SECTION 721.** 40.26 (5) (intro.) of the statutes is amended to read:

17 40.26 (5) (intro.) ~~Except as otherwise provided in sub. (5m), if~~ If a participant
18 applies for an annuity or lump sum payment during the period in which less than ~~75~~
19 30 days have elapsed between the termination of employment with a participating
20 employer and becoming a participating employee with any participating employer,
21 all of the following shall apply:

22 **SECTION 722.** 40.26 (5m) of the statutes is repealed.

23 **SECTION 723.** 40.26 (6) of the statutes is repealed.

24 **SECTION 724.** 40.51 (2m) (a) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 725**

1 **SECTION 725.** 40.51 (2m) (b) of the statutes is renumbered 40.51 (2m) and
2 amended to read:

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

7 **SECTION 726.** 40.51 (7) (a) of the statutes is amended to read:

8 40.51 **(7)** (a) Any employer, other than the state, including an employer that
9 is not a participating employer, may offer to all of its employees a health care
10 coverage plan through a program offered by the group insurance board.
11 Notwithstanding sub. (2) and ss. 40.05 (4) and 40.52 (1), the department may by rule
12 establish different eligibility standards or contribution requirements for such
13 employees and employers. Beginning on January 1, 2012, except as otherwise
14 provided in a collective bargaining agreement under subch. IV of ch. 111 that covers
15 public safety employees or transit employees and except as provided in par. (b), an
16 employer may not offer a health care coverage plan to its employees under this
17 subsection if the employer pays more than 88 percent of the average premium cost
18 of plans offered in any tier with the lowest employee premium cost under this
19 subsection.

20 **SECTION 727.** 40.51 (8) of the statutes is amended to read:

21 40.51 **(8)** Every health care coverage plan offered by the state under sub. (6)
22 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.728, 632.729,
23 632.746 (1) to (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85,
24 632.853, 632.855, 632.861, 632.862, 632.867, 632.87 (3) to ~~(6)~~ (8), 632.871, 632.885,
25 632.89, 632.895 (5m) and (8) to (17), and 632.896.

ASSEMBLY BILL 43**SECTION 728**

1 **SECTION 728.** 40.51 (8m) of the statutes is amended to read:

2 40.51 **(8m)** Every health care coverage plan offered by the group insurance
3 board under sub. (7) shall comply with ss. 631.95, 632.728, 632.729, 632.746 (1) to
4 (8) and (10), 632.747, 632.748, 632.798, 632.83, 632.835, 632.85, 632.853, 632.855,
5 632.861, 632.862, 632.867, 632.87 (7) and (8), 632.871, 632.885, 632.89, and 632.895
6 ~~(11)~~ (8) and (10) to (17).

7 **SECTION 729.** 40.513 (3) (b) of the statutes is amended to read:

8 40.513 **(3)** (b) The employee's spouse or domestic partner is receiving health
9 care coverage under s. 40.51 (6).

10 **SECTION 730.** 40.52 (2) of the statutes is amended to read:

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

24 **SECTION 731.** 40.55 (1) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 731**

1 40.55 (1) Except as provided in sub. (5), the state shall offer, through the group
2 insurance board, to eligible employees under s. 40.02 (25) (bm) and to state
3 annuitants long-term care insurance policies which have been filed with the office
4 of the commissioner of insurance and which have been approved for offering under
5 contracts established by the group insurance board. The state shall also allow an
6 eligible employee or a state annuitant to purchase those policies for his or her spouse,
7 domestic partner, or parent.

8 **SECTION 732.** 40.61 (1) of the statutes is amended to read:

9 40.61 (1) The procedures and provisions pertaining to enrollment, premium
10 transmitted and coverage of eligible employees for group income continuation
11 benefits shall be established by contract or rule except as otherwise specifically
12 provided by this chapter.

13 **SECTION 733.** 40.61 (2) of the statutes is amended to read:

14 40.61 (2) Except as provided in sub. (4), any an eligible employee may become
15 covered by group income continuation insurance by electing coverage within 30 days
16 of initial eligibility, to be effective as of the first day of the month that first occurs
17 during the 30-day period, or by electing coverage within 60 days of initially becoming
18 eligible for a higher level of employer contribution towards the premium cost to be
19 effective as of the first day of the month following the date of eligibility for teachers
20 employed by the university and effective as of the following April 1 for all other
21 employees. Any An employee who does not so elect at one of these times, or who
22 subsequently cancels the insurance, may not thereafter become insured unless the
23 employee furnishes evidence of insurability under the terms of the contract, or as
24 otherwise provided by rule for employees under sub. (3), at the employee's own
25 expense or obtains coverage subject to contractual waiting periods if contractual

ASSEMBLY BILL 43**SECTION 733**

1 waiting periods are provided for by the contract or by rule for employees under sub.
2 (3). An employee who furnishes satisfactory evidence of insurability under the terms
3 of the contract shall become insured as of the first day of the month following the date
4 of approval of evidence. The method to be used shall be determined by the group
5 insurance board under sub. (1).

6 **SECTION 734.** 40.61 (2) of the statutes, as affected by 2023 Wisconsin Act ...
7 (this act), is amended to read:

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

25 **SECTION 735.** 40.61 (3) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 735**

1 40.61 (3) ~~Any~~ An employer under s. 40.02 (28), other than the state, may offer
2 to all of its employees an a group income continuation insurance plan through a
3 program offered by the ~~group insurance~~ board. Notwithstanding sub. (2) and ss.
4 40.05 (5) and 40.62, the department may by rule establish different eligibility
5 standards or contribution requirements for ~~such~~ those employees and employers and
6 may by rule limit the categories of employers ~~which~~ that may be included as
7 participating employers under this subchapter.

8 **SECTION 736.** 40.62 (1) of the statutes is amended to read:

9 40.62 (1) The ~~group insurance~~ board shall establish an a group income
10 continuation insurance plan providing for full or partial payment of the financial loss
11 of earnings incurred as a result of injury or illness with separate provisions for
12 short-term insurance with a benefit duration of no more than one year and
13 long-term insurance covering injury or illness of indefinite duration. ~~Employees~~ An
14 employee insured under the plan shall be is eligible for benefits upon exhaustion of
15 accumulated sick leave and completion of the ~~elimination~~ waiting period established
16 by the ~~group insurance~~ board.

17 **SECTION 737.** 40.62 (1) of the statutes, as affected by 2023 Wisconsin Act ...
18 (this act), is renumbered 40.62 and amended to read:

19 **40.62 Income continuation insurance benefits.** The board shall establish
20 a group income continuation insurance plan providing for full or partial payment of
21 the financial loss of earnings incurred as a result of injury or illness ~~with separate~~
22 ~~provisions for short-term insurance with a benefit duration of no more than one year~~
23 ~~and long-term insurance covering injury or illness of indefinite duration.~~ An
24 employee insured under the plan is eligible for benefits upon ~~exhaustion of~~

ASSEMBLY BILL 43**SECTION 737**

1 ~~accumulated sick leave and~~ completion of the a waiting period selected by the
2 employee from the available options established by the board.

3 **SECTION 738.** 40.62 (1m) of the statutes is repealed.

4 **SECTION 739.** 40.62 (2) of the statutes is repealed.

5 **SECTION 740.** 40.63 (7) of the statutes is renumbered 40.23 (1) (bm) 2.

6 **SECTION 741.** 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 742.** 40.65 (7) (am) 1. of the statutes is amended to read:

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

18 **SECTION 743.** 40.65 (7) (am) 1g. of the statutes is repealed.

19 **SECTION 744.** 40.65 (7) (am) 1m. of the statutes is repealed.

20 **SECTION 745.** 40.65 (7) (am) 3. of the statutes is amended to read:

21 40.65 (7) (am) 3. The total monthly amount paid under subs. 1., ~~1g., 1m.,~~ and
22 2. may not exceed 70 percent of the participant's monthly salary at the time of death
23 reduced by any amounts under sub. (5) (b) 1. to 6. that relate to the participant's work
24 record.

25 **SECTION 746.** 40.65 (7) (ar) 1. a. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 746**

1 40.65 (7) (ar) 1. a. To the surviving spouse or the surviving domestic partner
2 until the surviving spouse remarries, or the surviving domestic partner enters into
3 a new domestic partnership or marries, if the surviving spouse was married to the
4 participant on the date that the participant was disabled under sub. (4), or the
5 surviving domestic partner was in a domestic partnership with the participant on
6 the date that the participant was disabled under sub. (4), 70 percent of the
7 participant's monthly salary at the time of death, but reduced by any amount payable
8 under sub. (5) (b) 1. to 6.

9 **SECTION 747.** 40.65 (7) (ar) 1. ag. of the statutes is repealed.

10 **SECTION 748.** 40.65 (7) (ar) 1. am. of the statutes is repealed.

11 **SECTION 749.** 40.80 (2r) (a) 1. of the statutes is amended to read:

12 40.80 (2r) (a) 1. Relates to a marriage or domestic partnership that terminated
13 after December 1, 2001.

14 **SECTION 750.** 40.80 (2r) (a) 2. of the statutes is amended to read:

15 40.80 (2r) (a) 2. Assigns all or part of a participant's accumulated assets held
16 in a deferred compensation plan under this subchapter to a spouse, former spouse,
17 domestic partner, former domestic partner, child, or other dependent to satisfy a
18 family support or marital property obligation.

19 **SECTION 751.** 41.11 (1) (gm) of the statutes is created to read:

20 41.11 (1) (gm) From the appropriation under s. 20.380 (1) (c), expend moneys
21 to attract major opportunities and events to this state, including expenditures for
22 major marketing and professional efforts. The department shall collaborate with the
23 Wisconsin Economic Development Corporation to implement the department's
24 duties under this paragraph.

25 **SECTION 752.** 41.11 (1) (h) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 752**

1 41.11 (1) (h) Annually report to the ~~senate natural resources committee and~~
2 ~~the assembly committee on tourism~~ appropriate standing committees of the
3 legislature under s. 13.172 (3) the activities, marketing efforts, receipts, and
4 disbursements of the department for the previous fiscal year. The report under this
5 paragraph shall include information on the marketing efforts conducted for the
6 Frank Lloyd Wright Trail established under s. 84.10255.

7 **SECTION 753.** 41.11 (5) of the statutes is repealed.

8 **SECTION 754.** 41.12 (3) of the statutes is repealed.

9 **SECTION 755.** 41.17 (5) of the statutes is amended to read:

10 41.17 (5) FUNDING SOURCE. Subject to the 50 percent limitation under s. 20.380
11 (1) (b) and the ~~proportional expenditure requirements under s. 20.380 (1) (b) and~~
12 ~~(kg)~~, the department shall expend, from the appropriations under s. 20.380 (1) (b),
13 ~~(kg)~~, and (w), at least \$1,130,000 in the aggregate in each fiscal year in joint effort
14 marketing funds under this section.

15 **SECTION 756.** 41.21 of the statutes is repealed.

16 **SECTION 757.** 41.24 (3) of the statutes is repealed.

17 **SECTION 758.** 43.05 (12m) of the statutes is created to read:

18 43.05 (12m) From the appropriation under s. 20.255 (3) (cL), beginning in the
19 2024-25 school year, provide payments, in the amount of \$2,500 per student per
20 semester, to students who are pursuing a degree in library science and are placed as
21 an intern in a public library. The division may promulgate rules to implement this
22 subsection.

23 **SECTION 759.** 45.01 (6) (c) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 759**

1 45.01 (6) (c) The ~~biological~~ natural or adoptive parent or a person who acts in
2 the place of a parent and who has so acted for not less than 12 months prior to the
3 veteran's entrance into active service.

4 **SECTION 760.** 45.01 (12) (fm) of the statutes is created to read:

5 45.01 (12) (fm) A person who was naturalized pursuant to section 2 (1) of the
6 federal Hmong Veterans' Naturalization Act of 2000, P.L. 106-207, and resides in
7 this state or a person who the secretary determines served honorably with a special
8 guerrilla unit or irregular forces operating from a base in Laos in support of the
9 armed forces of the United States at any time during the period beginning February
10 28, 1961, and ending May 7, 1975; is a citizen of the United States or an alien lawfully
11 admitted for permanent residence in the United States; and resides in the state.

12 **SECTION 761.** 45.12 (1) (a) of the statutes is amended to read:

13 45.12 (1) (a) "Disabled veteran-owned business" means a business certified by
14 the department of administration under s. 16.283 (3) that has an owner who owns
15 not less than 51 percent of the business who is in receipt of an award from the U.S.
16 department of veterans affairs of a service-connected disability rating under 38 USC
17 1114 or 1134.

18 **SECTION 762.** 45.40 (title) of the statutes is repealed and recreated to read:

19 **45.40 (title) Veterans assistance grants.**

20 **SECTION 763.** 45.40 (1g) (a) of the statutes is amended to read:

21 45.40 (1g) (a) "~~Health care provider~~" ~~means an advanced practice nurse~~
22 ~~prescriber certified under s. 441.16 (2), an audiologist licensed under ch. 459, a~~
23 ~~dentist licensed under ch. 447, an optometrist licensed under ch. 449, a physician~~
24 ~~licensed under s. 448.02, or a podiatrist licensed under s. 448.63~~ has the meaning
25 given in s. 146.81 (1) and includes an ambulatory surgery center.

ASSEMBLY BILL 43**SECTION 764**

1 **SECTION 764.** 45.40 (1m) (a) of the statutes is amended to read:

2 45.40 **(1m)** (a) The department may provide subsistence payments to a veteran
3 on a month-to-month basis or for a 3-month period. The department may pay
4 subsistence aid for a 3-month period if the veteran will be incapacitated for more
5 than 3 months and if earned or unearned income or aid from sources other than those
6 listed in the application will not be available in the 3-month period. The department
7 may provide subsistence payments only to a veteran who has suffered a loss of
8 income ~~due to illness, injury, or natural disaster~~. The department may grant
9 subsistence aid under this subsection to a veteran whose loss of income is the result
10 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and
11 other drug abuse treatment program that is approved by the department. No
12 payment may be made under this subsection if the veteran has other assets or income
13 available to meet basic subsistence needs or if the veteran is eligible to receive aid
14 from other sources to meet those needs. When determining the assets available to
15 the veteran, the department may not include the first \$50,000 of cash surrender
16 value of any life insurance.

17 **SECTION 765.** 45.40 (1m) (b) of the statutes is amended to read:

18 45.40 **(1m)** (b) The maximum amount that any veteran may receive under this
19 subsection per occurrence during a consecutive 12-month period may not exceed
20 ~~\$3,000~~ \$5,000.

21 **SECTION 766.** 45.40 (2) (a) of the statutes is amended to read:

22 45.40 **(2)** (a) The department may provide health care aid to a veteran for
23 dental care, including dentures; vision care, including eyeglass frames and lenses;
24 and hearing care, including hearing aids; and for any other medical device prescribed
25 by a health care provider.

ASSEMBLY BILL 43**SECTION 767**

1 **SECTION 767.** 45.40 (2m) (a) of the statutes is amended to read:

2 45.40 **(2m)** (a) The unremarried spouse and dependent children of a veteran
3 ~~who died on active duty, or in the line of duty while on active or inactive duty for~~
4 ~~training purposes, in the U.S. armed forces or forces incorporated in the U.S. armed~~
5 ~~forces~~ are eligible to receive payments under subs. (1m) and (2) if the household
6 income of those persons does not exceed the income limitations established under
7 sub. (3m).

8 **SECTION 768.** 45.40 (3) of the statutes is amended to read:

9 45.40 **(3)** LIMITATIONS. The total cumulative amount that any veteran may
10 receive under this section may not exceed ~~\$7,500~~ \$10,000.

11 **SECTION 769.** 45.44 (3) (c) (intro.) of the statutes is amended to read:

12 45.44 **(3)** (c) (intro.) A veteran, as defined in s. 45.01 (12) (a) to (f) (fm), or one
13 of the following:

14 **SECTION 770.** 45.51 (2) (a) 1. of the statutes is amended to read:

15 45.51 **(2)** (a) 1. A veteran, other than a veteran described under s. 45.01 (12)
16 (fm).

17 **SECTION 771.** 45.51 (3) (c) 2. of the statutes is amended to read:

18 45.51 **(3)** (c) 2. The department may deviate from this sequence upon order of
19 the board to prevent the separation of ~~a husband and wife~~ spouses.

20 **SECTION 772.** 45.51 (5) (a) 1. b. of the statutes is amended to read:

21 45.51 **(5)** (a) 1. b. Was married to the person under sub. (2) (a) 1. or 2. at the time
22 the person entered the service and who became a ~~widow or widower~~ surviving spouse
23 by the death of the person while in the service or as a result of physical disability of
24 the person incurred during the service.

25 **SECTION 773.** 45.51 (5) (a) 1. c. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 773**

1 45.51 (5) (a) 1. c. The period during which the surviving spouse was married
2 to and lived with the deceased person under sub. (2) (a) 1. or 2. plus the period of
3 ~~widowhood or widowerhood~~ after the death of the deceased person is 6 months or
4 more.

5 **SECTION 774.** 45.55 of the statutes is amended to read:

6 **45.55 Notes and mortgages of minor veterans.** Notwithstanding any
7 provision of this chapter or any other law to the contrary, any minor who served in
8 the active armed forces of the United States at any time after August 27, 1940, and
9 the ~~husband or wife~~ spouse of such a minor may execute, in his or her own right, notes
10 or mortgages, as defined in s. 851.15, the payment of which is guaranteed or insured
11 by the U.S. department of veterans affairs or the federal housing administrator
12 under the servicemen's readjustment act of 1944, the national housing act, or any
13 acts supplementing or amending these acts. In connection with these transactions,
14 the minors may sell, release, or convey the mortgaged property and litigate or settle
15 controversies arising therefrom, including the execution of releases, deeds, and other
16 necessary papers or instruments. The notes, mortgages, releases, deeds, and other
17 necessary papers or instruments when so executed are not subject to avoidance by
18 the minor or the ~~husband or wife~~ spouse of the minor upon either or both of them
19 attaining the age of 18 because of the minority of either or both of them at the time
20 of the execution thereof.

21 **SECTION 775.** 45.61 (2) (a) of the statutes is amended to read:

22 45.61 (2) (a) A person who died while on active duty or who was discharged or
23 released from active duty in the U.S. armed forces under conditions other than
24 dishonorable ~~and who was a resident of this state at the time of his or her entry into~~
25 ~~active service~~ and his or her dependent child and surviving spouse.

ASSEMBLY BILL 43**SECTION 776**

1 **SECTION 776.** 45.61 (2) (am) of the statutes is repealed.

2 **SECTION 777.** 45.61 (2) (b) of the statutes is repealed.

3 **SECTION 778.** 45.61 (2) (c) (intro.) of the statutes is repealed.

4 **SECTION 779.** 45.61 (2) (c) 1. of the statutes is amended to read:

5 45.61 (2) (c) 1. Is The spouse or dependent child of a person who is serving on
6 active duty at the time of the spouse's or dependent child's death ~~if the person was~~
7 ~~a resident of this state at the time of his or her entry or reentry into active service.~~

8 **SECTION 780.** 45.61 (2) (c) 2. of the statutes is amended to read:

9 45.61 (2) (c) 2. ~~Was a resident of this state at the time of his or her entry or~~
10 ~~reentry into active service and~~ The spouse of a person who was discharged or released
11 from active duty in the U.S. armed forces under honorable conditions.

12 **SECTION 781.** 45.61 (2) (c) 3. of the statutes is repealed.

13 **SECTION 782.** 45.61 (2) (d) of the statutes is amended to read:

14 45.61 (2) (d) A person who ~~was a resident of this state at the time of his or her~~
15 ~~entry or reentry into service~~ served in any a national guard or a reserve component
16 of the U.S. armed forces ~~or who was a resident of this state for at least 12 consecutive~~
17 ~~months immediately preceding his or her death,~~ and the person's spouse, surviving
18 spouse, and dependent children, if the person is eligible for burial in a national
19 cemetery under 38 USC 2402.

20 **SECTION 783.** 45.61 (2) (e) of the statutes is repealed.

21 **SECTION 784.** 45.61 (3) of the statutes is amended to read:

22 45.61 (3) FEES AND COSTS. The department may charge a fee for burials under
23 this section and may promulgate rules for the assessment of any fee. The cost of
24 preparing the grave and the erection of a marker for a person described under sub.
25 (2) (a), ~~(b), or (d), or (e)~~ or (d) shall be paid from the appropriation under s. 20.485 (1) (gk).

ASSEMBLY BILL 43**SECTION 785**

1 **SECTION 785.** 45.61 (4) (a) of the statutes is amended to read:

2 45.61 (4) (a) Application for burial shall be made to the department. The
3 surviving spouse of the person described under sub. (2) (a), ~~(b)~~, or (d), ~~or~~ (e), if that
4 person is interred at the Central Wisconsin Veterans Memorial Cemetery, shall have
5 the privilege of selecting a plot next to that person if available. The department shall
6 hold the plot for the surviving spouse for a period of one year from the date of granting
7 the privilege, but may extend the hold, on request, for additional one-year periods.

8 **SECTION 786.** 45.61 (5) (a) of the statutes is renumbered 45.61 (5) and amended
9 to read:

10 45.61 (5) Expenses incident to the burial under this section of persons
11 described in sub. (2) ~~(a) and (b) to (e)~~ shall be paid from the estate of the decedent,
12 except that if there is no estate or the estate is insufficient, the expense of burial, or
13 necessary part of the burial, shall be paid from the appropriation accounts under s.
14 20.485 (4) (g), (m), or (q) or, for members of veterans homes, from the appropriation
15 account under s. 20.485 (1) (gk) ~~for members of veterans homes, and the.~~ The amount
16 expended for those expenses under this subsection shall not exceed the amount
17 established for funeral and burial expenses under s. 49.785 (1) (b).

18 **SECTION 787.** 45.61 (5) (b) of the statutes is repealed.

19 **SECTION 788.** 45.82 (2) of the statutes is amended to read:

20 45.82 (2) The department of veterans affairs shall award a grant annually to
21 a county that meets the standards developed under this section if the county
22 executive, administrator, or administrative coordinator certifies to the department
23 that it employs a county veterans service officer who, if chosen after April 15, 2015,
24 is chosen from a list of candidates who have taken a civil service examination for the
25 position of county veterans service officer developed and administered by the bureau

ASSEMBLY BILL 43**SECTION 788**

1 of merit recruitment and selection in the department of administration, or is
2 appointed under a civil service competitive examination procedure under s. 59.52 (8)
3 or ch. 63. The grant shall be ~~\$9,350~~ \$18,700 for a county with a population of less
4 than 20,000, ~~\$11,000~~ \$22,000 for a county with a population of 20,000 to 45,499,
5 ~~\$12,650~~ \$25,300 for a county with a population of 45,500 to 74,999, and ~~\$14,300~~
6 \$28,600 for a county with a population of 75,000 or more. The department of veterans
7 affairs shall use the most recent Wisconsin official population estimates prepared by
8 the demographic services center when making grants under this subsection.

9 **SECTION 789.** 45.82 (3) of the statutes is repealed.

10 **SECTION 790.** 45.82 (4) of the statutes is amended to read:

11 45.82 (4) The department shall provide grants to the governing bodies of
12 federally recognized American Indian tribes and bands from the appropriation
13 under s. 20.485 (2) (km) or (vu) if that governing body enters into an agreement with
14 the department regarding the creation, goals, and objectives of a tribal veterans
15 service officer, appoints a veteran to act as a tribal veterans service officer, and gives
16 that veteran duties similar to the duties described in s. 45.80 (5), except that the
17 veteran shall report to the governing body of the tribe or band. The department may
18 make annual grants in an amount not to exceed ~~\$16,500~~ \$33,000 per grant under this
19 subsection and shall promulgate rules to implement this subsection.

20 **SECTION 791.** 46.03 (44) of the statutes is amended to read:

21 46.03 (44) **SEXUALLY TRANSMITTED DISEASE TREATMENT INFORMATION.** Prepare and
22 keep current an information sheet to be distributed to a patient by a physician, a
23 physician assistant, or ~~certified~~ an advanced practice registered nurse prescriber
24 who may issue prescription orders under s. 441.09 (2) providing expedited partner
25 therapy to that patient under s. ~~441.092,~~ 448.035, or 448.9725. The information

ASSEMBLY BILL 43**SECTION 791**

1 sheet shall include information about sexually transmitted diseases and their
2 treatment and about the risk of drug allergies. The information sheet shall also
3 include a statement advising a person with questions about the information to
4 contact his or her physician, advanced practice registered nurse, pharmacist, or local
5 health department, as defined in s. 250.01 (4).

6 **SECTION 792.** 46.056 (1) of the statutes is renumbered 46.056.

7 **SECTION 793.** 46.056 (2) of the statutes is repealed.

8 **SECTION 794.** 46.10 (2) of the statutes is amended to read:

9 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,
10 including but not limited to a person admitted, committed, protected, or placed under
11 s. 975.01, 1977 stats., s. 975.02, 1977 stats., s. 975.17, 1977 stats., s. 55.05 (5), 2003
12 stats., and s. 55.06, 2003 stats., and ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5),
13 51.45 (10), (11), (12) and (13), 55.05, 55.055, 55.12, 55.13, 55.135, 971.14 (2) and (5),
14 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services, and supplies
15 provided by any institution in this state including University of Wisconsin Hospitals
16 and Clinics, in which the state is chargeable with all or part of the person's care,
17 maintenance, services, and supplies, any person receiving care and services from a
18 county department established under s. 51.42 or 51.437 or from a facility established
19 under s. 49.73, and any person receiving treatment and services from a public or
20 private agency under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s.
21 971.17 (3) (d) or (4) (e) or 980.08 (4) (g) and the person's property and estate, including
22 the homestead, and the spouse of the person, and the spouse's property and estate,
23 including the homestead, and, in the case of a minor child, the parents of the person,
24 and their property and estates, including their homestead, and, in the case of a
25 foreign child described in s. 48.839 (1) who became dependent on public funds for his

ASSEMBLY BILL 43**SECTION 794**

1 or her primary support before an order granting his or her adoption, the resident of
2 this state appointed guardian of the child by a foreign court who brought the child
3 into this state for the purpose of adoption, and his or her property and estate,
4 including his or her homestead, shall be liable for the cost of the care, maintenance,
5 services, and supplies in accordance with the fee schedule established by the
6 department under s. 46.03 (18). If a spouse, ~~widow~~ surviving spouse, or minor, or an
7 incapacitated person may be lawfully dependent upon the property for their support,
8 the court shall release all or such part of the property and estate from the charges
9 that may be necessary to provide for those persons. The department shall make
10 every reasonable effort to notify the liable persons as soon as possible after the
11 beginning of the maintenance, but the notice or the receipt thereof is not a condition
12 of liability.

13 **SECTION 795.** 46.250 of the statutes is created to read:

14 **46.250 Service dog training grants. (1)** From the appropriation under s.
15 20.435 (5) (cm), the department shall award grants to organizations that train
16 service dogs for the purpose of assisting providers in attaining accreditation specific
17 to post-traumatic stress disorder training from Assistance Dog International.

18 **(2)** The department shall promulgate rules to establish a process and criteria
19 for organizations to apply for the grants under this section.

20 **SECTION 796.** 46.2895 (8) (a) 1. of the statutes is amended to read:

21 46.2895 **(8)** (a) 1. If the long-term care district offers employment to any
22 individual who was previously employed by a county, which participated in creating
23 the district and at the time of the offer had not withdrawn or been removed from the
24 district under sub. (14), and who while employed by the county performed duties
25 relating to the same or a substantially similar function for which the individual is

ASSEMBLY BILL 43**SECTION 796**

1 offered employment by the district and ~~whose wages were established in~~ who was
2 covered by a collective bargaining agreement with the county under subch. IV of ch.
3 111 that is in effect on the date that the individual commences employment with the
4 district, with respect to that individual, abide by the terms of the collective
5 bargaining agreement ~~concerning the individual's wages~~ until the time of the
6 expiration of that collective bargaining agreement or adoption of a collective
7 bargaining agreement with the district under subch. IV of ch. 111 covering the
8 individual as an employee of the district, whichever occurs first.

9 **SECTION 797.** 46.40 (8) of the statutes is amended to read:

10 46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. Subject to
11 sub. (9), for services to persons with Alzheimer's disease and their caregivers under
12 s. 46.87, the department shall distribute not more than \$2,808,900 \$3,308,900 in
13 each fiscal year.

14 **SECTION 798.** 46.41 of the statutes is created to read:

15 **46.41 Grants for tribal long-term care system development.** From the
16 appropriation under s. 20.435 (7) (b), the department shall annually allocate not
17 more than \$5,500,000 in each fiscal year to federally recognized American Indian
18 tribes and bands located in this state for capital improvements to tribal facilities
19 serving tribal members with long-term care needs and for improvements and
20 repairs to homes of tribal members with long-term care needs to enable tribal
21 members to receive long-term care services at home.

22 **SECTION 799.** 46.48 (3m) of the statutes is created to read:

23 46.48 (3m) DEAF, HARD OF HEARING, AND DEAF-BLIND BEHAVIORAL HEALTH
24 TREATMENT CENTER. The department may distribute not more than \$1,936,000 in
25 each fiscal year, beginning in fiscal year 2024-25, to a statewide provider of

ASSEMBLY BILL 43**SECTION 799**

1 behavioral health treatment services for individuals who are deaf, hard of hearing,
2 or deaf-blind.

3 **SECTION 800.** 46.48 (22) of the statutes is created to read:

4 46.48 (22) HEALTH CARE PROVIDER INNOVATION GRANTS. The department may
5 distribute not more than \$15,000,000 in each fiscal year as grants to health care
6 providers and long-term care providers to implement best practices and innovative
7 solutions to increase worker recruitment and retention.

8 **SECTION 801.** 46.48 (31) of the statutes is amended to read:

9 46.48 (31) PEER RUN RESPITE CENTERS. ~~The From the appropriation under s.~~
10 ~~20.435 (5) (bc), the department may distribute not more than \$1,200,000 in each~~
11 ~~fiscal year, beginning in fiscal year 2014-15, grants to regional peer run respite~~
12 centers for individuals with mental health and substance abuse concerns.

13 **SECTION 802.** 46.48 (33) of the statutes is created to read:

14 46.48 (33) OPIOID ANTAGONIST FUNDING. From the appropriation under s. 20.435
15 (5) (bc), the department shall annually award up to \$2,000,000 to entities for the
16 purchase of opioid antagonists, as defined under s. 450.01 (13v).

17 **SECTION 803.** 46.48 (34) of the statutes is created to read:

18 46.48 (34) STIMULANT PREVENTION AND TREATMENT RESPONSE PROGRAMS. The
19 department may distribute not more than \$1,644,000 in each fiscal year to support
20 stimulant use prevention and treatment programs and services.

21 **SECTION 804.** 46.48 (35) of the statutes is created to read:

22 46.48 (35) PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES. The department may
23 distribute not more than \$1,790,000 in each fiscal year to support psychiatric
24 residential treatment facilities.

25 **SECTION 805.** 46.48 (36) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 805**

1 46.48 (36) AMYOTROPHIC LATERAL SCLEROSIS. From the appropriation under s.
2 20.435 (1) (b), the department shall award \$250,000 in each fiscal year as a grant to
3 an organization that supports and provides services to individuals with amyotrophic
4 lateral sclerosis for the purposes of assisting individuals diagnosed with
5 amyotrophic lateral sclerosis and their families with the costs of respite care and
6 costs associated with amyotrophic lateral sclerosis that are not covered by insurance.

7 **SECTION 806.** 46.48 (37) of the statutes is created to read:

8 46.48 (37) PEER RECOVERY CENTERS. The department may distribute not more
9 than \$260,000 in each fiscal year to regional peer recovery centers for individuals
10 experiencing mental health and substance abuse issues.

11 **SECTION 807.** 46.482 (1) (a) of the statutes is renumbered 46.482 (1) (bm).

12 **SECTION 808.** 46.482 (1) (am) of the statutes is created to read:

13 46.482 (1) (am) “Certified peer specialist” means an individual described under
14 s. 49.45 (30j) (a) 1m. who has met the certification requirements established by the
15 department.

16 **SECTION 809.** 46.482 (1) (b) of the statutes is renumbered 46.482 (1) (c) and
17 amended to read:

18 46.482 (1) (c) “Peer recovery coach” means an individual described under s.
19 49.45 (30j) (a) ~~2.~~ 3. who has completed the training requirements specified under
20 s. 49.45 (30j) (b) 4.

21 **SECTION 810.** 46.482 (2) (a) of the statutes is amended to read:

22 46.482 (2) (a) Use peer recovery coaches and certified peer specialists to
23 encourage individuals to seek treatment for a substance use disorder following an
24 overdose.

25 **SECTION 811.** 46.482 (2) (f) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 811**

1 46.482 (2) (f) Collect and evaluate data on the outcomes of patients receiving
2 peer recovery coach or certified peer specialist services and coordination and
3 continuation of care services under this section.

4 **SECTION 812.** 46.533 of the statutes is created to read:

5 **46.533 Suicide and crisis lifeline; grants.** (1) In this section, “national
6 crisis hotline” means the telephone or text access number “988,” or its successor, that
7 is maintained under the federally administered program under 42 USC 290bb-36c.

8 (2) From the appropriation under s. 20.435 (5) (ch), the department shall award
9 grants to organizations that provide crisis intervention services and crisis care
10 coordination to individuals who contact the national crisis hotline from anywhere
11 within this state.

12 **SECTION 813.** 46.73 of the statutes is created to read:

13 **46.73 Community dental health coordinators.** From the appropriations
14 under s. 20.435 (4) (bm) and (pa), the department shall award grants to support
15 community dental health coordinators.

16 **SECTION 814.** 46.854 of the statutes is created to read:

17 **46.854 Healthy aging grant program.** From the appropriation under s.
18 20.435 (1) (b), the department shall award in each fiscal year a grant of \$600,000 to
19 an entity that conducts programs in healthy aging.

20 **SECTION 815.** 46.87 (5m) of the statutes is amended to read:

21 46.87 (5m) A person is financially eligible for the program under this section
22 if the joint income of the person with Alzheimer’s disease and that person’s spouse,
23 if any, is ~~\$48,000~~ \$60,000 per year or less, unless the department sets a higher
24 limitation on income eligibility by rule. In determining joint income for purposes of
25 this subsection, the administering agency shall subtract any expenses attributable

ASSEMBLY BILL 43**SECTION 815**

1 to the Alzheimer's-related needs of the person with Alzheimer's disease or of the
2 person's caregiver.

3 **SECTION 816.** 46.995 (4) of the statutes is created to read:

4 46.995 (4) The department shall ensure that any child who is eligible and who
5 applies for the disabled children's long-term support program that is operating
6 under a waiver of federal law receives services under the disabled children's
7 long-term support program that is operating under a waiver of federal law.

8 **SECTION 817.** 47.02 (3m) (f) of the statutes is amended to read:

9 47.02 (3m) (f) Assure that eligibility for vocational rehabilitation services
10 under this chapter is determined without regard to the sex, race, age, creed, color,
11 or national origin, sexual orientation, as defined in s. 111.32 (13m), gender
12 expression, as defined in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k),
13 of the individual applying for services, that no class of individuals is found ineligible
14 solely on the basis of type of disability, and that no age limitations for eligibility exist
15 ~~which that~~, by themselves, would result in ineligibility for vocational rehabilitation
16 services.

17 **SECTION 818.** 48.02 (1d) of the statutes is amended to read:

18 48.02 (1d) "Adult" means a person who is 18 years of age or older, ~~except that~~
19 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
20 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
21 ~~means a person who has attained 17 years of age.~~

22 **SECTION 819.** 48.02 (2) of the statutes is amended to read:

23 48.02 (2) "Child," when used without further qualification, means a person who
24 is less than 18 years of age, ~~except that for purposes of investigating or prosecuting~~
25 ~~a person who is alleged to have violated a state or federal criminal law or any civil~~

ASSEMBLY BILL 43**SECTION 819**

1 law or municipal ordinance, “child” does not include a person who has attained 17
2 years of age.

3 **SECTION 820.** 48.02 (12c) of the statutes is created to read:

4 48.02 (12c) “Like-kin” means a person who has a significant emotional
5 relationship with a child or the child’s family and to whom any of the following
6 applies:

7 (a) Prior to the child’s placement in out-of-home care, the person had an
8 existing relationship with the child or the child’s family that is similar to a familial
9 relationship.

10 (b) During the child’s placement in out-of-home care, the person developed a
11 relationship with the child or the child’s family that is similar to a familial
12 relationship, and the person is not and has not previously been the child’s licensed
13 foster parent.

14 (c) For an Indian child, “like-kin” includes individuals identified by the child’s
15 tribe according to tribal tradition, custom or resolution, code, or law.

16 **SECTION 821.** 48.02 (13) of the statutes is amended to read:

17 48.02 (13) “Parent” means a biological natural parent, ~~a husband who has~~
18 ~~consented to the artificial insemination of his wife under s. 891.40, or a parent by~~
19 ~~adoption. If the child is a nonmarital child who is not adopted or whose parents do~~
20 ~~not subsequently intermarry under s. 767.803, “parent” includes a person~~
21 ~~conclusively determined from genetic test results to be the father under s. 767.804~~
22 ~~or, a person acknowledged under s. 767.805 or a substantially similar law of another~~
23 ~~state to be a natural parent, or a person adjudicated to be the biological father a~~
24 natural parent. “Parent” does not include any person whose parental rights have
25 been terminated. For purposes of the application of s. 48.028 and the federal Indian

ASSEMBLY BILL 43**SECTION 821**

1 Child Welfare Act, 25 USC 1901 to 1963, “parent” means a ~~biological~~ natural parent
2 of an Indian child, an Indian husband spouse who has consented to the artificial
3 insemination of his wife or her spouse under s. 891.40, or an Indian person who has
4 lawfully adopted an Indian child, including an adoption under tribal law or custom,
5 and includes, in the case of a nonmarital Indian child who is not adopted or whose
6 parents do not subsequently intermarry under s. 767.803, a person conclusively
7 determined from genetic test results to be the father under s. 767.804, a person
8 acknowledged under s. 767.805, a substantially similar law of another state, or tribal
9 law or custom to be the ~~biological father~~ natural parent, or a person adjudicated to
10 be the ~~biological father~~ natural parent, but does not include any person whose
11 parental rights have been terminated.

12 **SECTION 822.** 48.02 (15) of the statutes is amended to read:

13 48.02 (15) “Relative” means a parent, stepparent, brother, sister, stepbrother,
14 stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, first
15 cousin once removed, 2nd cousin, nephew, niece, uncle, aunt, stepuncle, stepaunt, or
16 any person of a preceding generation as denoted by the prefix of grand, great, or
17 great-great, whether by blood, marriage, or legal adoption, or the spouse of any
18 person named in this subsection, even if the marriage is terminated by death or
19 divorce. For purposes of the application of s. 48.028 and the federal Indian Child
20 Welfare Act, 25 USC 1901 to 1963, “relative” includes an extended family member,
21 as defined in s. 48.028 (2) (am), whether by blood, marriage, or adoption, including
22 adoption under tribal law or custom. For purposes of placement of a child, “relative”
23 also includes a parent of a sibling of the child who has legal custody of that sibling.

24 **SECTION 823.** 48.025 (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 823**

1 **48.025** (title) **Declaration of paternal parental interest in matters**
2 **affecting children.**

3 **SECTION 824.** 48.025 (2) (b) of the statutes is amended to read:

4 48.025 **(2)** (b) A declaration under sub. (1) may be filed at any time before the
5 birth of the child or within 14 days after the birth of the child, except that a ~~man~~
6 person who receives a notice under s. 48.42 (1g) (b) may file a declaration within 21
7 days after the date on which the notice was mailed. This paragraph does not apply
8 to a declaration filed before July 1, 2006.

9 **SECTION 825.** 48.025 (3) (c) of the statutes is amended to read:

10 48.025 **(3)** (c) A court in a proceeding under s. 48.13, 48.133, 48.14, or 938.13
11 or under a substantially similar law of another state or a person authorized to file
12 a petition under s. 48.25, 48.42, 48.837, or 938.25 or under a substantially similar
13 law of another state may request the department to search its files to determine
14 whether a person who may be the ~~father~~ parent of the child who is the subject of the
15 proceeding has filed a declaration under this section. If the department has on file
16 a declaration of ~~paternal~~ parental interest in matters affecting the child, the
17 department shall issue to the requester a copy of the declaration. If the department
18 does not have on file a declaration of ~~paternal~~ parental interest in matters affecting
19 the child, the department shall issue to the requester a statement that no declaration
20 could be located. The department may require a person who requests a search under
21 this paragraph to pay a reasonable fee that is sufficient to defray the costs to the
22 department of maintaining its file of declarations and publicizing information
23 relating to declarations of ~~paternal~~ parental interest under this section.

24 **SECTION 826.** 48.028 (2) (e) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 826**

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 827.** 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 828.** 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.

ASSEMBLY BILL 43**SECTION 829**

1 **SECTION 829.** 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 830.** 48.233 (2) of the statutes is amended to read:

7 48.233 (2) This section does not apply to a proceeding commenced under s.
8 48.13 after June 30, ~~2023~~ 2025.

9 **SECTION 831.** 48.233 (3) of the statutes is amended to read:

10 48.233 (3) The state public defender may promulgate rules necessary to
11 implement the pilot program established under sub. (1). The state public defender
12 may promulgate the rules under this subsection as emergency rules under s. 227.24.
13 Notwithstanding s. 227.24 (1) (a) and (3), the state public defender is not required
14 to provide evidence that promulgating a rule under this subsection as an emergency
15 rule is necessary for the preservation of the public peace, health, safety, or welfare
16 and is not required to provide a finding of emergency for a rule promulgated under
17 this subsection. Notwithstanding s. 227.24 (1) (c) and (2), emergency rules
18 promulgated under this subsection remain in effect until ~~2~~ 4 years after June 30,
19 2021.

20 **SECTION 832.** 48.233 (4) of the statutes is amended to read:

21 48.233 (4) By January 1, ~~2021~~, and by January 1, ~~2023~~ 2025, the department
22 and the state public defender shall each submit a report to the joint committee on
23 finance, and to the chief clerk of each house of the legislature for distribution to the
24 appropriate standing committees under s. 13.172 (3), regarding costs and data from
25 implementing the pilot program under sub. (1).

ASSEMBLY BILL 43**SECTION 833**

1 **SECTION 833.** 48.27 (3) (b) 1. a. of the statutes is amended to read:

2 48.27 (3) (b) 1. a. A person who has filed a declaration of paternal parental
3 interest under s. 48.025.

4 **SECTION 834.** 48.27 (3) (b) 1. b. of the statutes is amended to read:

5 48.27 (3) (b) 1. b. A person alleged to the court to be ~~the father~~ a parent of the
6 child or who may, based on the statements of the ~~mother~~ parent who gave birth to
7 the child or other information presented to the court, be ~~the father~~ a parent of the
8 child.

9 **SECTION 835.** 48.27 (5) of the statutes is amended to read:

10 48.27 (5) Subject to sub. (3) (b), the court shall make every reasonable effort
11 to identify and notify any person who has filed a declaration of paternal parental
12 interest under s. 48.025, any person conclusively determined from genetic test
13 results to be the father under s. 767.804 (1), any person who has acknowledged
14 paternity parentage of the child under s. 767.805 (1), and any person who has been
15 adjudged to be the father parent of the child in a judicial proceeding unless the
16 person's parental rights have been terminated.

17 **SECTION 836.** 48.299 (6) (intro.) of the statutes is amended to read:

18 48.299 (6) (intro.) If a ~~man~~ person who has been given notice under s. 48.27 (3)
19 (b) 1., 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing
20 for which he or she received the notice, alleges that he or she is ~~the father~~ a parent
21 of the child, and states that he or she wishes to establish the paternity parentage of
22 the child, all of the following apply:

23 **SECTION 837.** 48.299 (6) (e) 1. of the statutes is amended to read:

24 48.299 (6) (e) 1. In this paragraph, "genetic test" means a test that examines
25 genetic markers present on blood cells, skin cells, tissue cells, bodily fluid cells or

ASSEMBLY BILL 43**SECTION 837**

1 cells of another body material for the purpose of determining the statistical
2 probability that a ~~man~~ person who is alleged to be a child's ~~father~~ parent is the child's
3 biological ~~father~~ parent.

4 **SECTION 838.** 48.299 (6) (e) 2. of the statutes is amended to read:

5 48.299 (6) (e) 2. The court shall, at the hearing, orally inform any ~~man~~ person
6 specified in sub. (6) (intro.) that he or she may be required to pay for any testing
7 ordered by the court under this paragraph or under s. 885.23.

8 **SECTION 839.** 48.299 (6) (e) 3. of the statutes is amended to read:

9 48.299 (6) (e) 3. In addition to ordering testing as provided under s. 885.23, if
10 the court determines that it would be in the best interests of the child, the court may
11 order any ~~man~~ person specified in sub. (6) (intro.) to submit to one or more genetic
12 tests which shall be performed by an expert qualified as an examiner of genetic
13 markers present on the cells and of the specific body material to be used for the tests,
14 as appointed by the court. A report completed and certified by the court-appointed
15 expert stating genetic test results and the statistical probability that the ~~man~~ person
16 alleged to be the child's ~~father~~ parent is the child's biological ~~father~~ parent based
17 upon the genetic tests is admissible as evidence without expert testimony and may
18 be entered into the record at any hearing. The court, upon request by a party, may
19 order that independent tests be performed by other experts qualified as examiners
20 of genetic markers present on the cells of the specific body materials to be used for
21 the tests.

22 **SECTION 840.** 48.299 (6) (e) 4. of the statutes is amended to read:

23 48.299 (6) (e) 4. If the genetic tests show that an alleged ~~father~~ parent is not
24 excluded and that the statistical probability that the alleged ~~father~~ parent is the
25 child's biological ~~father~~ parent is 99.0 percent or higher, the court may determine

ASSEMBLY BILL 43**SECTION 840**

1 that for purposes of a proceeding under this chapter, other than a proceeding under
2 subch. VIII, the ~~man~~ person is the child's biological parent.

3 **SECTION 841.** 48.299 (7) of the statutes is amended to read:

4 48.299 (7) If a ~~man~~ person who has been given notice under s. 48.27 (3) (b) 1.,
5 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing for which
6 he or she received the notice but does not allege that he or she is ~~the father~~ a parent
7 of the child and state that he or she wishes to establish the paternity parentage of
8 the child or if no ~~man~~ person to whom such notice was given appears at a hearing,
9 the court may refer the matter to the state or to the attorney responsible for support
10 enforcement under s. 59.53 (6) (a) for a determination, under s. 767.80, of whether
11 an action should be brought for the purpose of determining the paternity parentage
12 of the child.

13 **SECTION 842.** 48.33 (4) (intro.) of the statutes is amended to read:

14 48.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending
15 placement of an adult expectant mother outside of her home shall be in writing. A
16 report recommending placement of a child in a foster home, group home, or
17 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 shall be in writing and shall include
20 all of the following:

21 **SECTION 843.** 48.335 (3g) (intro.) of the statutes is amended to read:

22 48.335 (3g) (intro.) At hearings under this section, if the agency, as defined in
23 s. 48.38 (1) (a), is recommending placement of the child in a foster home, group home,
24 or residential care center for children and youth, in the home of a relative other than
25 a parent, in the home of like-kin, in the home of a guardian under s. 48.977 (2), or

ASSEMBLY BILL 43**SECTION 843**

1 in a supervised independent living arrangement, the agency shall present as
2 evidence specific information showing all of the following:

3 **SECTION 844.** 48.335 (3j) (intro.) of the statutes is amended to read:

4 48.335 **(3j)** (intro.) At hearings under this section involving an Indian child, if
5 the agency, as defined in s. 48.38 (1) (a), is recommending removal of the Indian child
6 from the home of his or her parent or Indian custodian and placement of the Indian
7 child in a foster home, group home, or residential care center for children and youth
8 or in the home of a relative other than a parent or in the home of like-kin, the agency
9 shall present as evidence specific information showing all of the following:

10 **SECTION 845.** 48.345 (3) (a) (intro.) of the statutes is amended to read:

11 48.345 **(3)** (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the
12 child, except that the judge may not designate any of the following as the child's
13 placement, unless the judge determines by clear and convincing evidence that the
14 placement would be in the best interests of the child or, in the case of an Indian child,
15 the best interests of the Indian child as described in s. 48.01 (2):

16 **SECTION 846.** 48.345 (3) (a) 1. of the statutes is amended to read:

17 48.345 **(3)** (a) 1. The home of a parent ~~or~~, other relative, or like-kin if the parent
18 ~~or~~, other relative, or like-kin has been convicted under s. 940.01 of the first-degree
19 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
20 a parent of the child, and the conviction has not been reversed, set aside, or vacated.
21 In determining whether a placement under this subdivision would be in the best
22 interests of the child, the judge shall consider the wishes of the child.

23 **SECTION 847.** 48.345 (3) (a) 2. of the statutes is amended to read:

24 48.345 **(3)** (a) 2. The home of a relative other than the parent of a child or the
25 home of like-kin if the judge finds that the relative or like-kin has been convicted

ASSEMBLY BILL 43**SECTION 847**

1 of, has pleaded no contest to, or has had a charge dismissed or amended as a result
2 of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03 (2) or (5)
3 (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081, 948.085,
4 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or a similar
5 law of another state.

6 **SECTION 848.** 48.345 (4) (a) of the statutes is amended to read:

7 48.345 (4) (a) A relative or like-kin of the child.

8 **SECTION 849.** 48.355 (4) (b) (intro.) of the statutes is amended to read:

9 48.355 (4) (b) (intro.) Except as provided under s. 48.368, an order under this
10 section or s. 48.357 or 48.365 made before the child reaches 18 years of age that places
11 or continues the placement of the child in a foster home, group home, or residential
12 care center for children and youth, in the home of a relative other than a parent, in
13 the home of like-kin, or in a supervised independent living arrangement shall
14 terminate on the latest of the following dates, unless the judge specifies a shorter
15 period or the judge terminates the order sooner:

16 **SECTION 850.** 48.355 (4g) (a) 1. of the statutes is amended to read:

17 48.355 (4g) (a) 1. The child's parents are parties to a pending action for divorce,
18 annulment, or legal separation, a ~~man~~ person determined under s. 48.299 (6) (e) 4.
19 to be the biological ~~father~~ parent of the child for purposes of a proceeding under this
20 chapter is a party to a pending action to determine paternity of the child under ch.
21 767, or the child is the subject of a pending independent action under s. 767.41 or
22 767.43 to determine legal custody of the child or visitation rights with respect to the
23 child.

24 **SECTION 851.** 48.366 (1) (a) of the statutes is amended to read:

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1 48.366 (1) (a) The person is placed in a foster home, group home, or residential
2 care center for children and youth, in the home of a relative other than a parent, in
3 the home of like-kin, or in a supervised independent living arrangement under an
4 order under s. 48.355, 48.357, or 48.365 that terminates as provided in s. 48.355 (4)
5 (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
6 person attains 18 years of age.

7 **SECTION 852.** 48.371 (1) (intro.) of the statutes is amended to read:

8 48.371 (1) (intro.) If a child is placed in a foster home, group home, or
9 residential care center for children and youth or in the home of a relative other than
10 a parent or in the home of like-kin, including a placement under s. 48.205 or 48.21,
11 the agency, as defined in s. 48.38 (1) (a), that placed the child or arranged for the
12 placement of the child shall provide the following information to the foster parent,
13 relative, like-kin, or operator of the group home or residential care center for
14 children and youth at the time of placement or, if the information has not been
15 provided to the agency by that time, as soon as possible after the date on which the
16 agency receives that information, but not more than 2 working days after that date:

17 **SECTION 853.** 48.371 (1) (a) of the statutes is amended to read:

18 48.371 (1) (a) Results of an HIV test, as defined in s. 252.01 (2m), of the child,
19 as provided under s. 252.15 (3m) (d) 15., including results included in a court report
20 or permanency plan. At the time that the HIV test results are provided, the agency
21 shall notify the foster parent, relative, like-kin, or operator of the group home or
22 residential care center for children and youth of the confidentiality requirements
23 under s. 252.15 (6).

24 **SECTION 854.** 48.371 (3) (intro.) of the statutes is amended to read:

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1 48.371 (3) (intro.) At the time of placement of a child in a foster home, group
2 home, or residential care center for children and youth or in the home of a relative
3 other than a parent or in the home of like-kin or, if the information is not available
4 at that time, as soon as possible after the date on which the court report or
5 permanency plan has been submitted, but no later than 7 days after that date, the
6 agency, as defined in s. 48.38 (1) (a), responsible for preparing the child's permanency
7 plan shall provide to the foster parent, relative, like-kin, or operator of the group
8 home or residential care center for children and youth information contained in the
9 court report submitted under s. 48.33 (1), 48.365 (2g), 48.425 (1), 48.831 (2), or 48.837
10 (4) (c) or permanency plan submitted under s. 48.355 (2e), 48.38, 48.43 (1) (c) or (5)
11 (c), 48.63 (4) or (5) (c), or 48.831 (4) (e) relating to findings or opinions of the court or
12 agency that prepared the court report or permanency plan relating to any of the
13 following:

14 **SECTION 855.** 48.371 (3) (d) of the statutes is amended to read:

15 48.371 (3) (d) Any involvement of the child, whether as victim or perpetrator,
16 in sexual intercourse or sexual contact in violation of s. 940.225, 948.02, 948.025, or
17 948.085, prostitution in violation of s. 944.30 (1m), trafficking in violation of s.
18 940.302 (2) if s. 940.302 (2) (a) 1. b. applies, sexual exploitation of a child in violation
19 of s. 948.05, trafficking of a child in violation of s. 948.051, or causing a child to view
20 or listen to sexual activity in violation of s. 948.055, if the information is necessary
21 for the care of the child or for the protection of any person living in the foster home,
22 group home, or residential care center for children and youth or in the home of the
23 relative or like-kin.

24 **SECTION 856.** 48.371 (5) of the statutes is amended to read:

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1 48.371 (5) Except as permitted under s. 252.15 (6), a foster parent, relative,
2 like-kin, or operator of a group home or residential care center for children and youth
3 that receives any information under sub. (1) or (3), other than the information
4 described in sub. (3) (e), shall keep the information confidential and may disclose that
5 information only for the purposes of providing care for the child or participating in
6 a court hearing or permanency review concerning the child.

7 **SECTION 857.** 48.38 (2) (intro.) of the statutes is amended to read:

8 48.38 (2) PERMANENCY PLAN REQUIRED. (intro.) Except as provided in sub. (3),
9 for each child living in a foster home, group home, residential care center for children
10 and youth, juvenile detention facility, shelter care facility, qualifying residential
11 family-based treatment facility with a parent, or supervised independent living
12 arrangement, the agency that placed the child or arranged the placement or the
13 agency assigned primary responsibility for providing services to the child under s.
14 48.355 (2) (b) 6g. shall prepare a written permanency plan, if any of the following
15 conditions exists, and, for each child living in the home of a guardian ~~or~~ a relative
16 other than a parent, or like-kin, that agency shall prepare a written permanency
17 plan, if any of the conditions specified in pars. (a) to (e) exists:

18 **SECTION 858.** 48.38 (3m) (a) of the statutes is amended to read:

19 48.38 (3m) (a) All appropriate biological family members, relatives, and
20 like-kin of the child, as determined by the agency. Notwithstanding s. 48.02 (12c)
21 (b), in this paragraph, "like-kin" may include a person who is or previously was the
22 child's licensed foster parent.

23 **SECTION 859.** 48.38 (4) (f) (intro.) of the statutes is amended to read:

24 48.38 (4) (f) (intro.) A description of the services that will be provided to the
25 child, the child's family, and the child's foster parent, the operator of the facility

ASSEMBLY BILL 43**SECTION 859**

1 where the child is living, or the relative or like-kin with whom the child is living to
2 carry out the dispositional order, including services planned to accomplish all of the
3 following:

4 **SECTION 860.** 48.38 (4m) (b) of the statutes is amended to read:

5 48.38 (4m) (b) At least 10 days before the date of the hearing the court shall
6 notify the child; any parent, guardian, and legal custodian of the child; any foster
7 parent, or other physical custodian described in s. 48.62 (2) of the child, the operator
8 of the facility in which the child is living, or the relative or like-kin with whom the
9 child is living; and, if the child is an Indian child, the Indian child's Indian custodian
10 and tribe of the time, place, and purpose of the hearing, of the issues to be determined
11 at the hearing, and of the fact that they shall have a right to be heard at the hearing.

12 **SECTION 861.** 48.38 (4m) (d) of the statutes is amended to read:

13 48.38 (4m) (d) The court shall give a foster parent, other physical custodian
14 described in s. 48.62 (2), operator of a facility, ~~or~~ relative, or like-kin who is notified
15 of a hearing under par. (b) a right to be heard at the hearing by permitting the foster
16 parent, other physical custodian, operator, ~~or~~ relative, or like-kin to make a written
17 or oral statement during the hearing, or to submit a written statement prior to the
18 hearing, relevant to the issues to be determined at the hearing. The foster parent,
19 other physical custodian, operator of a facility, ~~or~~ relative, or like-kin does not
20 become a party to the proceeding on which the hearing is held solely on the basis of
21 receiving that notice and right to be heard.

22 **SECTION 862.** 48.38 (5) (b) of the statutes is amended to read:

23 48.38 (5) (b) The court or the agency shall notify the child; the child's parent,
24 guardian, and legal custodian; the child's foster parent, the operator of the facility
25 in which the child is living, or the relative or like-kin with whom the child is living;

ASSEMBLY BILL 43**SECTION 862**

1 and, if the child is an Indian child who is placed outside the home of his or her parent
2 or Indian custodian, the Indian child's Indian custodian and tribe of the time, place,
3 and purpose of the review, of the issues to be determined as part of the review, and
4 of the fact that they shall have a right to be heard at the review as provided in par.
5 (bm) 1. The court or agency shall notify the person representing the interests of the
6 public, the child's counsel, the child's guardian ad litem, the child's court-appointed
7 special advocate, and the child's school of the time, place, and purpose of the review,
8 of the issues to be determined as part of the review, and of the fact that they may have
9 an opportunity to be heard at the review as provided in par. (bm) 1. The notices under
10 this paragraph shall be provided in writing not less than 30 days before the review
11 and copies of the notices shall be filed in the child's case record. The notice to the
12 child's school shall also include the name and contact information for the caseworker
13 or social worker assigned to the child's case.

14 **SECTION 863.** 48.38 (5) (bm) 1. of the statutes is amended to read:

15 48.38 (5) (bm) 1. A child, parent, guardian, legal custodian, foster parent,
16 operator of a facility, ~~or~~ relative, or like-kin who is provided notice of the review
17 under par. (b) shall have a right to be heard at the review by submitting written
18 comments relevant to the determinations specified in par. (c) not less than 10
19 working days before the date of the review or by participating at the review. A person
20 representing the interests of the public, counsel, guardian ad litem, court-appointed
21 special advocate, or school who is provided notice of the review under par. (b) may
22 have an opportunity to be heard at the review by submitting written comments
23 relevant to the determinations specified in par. (c) not less than 10 working days
24 before the date of the review. A foster parent, operator of a facility, ~~or~~ relative, or
25 like-kin who receives notice of a review under par. (b) and a right to be heard under

ASSEMBLY BILL 43**SECTION 863**

1 this subdivision does not become a party to the proceeding on which the review is held
2 solely on the basis of receiving that notice and right to be heard.

3 **SECTION 864.** 48.38 (5) (e) of the statutes is amended to read:

4 48.38 (5) (e) Within 30 days, the agency shall prepare a written summary of
5 the determinations under par. (c) and shall provide a copy to the court that entered
6 the order; the child or the child's counsel or guardian ad litem; the person
7 representing the interests of the public; the child's parent, guardian, or legal
8 custodian; the child's court-appointed special advocate; the child's foster parent, the
9 operator of the facility where the child is living, or the relative or like-kin with whom
10 the child is living; and, if the child is an Indian child who is placed outside the home
11 of his or her parent or Indian custodian, the Indian child's Indian custodian and tribe.

12 **SECTION 865.** 48.38 (5m) (b) of the statutes is amended to read:

13 48.38 (5m) (b) The court shall notify the child; the child's parent, guardian, and
14 legal custodian; and the child's foster parent, the operator of the facility in which the
15 child is living, or the relative or like-kin with whom the child is living of the time,
16 place, and purpose of the hearing, of the issues to be determined at the hearing, and
17 of the fact that they shall have a right to be heard at the hearing as provided in par.
18 (c) 1. The court shall notify the child's counsel, the child's guardian ad litem, and the
19 child's court-appointed special advocate; the agency that prepared the permanency
20 plan; the child's school; the person representing the interests of the public; and, if the
21 child is an Indian child who is placed outside the home of his or her parent or Indian
22 custodian, the Indian child's Indian custodian and tribe of the time, place, and
23 purpose of the hearing, of the issues to be determined at the hearing, and of the fact
24 that they may have an opportunity to be heard at the hearing as provided in par. (c)
25 1. The notices under this paragraph shall be provided in writing not less than 30

ASSEMBLY BILL 43**SECTION 865**

1 days before the hearing. The notice to the child's school shall also include the name
2 and contact information for the caseworker or social worker assigned to the child's
3 case.

4 **SECTION 866.** 48.38 (5m) (c) 1. of the statutes is amended to read:

5 48.38 **(5m)** (c) 1. A child, parent, guardian, legal custodian, foster parent,
6 operator of a facility, ~~or relative,~~ or like-kin who is provided notice of the hearing
7 under par. (b) shall have a right to be heard at the hearing by submitting written
8 comments relevant to the determinations specified in sub. (5) (c) not less than 10
9 working days before the date of the hearing or by participating at the hearing. A
10 counsel, guardian ad litem, court-appointed special advocate, agency, school, or
11 person representing the interests of the public who is provided notice of the hearing
12 under par. (b) may have an opportunity to be heard at the hearing by submitting
13 written comments relevant to the determinations specified in sub. (5) (c) not less
14 than 10 working days before the date of the hearing or by participating at the
15 hearing. A foster parent, operator of a facility, ~~or relative,~~ or like-kin who receives
16 notice of a hearing under par. (b) and a right to be heard under this subdivision does
17 not become a party to the proceeding on which the hearing is held solely on the basis
18 of receiving that notice and right to be heard.

19 **SECTION 867.** 48.38 (5m) (e) of the statutes is amended to read:

20 48.38 **(5m)** (e) After the hearing, the court shall make written findings of fact
21 and conclusions of law relating to the determinations under sub. (5) (c) and shall
22 provide a copy of those findings of fact and conclusions of law to the child; the child's
23 parent, guardian, and legal custodian; the child's foster parent, the operator of the
24 facility in which the child is living, or the relative or like-kin with whom the child
25 is living; the child's court-appointed special advocate; the agency that prepared the

ASSEMBLY BILL 43**SECTION 867**

1 permanency plan; the person representing the interests of the public; and, if the child
2 is an Indian child who is placed outside the home of his or her parent or Indian
3 custodian, the Indian child's Indian custodian and tribe. The court shall make the
4 findings specified in sub. (5) (c) 7. on a case-by-case basis based on circumstances
5 specific to the child and shall document or reference the specific information on
6 which those findings are based in the findings of fact and conclusions of law prepared
7 under this paragraph. Findings of fact and conclusions of law that merely reference
8 sub. (5) (c) 7. without documenting or referencing that specific information in the
9 findings of fact and conclusions of law or amended findings of fact and conclusions
10 of law that retroactively correct earlier findings of fact and conclusions of law that
11 do not comply with this paragraph are not sufficient to comply with this paragraph.

12 **SECTION 868.** 48.385 (intro.) of the statutes is amended to read:

13 **48.385 Plan for transition to independent living.** (intro.) During the 90
14 days immediately before a child who is placed 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 attains 18 years of age or, if the child is placed in such a placement under an order
18 under s. 48.355, 48.357, or 48.365 that terminates under s. 48.355 (4) (b) after the
19 child attains 18 years of age or under a voluntary transition-to-independent-living
20 agreement under s. 48.366 (3) that terminates under s. 48.366 (3) (a) after the child
21 attains 18 years of age, during the 90 days immediately before the termination of the
22 order or agreement, the agency primarily responsible for providing services to the
23 child under the order or agreement shall do all of the following:

24 **SECTION 869.** 48.396 (2) (dm) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 869**

1 48.396 (2) (dm) Upon request of a court having jurisdiction over actions
2 affecting the family, an attorney responsible for support enforcement under s. 59.53
3 (6) (a) or a party to a paternity proceeding under subch. IX of ch. 767, the party's
4 attorney or the guardian ad litem for the child who is the subject of that proceeding
5 to review or be provided with information from the records of the court assigned to
6 exercise jurisdiction under this chapter and ch. 938 relating to the paternity of a child
7 for the purpose of determining the paternity of the child or for the purpose of
8 rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or
9 891.41 (1), the court assigned to exercise jurisdiction under this chapter and ch. 938
10 shall open for inspection by the requester its records relating to the paternity of the
11 child or disclose to the requester those records.

12 **SECTION 870.** 48.40 (1m) of the statutes is amended to read:

13 48.40 (1m) “Kinship care ~~relative~~ provider” means a person receiving
14 payments under s. 48.57 (3m) (am) for providing care and maintenance for a child.

15 **SECTION 871.** 48.42 (1g) (a) 4. of the statutes is amended to read:

16 48.42 (1g) (a) 4. A statement identifying any ~~man~~ person who has lived in a
17 familial relationship with the child and who may be ~~the father~~ a parent of the child.

18 **SECTION 872.** 48.42 (1g) (b) of the statutes is amended to read:

19 48.42 (1g) (b) The petitioner shall notify any ~~man~~ person identified in the
20 affidavit under par. (a) as an alleged ~~father~~ parent of ~~his~~ the right to file a declaration
21 of ~~paternal~~ parental interest under s. 48.025 before the birth of the child, within 14
22 days after the birth of the child, or within 21 days after the date on which the notice
23 is mailed, whichever is later; of the birth date or anticipated birth date of the child;
24 and of the consequences of filing or not filing a declaration of ~~paternal~~ parental
25 interest. The petitioner shall include with the notice a copy of the form required to

ASSEMBLY BILL 43**SECTION 872**

1 file a declaration of ~~paternal~~ parental interest under s. 48.025. The notice shall be
2 sent by certified mail to the last-known address of the alleged ~~father~~ parent.

3 **SECTION 873.** 48.42 (1g) (c) of the statutes is amended to read:

4 48.42 **(1g)** (c) If an affidavit under par. (a) is not filed with the petition, notice
5 shall be given to an alleged ~~father~~ parent under sub. (2).

6 **SECTION 874.** 48.42 (2) (b) 1. of the statutes is amended to read:

7 48.42 **(2)** (b) 1. A person who has filed an unrevoked declaration of ~~paternal~~
8 parental interest under s. 48.025 before the birth of the child or within 14 days after
9 the birth of the child.

10 **SECTION 875.** 48.42 (2) (b) 2. of the statutes is amended to read:

11 48.42 **(2)** (b) 2. A person or persons alleged to the court to be ~~the father~~ a parent
12 of the child or who may, based upon the statements of the ~~mother~~ parent who gave
13 birth to the child or other information presented to the court, be the ~~father~~ parent
14 of the child unless that person has waived the right to notice under s. 48.41 (2) (c).

15 **SECTION 876.** 48.42 (2) (bm) 1. of the statutes is amended to read:

16 48.42 **(2)** (bm) 1. A person who has filed an unrevoked declaration of ~~paternal~~
17 parental interest under s. 48.025 before the birth of the child, within 14 days after
18 the birth of the child, or within 21 days after a notice under sub. (1g) (b) is mailed,
19 whichever is later.

20 **SECTION 877.** 48.422 (6) (a) of the statutes is amended to read:

21 48.422 **(6)** (a) In the case of a nonmarital child who is not adopted or whose
22 parents do not subsequently intermarry under s. 767.803 and for whom paternity
23 has not been established, or for whom a declaration of ~~paternal~~ parental interest has
24 not been filed under s. 48.025 within 14 days after the date of birth of the child or,
25 if s. 48.42 (1g) (b) applies, within 21 days after the date on which the notice under

ASSEMBLY BILL 43**SECTION 877**

1 s. 48.42 (1g) (b) is mailed, the court shall hear testimony concerning the paternity
2 parentage of the child. Based on the testimony, the court shall determine whether
3 all interested parties who are known have been notified under s. 48.42 (2) and (2g)
4 (ag). If not, the court shall adjourn the hearing and order appropriate notice to be
5 given.

6 **SECTION 878.** 48.422 (7) (bm) of the statutes is amended to read:

7 48.422 (7) (bm) Establish whether a proposed adoptive parent of the child has
8 been identified. If a proposed adoptive parent of the child has been identified and
9 the proposed adoptive parent is not a relative of the child, the court shall order the
10 petitioner to submit a report to the court containing the information specified in s.
11 48.913 (7). The court shall review the report to determine whether any payments or
12 agreement to make payments set forth in the report are coercive to the birth parent
13 of the child or to an alleged ~~to~~ or presumed ~~father~~ parent of the child or are
14 impermissible under s. 48.913 (4). Making any payment to or on behalf of the any
15 birth parent of the child, ~~an~~, alleged or presumed ~~father~~ parent of the child, or the
16 child conditional in any part upon transfer or surrender of the child or the
17 termination of parental rights or the finalization of the adoption creates a rebuttable
18 presumption of coercion. Upon a finding of coercion, the court shall dismiss the
19 petition or amend the agreement to delete any coercive conditions, if the parties
20 agree to the amendment. Upon a finding that payments ~~which~~ that are
21 impermissible under s. 48.913 (4) have been made, the court may dismiss the petition
22 and may refer the matter to the district attorney for prosecution under s. 948.24 (1).
23 This paragraph does not apply if the petition was filed with a petition for adoptive
24 placement under s. 48.837 (2).

25 **SECTION 879.** 48.422 (7) (br) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 879**

1 48.422 (7) (br) Establish whether any person has coerced a birth parent or any
2 alleged or presumed ~~father~~ parent of the child in violation of s. 48.63 (3) (b) 5. Upon
3 a finding of coercion, the court shall dismiss the petition.

4 **SECTION 880.** 48.423 (2) (d) of the statutes is amended to read:

5 48.423 (2) (d) That the person has complied with the requirements of the state
6 where the ~~mother~~ birth parent previously resided or was located to protect and
7 preserve his ~~paternal~~ or her parental interests in matters affecting the child.

8 **SECTION 881.** 48.427 (3m) (a) 5. of the statutes is amended to read:

9 48.427 (3m) (a) 5. A relative with whom the child resides, if the relative has
10 filed a petition to adopt the child or if the relative is a kinship care ~~relative~~ provider
11 or is receiving payments under s. 48.62 (4) for providing care and maintenance for
12 the child.

13 **SECTION 882.** 48.43 (5) (b) 1. of the statutes is amended to read:

14 48.43 (5) (b) 1. The court shall hold a hearing to review the permanency plan
15 within 30 days after receiving a report under par. (a). At least 10 days before the date
16 of the hearing, the court shall provide notice of the time, place, and purpose of the
17 hearing to the agency that prepared the report, the child's guardian, the child, and
18 the child's foster parent, the operator of the facility in which the child is living, or the
19 relative or like-kin with whom the child is living.

20 **SECTION 883.** 48.43 (5) (b) 3. of the statutes is amended to read:

21 48.43 (5) (b) 3. The court shall give a foster parent, operator of a facility, or
22 relative or like-kin who is notified of a hearing under subd. 1. a right to be heard at
23 the hearing by permitting the foster parent, operator, or relative or like-kin to make
24 a written or oral statement during the hearing, or to submit a written statement
25 prior to the hearing, relevant to the issues to be determined at the hearing. The foster

ASSEMBLY BILL 43**SECTION 883**

1 parent, operator of a facility, or relative or like-kin does not become a party to the
2 proceeding on which the hearing is held solely on the basis of receiving that notice
3 and right to be heard.

4 **SECTION 884.** 48.43 (5m) of the statutes is amended to read:

5 48.43 (5m) Either the court or the agency that prepared the permanency plan
6 shall furnish a copy of the original plan and each revised plan to the child, if he or
7 she is 12 years of age or over, to the child's guardian, to the child's foster parent, the
8 operator of the facility in which the child is living, or the relative or like-kin with
9 whom the child is living, and, if the order under sub. (1) involuntarily terminated
10 parental rights to an Indian child, to the Indian child's tribe.

11 **SECTION 885.** 48.432 (1) (am) 2. b. of the statutes is amended to read:

12 48.432 (1) (am) 2. b. If there is no adjudicated father, the husband spouse of the
13 mother at the time the individual or adoptee is conceived or born, or when the parents
14 intermarry under s. 767.803.

15 **SECTION 886.** Subchapter IX (title) of chapter 48 [precedes 48.44] of the
16 statutes is amended to read:

17 **CHAPTER 48**

18 **SUBCHAPTER IX**

19 **JURISDICTION OVER ~~PERSON 17~~**

20 **OR OLDER ADULTS**

21 **SECTION 887.** 48.44 of the statutes is amended to read:

22 **48.44 Jurisdiction over persons ~~17 or older adults~~.** The court has
23 jurisdiction over persons ~~17 years of age or older adults~~ as provided under ss. 48.133,
24 48.355 (4), 48.357 (6), 48.365 (5), and 48.45 and as otherwise specifically provided in
25 this chapter.

ASSEMBLY BILL 43**SECTION 888**

1 **SECTION 888.** 48.45 (1) (a) of the statutes is amended to read:

2 48.45 (1) (a) If in the hearing of a case of a child alleged to be in a condition
3 described in s. 48.13 it appears that any ~~person 17 years of age or older~~ adult has been
4 guilty of contributing to, encouraging, or tending to cause by any act or omission,
5 ~~such~~ that condition of the child, the judge may make orders with respect to the
6 conduct of ~~such~~ that person in his or her relationship to the child, including orders
7 determining the ability of the person to provide for the maintenance or care of the
8 child and directing when, how, and from where funds for the maintenance or care
9 shall be paid.

10 **SECTION 889.** 48.45 (1) (am) of the statutes is amended to read:

11 48.45 (1) (am) If in the hearing of a case of an unborn child and the unborn
12 child's expectant mother alleged to be in a condition described in s. 48.133 it appears
13 that any ~~person 17 years of age or over~~ adult has been guilty of contributing to,
14 encouraging, or tending to cause by any act or omission, ~~such~~ that condition of the
15 unborn child and expectant mother, the judge may make orders with respect to the
16 conduct of ~~such~~ that person in his or her relationship to the unborn child and
17 expectant mother.

18 **SECTION 890.** 48.45 (3) of the statutes is amended to read:

19 48.45 (3) If it appears at a court hearing that any ~~person 17 years of age or older~~
20 adult has violated s. 948.40, the judge shall refer the record to the district attorney
21 for criminal proceedings as may be warranted in the district attorney's judgment.
22 This subsection does not prevent prosecution of violations of s. 948.40 without the
23 prior reference by the judge to the district attorney, as in other criminal cases.

24 **SECTION 891.** 48.48 (8r) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 891**

1 48.48 **(8r)** To reimburse county departments and Indian tribes, from the
2 appropriations under s. 20.437 (1) (dd) and (pd), for subsidized guardianship
3 payments made under s. 48.623 (1) or (6), including guardianships of ~~Indian~~ children
4 ordered by tribal courts.

5 **SECTION 892.** 48.48 (17m) of the statutes is created to read:

6 48.48 **(17m)** (a) To provide intensive family preservation services or to provide
7 funding to county departments, nonprofit or for-profit corporations, Indian tribes,
8 or licensed child welfare agencies under contract with the department or a county
9 department to provide intensive family preservation services. In this subsection,
10 “intensive family preservation services” means evidence-informed services that are
11 targeted to prevent the removal of children from the home under this chapter or ch.
12 938, to promote the safety of children in the home, or to provide services to children
13 who are placed in out-of-home care or who are involved in the juvenile justice
14 system.

15 (b) To provide support for intensive family preservation services provided by
16 the department, county departments, nonprofit corporations, Indian tribes, or
17 licensed child welfare agencies, including any of the following:

18 1. Training, coaching, quality assurance, data collection and analysis, and
19 funding for certification or licensing for implementation of the services.

20 2. Purchasing or subsidizing the purchase of the services described in subd. 1.

21 (c) To develop criteria, standards, and review procedures for the administration
22 of this subsection. Notwithstanding s. 227.10 (1), the criteria, standards, and review
23 procedures established under this paragraph need not be promulgated as rules
24 under ch. 227.

25 **SECTION 893.** 48.48 (19) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 894**

1 **SECTION 894.** 48.48 (22) of the statutes is created to read:

2 48.48 **(22)** To create, maintain, and require use of for placement purposes a
3 group care referral clearinghouse. The department may promulgate rules necessary
4 for the implementation of this subsection.

5 **SECTION 895.** 48.481 (title) of the statutes is amended to read:

6 **48.481** (title) **Grants for children's community programs youth**
7 **services.**

8 **SECTION 896.** 48.481 (intro.) of the statutes is renumbered 48.481 (2m) (intro.)
9 and amended to read:

10 48.481 **(2m)** (intro.) ~~From the appropriation under s. 20.437 (1) (bc), the~~ The
11 department shall distribute the following grants for children's community programs
12 youth services to public agencies, nonprofit corporations, and Indian tribes to
13 provide programs that accomplish one or more of the following purposes:

14 **SECTION 897.** 48.481 (1) of the statutes is repealed.

15 **SECTION 898.** 48.481 (1m) of the statutes is created to read:

16 48.481 **(1m)** In this section:

17 (a) "Nonprofit corporation" means a nonstock, nonprofit corporation organized
18 under ch. 181.

19 (b) "Public agency" means a county, city, village, town, or school district or an
20 agency of this state or of a county, city, village, town, or school district.

21 **SECTION 899.** 48.481 (2) of the statutes is repealed.

22 **SECTION 900.** 48.481 (2m) (a), (b), (c), (d), (e), (f), (g), (h) and (i) and (3) of the
23 statutes are created to read:

24 48.481 **(2m)** (a) Increasing youth access to housing.

ASSEMBLY BILL 43**SECTION 900**

1 (b) Increasing youth self-sufficiency through employment, education, and
2 training.

3 (c) Increasing youth social and emotional health by promoting healthy and
4 stable adult connections, social engagement, and connection with necessary
5 services.

6 (d) Preventing sex trafficking of children and youth.

7 (e) Providing treatment and services for documented and suspected victims of
8 child and youth sex trafficking.

9 (f) Preventing and reducing the incidence of youth violence and other
10 delinquent behavior.

11 (g) Preventing and reducing the incidence of youth alcohol and other drug use
12 and abuse.

13 (h) Preventing and reducing the incidence of child abuse and neglect.

14 (i) Preventing and reducing the incidence of teen pregnancy.

15 **(3)** From the appropriations under s. 20.437 (1) (bc) and (kb), the department
16 shall distribute \$55,000 in each fiscal year to Diverse and Resilient, Inc., to provide
17 programs that accomplish one or more of the purposes under sub. (2m).

18 **SECTION 901.** 48.483 of the statutes is created to read:

19 **48.483 Sibling connections scholarships.** From the appropriation under
20 s. 20.437 (1) (dm), the department shall award scholarships to adopted children and
21 their biological siblings who do not reside in the same household to attend programs
22 together in order to build sibling connections.

23 **SECTION 902.** 48.526 (3) (e) of the statutes is amended to read:

24 48.526 **(3)** (e) The department may carry forward \$500,000 or transfer to the
25 appropriation account under s. 20.437 (1) (kp) 10 percent of its funds allocated under

ASSEMBLY BILL 43**SECTION 902**

1 this subsection and not ~~encumbered~~ expended or carried forward under par. (dm) by
2 counties by December 31, ~~whichever is greater, to the next 2 calendar years.~~ The
3 department may transfer moneys from or within s. 20.437 (1) (cj) to accomplish this
4 purpose. ~~The department may allocate these transferred moneys to counties with~~
5 ~~persistently high rates of juvenile arrests for serious offenses during the next 2~~
6 ~~calendar years to improve community-based juvenile delinquency-related services,~~
7 ~~as defined in s. 46.011 (1c).~~ The allocation does not affect a county's base allocation.

8 **SECTION 903.** 48.526 (3) (em) of the statutes is repealed.

9 **SECTION 904.** 48.526 (7) (intro.) of the statutes is amended to read:

10 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
11 of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate
12 funds for community youth and family aids for the period beginning on July 1, 2021
13 2023, and ending on June 30, ~~2023~~ 2025, as provided in this subsection to county
14 departments under ss. 46.215, 46.22, and 46.23 as follows:

15 **SECTION 905.** 48.526 (7) (a) of the statutes is amended to read:

16 48.526 (7) (a) For community youth and family aids under this section,
17 amounts not to exceed \$47,740,750 \$48,089,350 for the last 6 months of ~~2021~~ 2023,
18 \$95,481,500 \$96,178,700 for ~~2022~~ 2024, and \$47,740,750 \$48,089,350 for the first 6
19 months of ~~2023~~ 2025.

20 **SECTION 906.** 48.526 (7) (b) (intro.) of the statutes is amended to read:

21 48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
22 allocate \$2,000,000 for the last 6 months of ~~2021~~ 2023, \$4,000,000 for ~~2022~~ 2024, and
23 \$2,000,000 for the first 6 months of ~~2023~~ 2025 to counties based on each of the
24 following factors weighted equally:

25 **SECTION 907.** 48.526 (7) (bm) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 907**

1 48.526 (7) (bm) Of the amounts specified in par. (a), the department shall
2 allocate \$6,250,000 for the last 6 months of ~~2021~~ 2023, \$12,500,000 for ~~2022~~ 2024,
3 and \$6,250,000 for the first 6 months of ~~2023~~ 2025 to counties based on each county's
4 proportion of the number of juveniles statewide who are placed in a juvenile
5 correctional facility or a secured residential care center for children and youth during
6 the most recent 3-year period for which that information is available.

7 **SECTION 908.** 48.526 (7) (c) of the statutes is amended to read:

8 48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate
9 \$1,053,200 for the last 6 months of ~~2021~~ 2023, \$2,106,500 for ~~2022~~ 2024, and
10 \$1,053,300 for the first 6 months of ~~2023~~ 2025 to counties based on each of the factors
11 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
12 allocation under this paragraph that is less than 93 percent nor more than 115
13 percent of the amount that the county would have received under this paragraph if
14 the allocation had been distributed only on the basis of the factor specified in par. (b)
15 3.

16 **SECTION 909.** 48.526 (7) (e) of the statutes is repealed.

17 **SECTION 910.** 48.526 (7) (h) of the statutes is repealed.

18 **SECTION 911.** 48.526 (8) of the statutes is repealed.

19 **SECTION 912.** 48.5275 of the statutes is created to read:

20 **48.5275 Seventeen-year-old juvenile justice aids.** Notwithstanding s.
21 48.526, from the appropriation under s. 20.437 (1) (cL), beginning on January 1,
22 2024, the department shall reimburse counties for the costs under s. 48.526 (2) (c)
23 associated with juveniles who were alleged to have violated a state or federal
24 criminal law or any civil law or municipal ordinance at age 17.

25 **SECTION 913.** 48.528 of the statutes is repealed and recreated to read:

ASSEMBLY BILL 43**SECTION 913**

1 **48.528 Youth justice system improvement program.** From the
2 appropriations under s. 20.437 (1) (cm) and (kp), in each fiscal year the department
3 may expend funds for the following purposes:

4 **(1)** To fund programs that enhance diversion, prevention, or early intervention
5 to reduce the number of justice-involved youth or promote successful outcomes for
6 all youth. To determine eligibility for a payment under this subsection, the
7 department shall require a county or other provider to submit a plan for the
8 expenditure of the payment.

9 **(2)** To address emergencies related to community youth and family aids under
10 s. 48.526.

11 **(3)** To fund activities required of the department under s. 48.526 (1).

12 **SECTION 914.** 48.53 of the statutes is created to read:

13 **48.53 Grants to support foster parents and children.** From the
14 appropriation account under s. 20.437 (1) (bg), the department shall distribute
15 grants to counties, nonprofit organizations, or tribes for the purpose of supporting
16 foster parents and providing normalcy for children in out-of-home care.

17 **SECTION 915.** 48.545 of the statutes is repealed.

18 **SECTION 916.** 48.563 (2) of the statutes is amended to read:

19 48.563 **(2)** COUNTY ALLOCATION. For children and family services under s. 48.569
20 (1) (d), the department shall distribute not more than ~~\$101,154,200 in fiscal year~~
21 ~~2021-22~~ and ~~\$101,162,800~~ \$101,564,700 in fiscal year ~~2022-23~~ 2023-24 and
22 \$101,961,600 in fiscal year 2024-25.

23 **SECTION 917.** 48.57 (3m) (a) 1. b. of the statutes is amended to read:

24 48.57 **(3m)** (a) 1. b. The person is under 21 years of age, the person is a full-time
25 student in good academic standing at a secondary school or its vocational or technical

ASSEMBLY BILL 43**SECTION 917**

1 equivalent, an individualized education program under s. 115.787 is in effect for the
2 person, and the person is placed in the home of the kinship care relative provider
3 under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365 that
4 terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains 18 years
5 of age or under a voluntary transition-to-independent-living agreement under s.
6 48.366 (3) or 938.366 (3).

7 **SECTION 918.** 48.57 (3m) (a) 2. of the statutes is amended to read:

8 48.57 (3m) (a) 2. “Kinship care relative provider” means a relative other than
9 a parent, an extended family member, as defined in s. 48.028 (2) (am), or like-kin.

10 **SECTION 919.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

11 48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
12 (me), and (s), the department shall reimburse counties having populations of less
13 than 750,000 for payments made under this subsection and shall make payments
14 under this subsection in a county having a population of 750,000 or more. Subject
15 to par. (ap), a county department and, in a county having a population of 750,000 or
16 more, the department shall make payments in the amount of \$300 per month
17 beginning on January 1, 2022, to a kinship care relative provider who is providing
18 care and maintenance for a child if all of the following conditions are met:

19 **SECTION 920.** 48.57 (3m) (am) (intro.) of the statutes, as affected by 2023
20 Wisconsin Act ... (this act), is amended to read:

21 48.57 (3m) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
22 (me), and (s), the department shall reimburse counties having populations of less
23 than 750,000 for payments made under this subsection and shall make payments
24 under this subsection in a county having a population of 750,000 or more. Subject
25 to par. (ap), and if all of the following conditions are met, beginning on January 1,

ASSEMBLY BILL 43**SECTION 920**

1 ~~2024~~, a county department and, in a county having a population of 750,000 or more,
2 the department shall make monthly payments to a kinship care provider who is
3 providing care and maintenance for a child in the amount of \$300 per month
4 ~~beginning on January 1, 2022, to a kinship care provider who is providing care and~~
5 ~~maintenance for a child if all of the following conditions are met~~ \$441 for a child
6 under 5 years of age; \$483 for a child 5 to 11 years of age; \$548 for a child 12 to 14
7 years of age; and \$572 for a child 15 years of age or over:

8 **SECTION 921.** 48.57 (3m) (am) 1. of the statutes is amended to read:

9 48.57 **(3m)** (am) 1. The kinship care relative provider applies to the county
10 department or department for payments under this subsection and, if the child is
11 placed in the home of the kinship care relative provider under a court order, other
12 than a court order under s. 48.9795 or ch. 54, 2017 stats., for a license to operate a
13 foster home.

14 **SECTION 922.** 48.57 (3m) (am) 1m. of the statutes is amended to read:

15 48.57 **(3m)** (am) 1m. The county department or department determines that
16 there is a need for the child to be placed with the kinship care relative provider and
17 that the placement with the kinship care relative provider is in the best interests of
18 the child.

19 **SECTION 923.** 48.57 (3m) (am) 4. of the statutes is amended to read:

20 48.57 **(3m)** (am) 4. The county department or department conducts a
21 background investigation under sub. (3p) of the kinship care relative provider, any
22 employee and prospective employee of the kinship care relative provider who has or
23 would have regular contact with the child for whom the payments would be made and
24 any other adult resident of the kinship care relative's provider's home to determine
25 if the kinship care relative provider, employee, prospective employee or adult

ASSEMBLY BILL 43**SECTION 923**

1 resident has any arrests or convictions that could adversely affect the child or the
2 kinship care relative's provider's ability to care for the child.

3 **SECTION 924.** 48.57 (3m) (am) 4m. of the statutes is amended to read:

4 48.57 **(3m)** (am) 4m. Subject to sub. (3p) (fm) 1. and 2., the kinship care relative
5 provider states that he or she does not have any arrests or convictions that could
6 adversely affect the child or the kinship care relative's provider's ability to care for
7 the child and that no adult resident, as defined in sub. (3p) (a), and no employee or
8 prospective employee of the kinship care relative provider who would have regular
9 contact with the child has any arrests or convictions that could adversely affect the
10 child or the kinship care relative's provider's ability to care for the child.

11 **SECTION 925.** 48.57 (3m) (am) 5. of the statutes is amended to read:

12 48.57 **(3m)** (am) 5. The kinship care relative provider cooperates with the
13 county department or department in the application process, including applying for
14 other forms of assistance for which the child may be eligible.

15 **SECTION 926.** 48.57 (3m) (am) 5m. of the statutes is amended to read:

16 48.57 **(3m)** (am) 5m. The kinship care relative provider is not receiving
17 payments under sub. (3n) with respect to the child.

18 **SECTION 927.** 48.57 (3m) (am) 6. of the statutes is amended to read:

19 48.57 **(3m)** (am) 6. The child for whom the kinship care relative provider is
20 providing care and maintenance is not receiving supplemental security income
21 under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

22 **SECTION 928.** 48.57 (3m) (an) of the statutes is created to read:

23 48.57 **(3m)** (an) In addition to the monthly payments for kinship care under
24 par. (am), the department or, with the department's approval, the county department
25 may make payments for exceptional circumstances to enable siblings or a minor

ASSEMBLY BILL 43**SECTION 928**

1 parent and minor children to reside together and for initial clothing allowances to
2 a kinship care provider who is providing care and maintenance for a child residing
3 in the home of the kinship care provider who is receiving a monthly rate under par.
4 (am), commensurate with the needs of the child, according to the rules promulgated
5 by the department under par. (i) 3.

6 **SECTION 929.** 48.57 (3m) (ap) 1. of the statutes is amended to read:

7 48.57 (3m) (ap) 1. Subject to subds. 2. and 3., the county department or, in a
8 county having a population of 750,000 or more, the department may make payments
9 under par. (am) to a kinship care relative provider who is providing care and
10 maintenance for a child who is placed in the home of the kinship care relative
11 provider under a court order for no more than 60 days after the date on which the
12 county department or department received under par. (am) 1. the completed
13 application of the kinship care relative provider for a license to operate a foster home
14 or, if the application is approved or denied or the kinship care relative provider is
15 otherwise determined to be ineligible for licensure within those 60 days, until the
16 date on which the application is approved or denied or the kinship care relative
17 provider is otherwise determined to be ineligible for licensure.

18 **SECTION 930.** 48.57 (3m) (ap) 2. of the statutes is amended to read:

19 48.57 (3m) (ap) 2. If the application specified in subd. 1. is not approved or
20 denied or the kinship care relative provider is not otherwise determined to be
21 ineligible for licensure within 60 days after the date on which the county department
22 or department received the completed application for any reason other than an act
23 or omission of the kinship care relative provider, the county department or
24 department may make payments under par. (am) for 4 months after the date on
25 which the county department or department received the completed application or,

ASSEMBLY BILL 43**SECTION 930**

1 if the application is approved or denied or the kinship care relative provider is
2 otherwise determined to be ineligible for licensure within those 4 months, until the
3 date on which the application is approved or denied or the kinship care relative
4 provider is otherwise determined to be ineligible for licensure.

5 **SECTION 931.** 48.57 (3m) (ap) 3. of the statutes is amended to read:

6 48.57 (3m) (ap) 3. Notwithstanding that an application of a kinship care
7 relative provider specified in subd. 1. is denied or the kinship care relative provider
8 is otherwise determined to be ineligible for licensure, the county department or, in
9 a county having a population of 750,000 or more, the department may make
10 payments under par. (am) to the kinship care relative provider for as long as the
11 conditions specified in par. (am) 1. to 6. continue to apply if the county department
12 or department submits to the court information relating to the background
13 investigation specified in par. (am) 4., an assessment of the safety of the kinship care
14 relative's provider's home and the ability of the kinship care relative provider to care
15 for the child, and a recommendation that the child remain in the home of the kinship
16 care relative provider and the court, after considering that information, assessment,
17 and recommendation, orders the child to remain in the kinship care relative's
18 provider's home. If the court does not order the child to remain in the kinship care
19 relative's provider's home, the court shall order the county department or
20 department to request a change in placement under s. 48.357 (1) (am) or 938.357 (1)
21 (am). Any person specified in s. 48.357 (2m) (a) or 938.357 (2m) (a) may also request
22 a change in placement.

23 **SECTION 932.** 48.57 (3m) (ar) and (at) of the statutes are created to read:

24 48.57 (3m) (ar) In addition to the monthly payments for kinship care under par.
25 (ap), the department or, with the department's approval, the county department may

ASSEMBLY BILL 43**SECTION 932**

1 make emergency payments for kinship care to a kinship care provider who is
2 providing care and maintenance for a child residing in the home of the kinship care
3 provider under a court order if any of the following conditions are met:

4 1. The governor has declared a state of emergency pursuant to s. 323.10, or the
5 federal government has declared a major disaster under 42 USC 68, that covers the
6 locality of the home of the kinship care provider.

7 2. This state has received federal funding to be used for child welfare purposes
8 due to an emergency or disaster declared for the locality of the home of the kinship
9 care provider.

10 3. The department has determined that conditions in this state or in the locality
11 of the home of the kinship care provider have resulted in a temporary increase in the
12 costs borne by kinship care providers. Those conditions may include any of the
13 following:

14 a. A pandemic or other public health threat.

15 b. A natural disaster.

16 c. Unplanned school closures of 5 consecutive days or more.

17 (at) The department shall determine the amount of emergency payments under
18 par. (ar) based on available funding.

19 **SECTION 933.** 48.57 (3m) (as) of the statutes is created to read:

20 48.57 (3m) (as) From the appropriation under s. 20.437 (1) (es), a county
21 department and, in a county having a population of 750,000 or more, the department
22 may provide flexible support, in the form of additional payments or services, to a
23 kinship care provider who qualifies under rules promulgated by the department
24 under par. (i) 3.

25 **SECTION 934.** 48.57 (3m) (b) 2. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 934**

1 48.57 (3m) (b) 2. When any kinship care ~~relative~~ provider of a child applies for
2 or receives payments under this subsection, any right of the child or the child's parent
3 to support or maintenance from any other person accruing during the time that
4 payments are made under this subsection is assigned to the state. If a child who is
5 the beneficiary of a payment under this subsection is also the beneficiary of support
6 under a judgment or order that includes support for one or more children who are not
7 the beneficiaries of payments under this subsection, any support payment made
8 under the judgment or order is assigned to the state in the amount that is the
9 proportionate share of the child who is the beneficiary of the payment made under
10 this subsection, except as otherwise ordered by the court on the motion of a party.

11 **SECTION 935.** 48.57 (3m) (cm) of the statutes is amended to read:

12 48.57 (3m) (cm) A kinship care ~~relative~~ provider who receives a payment under
13 par. (am) for providing care and maintenance for a child is not eligible to receive a
14 payment under sub. (3n) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

15 **SECTION 936.** 48.57 (3m) (h) of the statutes is amended to read:

16 48.57 (3m) (h) A county department or, in a county having a population of
17 750,000 or more, the department may recover an overpayment made under par. (am)
18 from a kinship care ~~relative~~ provider who continues to receive payments under par.
19 (am) by reducing the amount of the kinship care ~~relative's~~ provider's monthly
20 payment. The department may by rule specify other methods for recovering
21 overpayments made under par. (am). A county department that recovers an
22 overpayment under this paragraph due to the efforts of its officers and employees
23 may retain a portion of the amount recovered, as provided by the department by rule.

24 **SECTION 937.** 48.57 (3m) (i) 1. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 937**

1 48.57 (3m) (i) 1. Rules to provide assessment criteria for determining whether
2 a kinship care relative provider who is providing care and maintenance for a child
3 is eligible to receive payments under par. (am). The rules shall also provide that any
4 criteria established under the rules shall first apply to applications for payments
5 under par. (am) received, and to reviews under par. (d) conducted, on the effective
6 date of those rules.

7 **SECTION 938.** 48.57 (3m) (i) 3. of the statutes is created to read:

8 48.57 (3m) (i) 3. Rules governing the provision of flexible support under par.
9 (as). Rules promulgated under this subdivision may specify qualifying costs and
10 services and eligibility criteria.

11 **SECTION 939.** 48.57 (3m) (i) 4. of the statutes is created to read:

12 48.57 (3m) (i) 4. Rules governing the provision of payments for exceptional
13 circumstances to enable siblings or a minor parent and minor children to reside
14 together and for initial clothing allowances for a child residing in the home of a
15 kinship care provider who is receiving a monthly rate under par. (am).

16 **SECTION 940.** 48.57 (3m) (j) of the statutes is created to read:

17 48.57 (3m) (j) The department may promulgate rules governing the provision
18 of emergency payments under par. (ar).

19 **SECTION 941.** 48.57 (3n) (a) 1. b. of the statutes is amended to read:

20 48.57 (3n) (a) 1. b. The person is under 21 years of age, the person is a full-time
21 student in good academic standing at a secondary school or its vocational or technical
22 equivalent, an individualized education program under s. 115.787 is in effect for the
23 person, and the person is placed in the home of the long-term kinship care relative
24 provider under an order under s. 48.355, 48.357, 48.365, 938.355, 938.357, or 938.365
25 that terminates under s. 48.355 (4) (b) or 938.355 (4) (am) after the person attains

ASSEMBLY BILL 43**SECTION 941**

1 18 years of age or under a voluntary transition-to-independent-living agreement
2 under s. 48.366 (3) or 938.366 (3).

3 **SECTION 942.** 48.57 (3n) (a) 2. of the statutes is amended to read:

4 48.57 (3n) (a) 2. “Long-term kinship care relative provider” means a relative
5 other than a parent, an extended family member, as defined in s. 48.028 (2) (am), or
6 like-kin.

7 **SECTION 943.** 48.57 (3n) (am) (intro.) of the statutes 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), a county department and, in a county having a population of 750,000 or
13 more, the department shall make monthly payments for each child in the amount of
14 \$300 per month beginning on January 1, 2022, to a long-term kinship care relative
15 provider who is providing care and maintenance for that child if all of the following
16 conditions are met:

17 **SECTION 944.** 48.57 (3n) (am) (intro.) of the statutes, as affected by 2023
18 Wisconsin Act (this act), is amended to read:

19 48.57 (3n) (am) (intro.) From the appropriations under s. 20.437 (2) (dz), (md),
20 (me), and (s), the department shall reimburse counties having populations of less
21 than 750,000 for payments made under this subsection and shall make payments
22 under this subsection in a county having a population of 750,000 or more. Subject
23 to par. (ap) and if all of the following conditions are met, beginning on January 1,
24 2024, a county department and, in a county having a population of 750,000 or more,
25 the department shall make monthly payments to a long-term kinship care provider

ASSEMBLY BILL 43**SECTION 944**

1 ~~who is providing care and maintenance for each a child in the amount of \$300 per~~
2 ~~month beginning on January 1, 2022, to a long-term kinship care provider who is~~
3 ~~providing care and maintenance for that child if all of the following conditions are~~
4 ~~met \$441 for a child under 5 years of age; \$483 for a child 5 to 11 years of age; \$548~~
5 ~~for a child 12 to 14 years of age; and \$572 for a child 15 years of age or over:~~

6 **SECTION 945.** 48.57 (3n) (am) 1. of the statutes is amended to read:

7 48.57 **(3n)** (am) 1. The long-term kinship care relative provider applies to the
8 county department or department for payments under this subsection, provides
9 proof that he or she has been appointed as the guardian of the child, and, if the child
10 is placed in the home of the long-term kinship care relative provider under a court
11 order, other than a court order under s. 48.9795 or ch. 54, 2017 stats., applies to the
12 county department or department for a license to operate a foster home.

13 **SECTION 946.** 48.57 (3n) (am) 2. of the statutes is amended to read:

14 48.57 **(3n)** (am) 2. The county department or department inspects the
15 long-term kinship care relative's provider's home, interviews the long-term kinship
16 care relative provider and determines that long-term placement with the long-term
17 kinship care relative provider is in the best interests of the child.

18 **SECTION 947.** 48.57 (3n) (am) 4. of the statutes is amended to read:

19 48.57 **(3n)** (am) 4. The county department or department conducts a
20 background investigation under sub. (3p) of the long-term kinship care relative
21 provider, the employees and prospective employees of the long-term kinship care
22 relative provider who have or would have regular contact with the child for whom the
23 payments would be made and any other adult resident, as defined in sub. (3p) (a),
24 of the long-term kinship care relative's provider's home to determine if the
25 long-term kinship care relative provider, employee, prospective employee or adult

ASSEMBLY BILL 43**SECTION 947**

1 resident has any arrests or convictions that are likely to adversely affect the child or
2 the long-term kinship care ~~relative's~~ provider's ability to care for the child.

3 **SECTION 948.** 48.57 (3n) (am) 4m. of the statutes is amended to read:

4 48.57 **(3n)** (am) 4m. Subject to sub. (3p) (fm) 1m. and 2m., the long-term
5 kinship care ~~relative~~ provider states that he or she does not have any arrests or
6 convictions that could adversely affect the child or the long-term kinship care
7 ~~relative's~~ provider's ability to care for the child and that, to the best of the long-term
8 kinship care ~~relative's~~ provider's knowledge, no adult resident, as defined in sub. (3p)
9 (a), and no employee or prospective employee of the long-term kinship care ~~relative~~
10 provider who would have regular contact with the child has any arrests or
11 convictions that could adversely affect the child or the long-term kinship care
12 ~~relative's~~ provider's ability to care for the child.

13 **SECTION 949.** 48.57 (3n) (am) 5. of the statutes is amended to read:

14 48.57 **(3n)** (am) 5. The long-term kinship care ~~relative~~ provider cooperates
15 with the county department or department in the application process, including
16 applying for other forms of assistance for which the child may be eligible.

17 **SECTION 950.** 48.57 (3n) (am) 5m. of the statutes is amended to read:

18 48.57 **(3n)** (am) 5m. The long-term kinship care ~~relative~~ provider is not
19 receiving payments under sub. (3m) with respect to the child.

20 **SECTION 951.** 48.57 (3n) (am) 5r. of the statutes is amended to read:

21 48.57 **(3n)** (am) 5r. The child for whom the long-term kinship care ~~relative~~
22 provider is providing care and maintenance is not receiving supplemental security
23 income under 42 USC 1381 to 1383c or state supplemental payments under s. 49.77.

24 **SECTION 952.** 48.57 (3n) (am) 6. (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 952**

1 48.57 (3n) (am) 6. (intro.) The long-term kinship care relative provider and the
2 county department or department enter into a written agreement under which the
3 long-term kinship care relative provider agrees to provide care and maintenance for
4 the child and the county department or department agrees, subject to sub. (3p) (hm),
5 to make monthly payments to the long-term kinship care relative provider at the
6 rate specified in sub. (3m) (am) (intro.) until the earliest of the following:

7 **SECTION 953.** 48.57 (3n) (am) 6. c. of the statutes is amended to read:

8 48.57 (3n) (am) 6. c. The date on which the child is placed outside the long-term
9 kinship care relative's provider's home under a court order or under a voluntary
10 agreement under s. 48.63 (1) (a) or (b) or (5) (b).

11 **SECTION 954.** 48.57 (3n) (am) 6. d. of the statutes is amended to read:

12 48.57 (3n) (am) 6. d. The date on which the child ceases to reside with the
13 long-term kinship care relative provider.

14 **SECTION 955.** 48.57 (3n) (am) 6. e. of the statutes is amended to read:

15 48.57 (3n) (am) 6. e. The date on which the long-term kinship care's care
16 provider's guardianship under s. 48.977 terminates.

17 **SECTION 956.** 48.57 (3n) (an) of the statutes is created to read:

18 48.57 (3n) (an) In addition to the monthly payments for long-term kinship care
19 under par. (am), the department or, with the department's approval, the county
20 department may make payments for exceptional circumstances to enable siblings or
21 a minor parent and minor children to reside together and for initial clothing
22 allowances to a long-term kinship care provider who is providing care and
23 maintenance for a child residing in the home of the long-term kinship care provider
24 who is receiving a monthly rate under par. (am), commensurate with the needs of the
25 child, according to the rules promulgated by the department under par. (i) 2.

ASSEMBLY BILL 43**SECTION 957**

1 **SECTION 957.** 48.57 (3n) (ap) 1. of the statutes is amended to read:

2 48.57 **(3n)** (ap) 1. Subject to subds. 2. and 3., the county department or, in a
3 county having a population of 750,000 or more, the department may make payments
4 under par. (am) to a long-term kinship care relative provider who is providing care
5 and maintenance for a child who is placed in the home of the long-term kinship care
6 relative provider for no more than 60 days after the date on which the county
7 department or department received under par. (am) 1. the completed application of
8 the long-term kinship care relative provider for a license to operate a foster home or,
9 if the application is approved or denied or the long-term kinship care relative
10 provider is otherwise determined to be ineligible for licensure within those 60 days,
11 until the date on which the application is approved or denied or the long-term
12 kinship care relative provider is otherwise determined to be ineligible for licensure.

13 **SECTION 958.** 48.57 (3n) (ap) 2. of the statutes is amended to read:

14 48.57 **(3n)** (ap) 2. If the application specified in subd. 1. is not approved or
15 denied or the long-term kinship care relative provider is not otherwise determined
16 to be ineligible for licensure within 60 days after the date on which the county
17 department or department received the completed application for any reason other
18 than an act or omission of the long-term kinship care relative provider, the county
19 department or department may make payments under par. (am) for 4 months after
20 the date on which the county department or department received the completed
21 application or, if the application is approved or denied or the long-term kinship care
22 relative provider is otherwise determined to be ineligible for licensure within those
23 4 months, until the date on which the application is approved or denied or the
24 long-term kinship care relative provider is otherwise determined to be ineligible for
25 licensure.

ASSEMBLY BILL 43**SECTION 959**

1 **SECTION 959.** 48.57 (3n) (ap) 3. of the statutes is amended to read:

2 48.57 **(3n)** (ap) 3. Notwithstanding that an application of a long-term kinship
3 care ~~relative~~ provider specified in subd. 1. is denied or the long-term kinship care
4 ~~relative~~ provider is otherwise determined to be ineligible for licensure, the county
5 department or, in a county having a population of 750,000 or more, the department
6 may make payments under par. (am) to the long-term kinship care ~~relative~~ provider
7 until an event specified in par. (am) 6. a. to f. occurs if the county department or
8 department submits to the court information relating to the background
9 investigation specified in par. (am) 4., an assessment of the safety of the long-term
10 kinship care ~~relative's~~ provider's home and the ability of the long-term kinship care
11 ~~relative~~ provider to care for the child, and a recommendation that the child remain
12 in the home of the long-term kinship care ~~relative~~ provider and the court, after
13 considering that information, assessment, and recommendation, orders the child to
14 remain in the long-term kinship care ~~relative's~~ provider's home. If the court does not
15 order the child to remain in the kinship care ~~relative's~~ provider's home, the court
16 shall order the county department or department to request a change in placement
17 under s. 48.357 (1) (am) or 938.357 (1) (am) or to request a termination of the
18 guardianship order under s. 48.977 (7). Any person specified in s. 48.357 (2m) (a) or
19 938.357 (2m) (a) may also request a change in placement and any person who is
20 authorized to file a petition for the appointment of a guardian for the child may also
21 request a termination of the guardianship order.

22 **SECTION 960.** 48.57 (3n) (b) 2. of the statutes is amended to read:

23 48.57 **(3n)** (b) 2. When any long-term kinship care ~~relative~~ provider of a child
24 applies for or receives payments under this subsection, any right of the child or the
25 child's parent to support or maintenance from any other person accruing during the

ASSEMBLY BILL 43**SECTION 960**

1 time that payments are made under this subsection is assigned to the state. If a child
2 is the beneficiary of support under a judgment or order that includes support for one
3 or more children who are not the beneficiaries of payments under this subsection,
4 any support payment made under the judgment or order is assigned to the state in
5 the amount that is the proportionate share of the child who is the beneficiary of the
6 payment made under this subsection, except as otherwise ordered by the court on the
7 motion of a party.

8 **SECTION 961.** 48.57 (3n) (cm) of the statutes is amended to read:

9 48.57 (3n) (cm) A long-term kinship care relative provider who receives a
10 payment under par. (am) for providing care and maintenance for a child is not eligible
11 to receive a payment under sub. (3m) or s. 48.62 (4) or 48.623 (1) or (6) for that child.

12 **SECTION 962.** 48.57 (3n) (h) of the statutes is amended to read:

13 48.57 (3n) (h) A county department or, in a county having a population of
14 750,000 or more, the department may recover an overpayment made under par. (am)
15 from a long-term kinship care relative provider who continues to receive payments
16 under par. (am) by reducing the amount of the long-term kinship care relative's
17 provider's monthly payment. The department may by rule specify other methods for
18 recovering overpayments made under par. (am). A county department that recovers
19 an overpayment under this paragraph due to the efforts of its officers and employees
20 may retain a portion of the amount recovered, as provided by the department by rule.

21 **SECTION 963.** 48.57 (3n) (i) of the statutes is renumbered 48.57 (3n) (i) (intro.)
22 and amended to read:

23 48.57 (3n) (i) (intro.) The department shall promulgate rules to implement this
24 subsection. Those rules shall include ~~rules~~ all of the following:

ASSEMBLY BILL 43**SECTION 963**

1 1. Rules governing the provision of long-term kinship care payments for the
2 care and maintenance of a child after the child attains 18 years of age.

3 **SECTION 964.** 48.57 (3n) (i) 2. of the statutes is created to read:

4 48.57 **(3n)** (i) 2. Rules governing the provision of payments for exceptional
5 circumstances to enable siblings or a minor parent and minor children to reside
6 together and for initial clothing allowances for children residing in a home of a
7 long-term kinship care provider who is receiving a monthly rate under par. (am).

8 **SECTION 965.** 48.57 (3p) (h) 3. (intro.) of the statutes is amended to read:

9 48.57 **(3p)** (h) 3. (intro.) The director of the county department, the person
10 designated by the governing body of an Indian tribe or, in a county having a
11 population of 750,000 or more, the person designated by the secretary shall review
12 the denial of payments or the prohibition on employment or being an adult resident
13 to determine if the conviction record on which the denial or prohibition is based
14 includes any arrests, convictions, or penalties that are likely to adversely affect the
15 child or the ability of the kinship care ~~relative~~ provider to care for the child. In
16 reviewing the denial or prohibition, the director of the county department, the person
17 designated by the governing body of the Indian tribe or the person designated by the
18 secretary shall consider all of the following factors:

19 **SECTION 966.** 48.57 (3p) (h) 3. b. of the statutes is amended to read:

20 48.57 **(3p)** (h) 3. b. The nature of the violation or penalty and how that violation
21 or penalty affects the ability of the kinship care ~~relative~~ provider to care for the child.

22 **SECTION 967.** 48.57 (3p) (h) 4. of the statutes is amended to read:

23 48.57 **(3p)** (h) 4. If the director of the county department, the person designated
24 by the governing body of the Indian tribe or, in a county having a population of
25 750,000 or more, the person designated by the secretary determines that the

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1 conviction record on which the denial of payments or the prohibition on employment
2 or being an adult resident is based does not include any arrests, convictions, or
3 penalties that are likely to adversely affect the child or the ability of the kinship care
4 relative provider to care for the child, the director of the county department, the
5 person designated by the governing body of the Indian tribe, or the person designated
6 by the secretary may approve the making of payments under sub. (3m) or may permit
7 a person receiving payments under sub. (3m) to employ a person in a position in
8 which that person would have regular contact with the child for whom payments are
9 being made or permit a person to be an adult resident.

10 **SECTION 968.** 48.60 (2) (a) of the statutes is amended to read:

11 48.60 (2) (a) A relative or like-kin, guardian, or person delegated care and
12 custody of a child under s. 48.979 who provides care and maintenance for such
13 children.

14 **SECTION 969.** 48.62 (2) of the statutes is amended to read:

15 48.62 (2) A relative or like-kin, a guardian of a child, or a person delegated care
16 and custody of a child under s. 48.979 who provides care and maintenance for the
17 child is not required to obtain the license specified in this section. The department,
18 county department, or licensed child welfare agency as provided in s. 48.75 may issue
19 a license to operate a foster home to a relative or like-kin who has no duty of support
20 under s. 49.90 (1) (a) and who requests a license to operate a foster home for a specific
21 child who is either placed by court order or who is the subject of a voluntary
22 placement agreement under s. 48.63. The department, a county department, or a
23 licensed child welfare agency may, at the request of a guardian appointed under s.
24 48.977, 48.978, or 48.9795, ch. 54, 2017 stats., or ch. 880, 2003 stats., license the
25 guardian's home as a foster home for the guardian's minor ward who is living in the

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1 home and who is placed in the home by court order. Relatives and like-kin with no
2 duty of support and guardians appointed under s. 48.977, 48.978, or 48.9795, ch. 54,
3 2017 stats., or ch. 880, 2003 stats., who are licensed to operate foster homes are
4 subject to the department's licensing rules.

5 **SECTION 970.** 48.62 (4) of the statutes is amended to read:

6 48.62 (4) Monthly payments in foster care shall be provided according to the
7 rates specified in this subsection. Beginning on January 1, 2022, ~~the rates are \$300~~
8 ~~for care and maintenance provided for a child of any age by a foster home that is~~
9 ~~certified to provide level one care, as defined in the rules promulgated under sub. (8)~~
10 ~~(a) and 2024,~~ for care and maintenance provided by a foster home that is certified to
11 provide care at a any level of care that is higher than level one care, \$420 \$441 for
12 a child under 5 years of age; \$460 \$483 for a child 5 to 11 years of age; \$522 \$548 for
13 a child 12 to 14 years of age; and \$545 \$572 for a child 15 years of age or over. In
14 addition to these grants for basic maintenance, the department, county department,
15 or licensed child welfare agency shall make supplemental payments for foster care
16 to a foster home that is receiving an age-related rate under this subsection that are
17 commensurate with the level of care that the foster home is certified to provide and
18 the needs of the child who is placed in the foster home according to the rules
19 promulgated by the department under sub. (8) (c).

20 **SECTION 971.** 48.623 (1) (intro.) of the statutes is amended to read:

21 48.623 (1) ELIGIBILITY. (intro.) A county department or, as provided in sub. (3)
22 (a), an Indian tribe or the department shall provide monthly subsidized
23 guardianship payments in the amount specified in sub. (3) (b) to a guardian of a child
24 under s. 48.977 (2) or under a substantially similar tribal law if the county
25 department, Indian tribe, or department determines that the conditions specified in

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1 pars. (a) to (d) have been met. A county department or, as provided in sub. (3) (a),
2 a tribe or the department shall also provide those payments for the care of a sibling
3 of such a child, regardless of whether the sibling meets the conditions specified in par.
4 (a), if the county department, Indian tribe, or department and the guardian agree on
5 the appropriateness of placing the sibling in the home of the guardian. A guardian
6 of a child under s. 48.977 (2) or under a substantially similar tribal law is eligible for
7 monthly subsidized guardianship payments under this subsection if the county
8 department, Indian tribe, or ~~the~~ department, whichever will be providing those
9 payments, determines that all of the following apply:

10 **SECTION 972.** 48.623 (1) (b) 3. of the statutes is amended to read:

11 48.623 (1) (b) 3. The guardian is licensed as the child's foster parent and the
12 guardian and all adults residing in the guardian's home meet the requirements
13 specified in s. 48.685 or, for a guardianship of a child ordered by a tribal court in
14 which the background investigation is conducted by the Indian tribe, all adults
15 residing in the guardian's home meet either the requirements specified in s. 48.685
16 or the background check requirements for foster parent licensing under 42 USC 671
17 (a) (20).

18 **SECTION 973.** 48.623 (1) (c) of the statutes is amended to read:

19 48.623 (1) (c) An order under s. 48.345, 48.357, 48.363, 48.365, 938.345,
20 938.357, 938.363, or 938.365 or a tribal court under a substantially similar tribal law
21 placing the child, or continuing the placement of the child, outside of the child's home
22 has been terminated, or any proceeding in which the child has been adjudged to be
23 in need of protection or services specified in s. 48.977 (2) (a) has been dismissed, as
24 provided in s. 48.977 (3r) (a).

25 **SECTION 974.** 48.623 (2) (intro.) of the statutes is amended to read:

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1 48.623 (2) SUBSIDIZED GUARDIANSHIP AGREEMENT. (intro.) Before a county
2 department, an Indian tribe, or the department may approve the provision of
3 subsidized guardianship payments under sub. (1) to a proposed guardian, the county
4 department, Indian tribe, or department shall negotiate and enter into a written,
5 binding subsidized guardianship agreement with the proposed guardian and provide
6 the proposed guardian with a copy of the agreement. A subsidized guardianship
7 agreement or an amended subsidized guardianship agreement may also name a
8 prospective successor guardian of the child to assume the duty and authority of
9 guardianship on the death or incapacity of the guardian. A successor guardian is
10 eligible for monthly subsidized guardianship payments under this section only if the
11 successor guardian is named as a prospective successor guardian of the child in a
12 subsidized guardianship agreement or amended subsidized guardianship
13 agreement that was entered into before the death or incapacity of the guardian, the
14 conditions specified in sub. (6) (bm) are met, and the court appoints the successor
15 guardian to assume the duty and authority of guardianship as provided in s. 48.977
16 (5m). A subsidized guardianship agreement shall specify all of the following:

17 **SECTION 975.** 48.623 (2) (c) of the statutes is amended to read:

18 48.623 (2) (c) That the county department, Indian tribe, or department will pay
19 the total cost of the nonrecurring expenses that are associated with obtaining
20 guardianship of the child, not to exceed \$2,000.

21 **SECTION 976.** 48.623 (3) (a) of the statutes is amended to read:

22 48.623 (3) (a) Except as provided in this paragraph, the county department
23 shall provide the monthly payments under sub. (1) or (6). An Indian tribe that has
24 entered into an agreement with the department under sub. (8) shall provide the
25 monthly payments under sub. (1) or (6) for guardianships of children ordered by the

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1 tribal court, or a county department may provide the monthly payments under sub.
2 (1) or (6) for guardianships of children ordered by the tribal court if the county
3 department has entered into an agreement with the governing body of an Indian
4 tribe to provide those payments. The county department or Indian tribe shall
5 provide those payments from moneys received under s. 48.48 (8r). The department
6 shall reimburse county departments and Indian tribes for the cost of subsidized
7 guardianship payments, including payments made by county departments for
8 guardianships of Indian children ordered by tribal courts, from the appropriations
9 under s. 20.437 (1) (dd) and (pd). In a county having a population of 750,000 or more
10 or in the circumstances specified in s. 48.43 (7) (a) or 48.485 (1), the department shall
11 provide the monthly payments under sub. (1) or (6). The department shall provide
12 those payments from the appropriations under s. 20.437 (1) (cx) and (mx).

13 **SECTION 977.** 48.623 (3) (b) of the statutes is amended to read:

14 48.623 (3) (b) The county department or, as provided in par. (a), an Indian tribe
15 or the department shall determine the initial amount of a monthly payment under
16 sub. (1) or (6) for the care of a child based on the circumstances of the guardian and
17 the needs of the child. That amount may not exceed the amount received under s.
18 48.62 (4) or a substantially similar tribal law by the guardian of the child for the
19 month immediately preceding the month in which the guardianship order was
20 granted. A guardian or an interim caretaker who receives a monthly payment under
21 sub. (1) or (6) for the care of a child is not eligible to receive a payment under s. 48.57
22 (3m) or (3n) or 48.62 (4) for the care of that child.

23 **SECTION 978.** 48.623 (3) (c) 1. of the statutes is amended to read:

24 48.623 (3) (c) 1. If a person who is receiving monthly subsidized guardianship
25 payments under an agreement under sub. (2) believes that there has been a

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1 substantial change in circumstances, as defined by the department by rule
2 promulgated under sub. (7) (a), he or she may request that the agreement be
3 amended to increase the amount of those payments. If a request is received under
4 this subdivision, the county department, Indian tribe, or department shall
5 determine whether there has been a substantial change in circumstances and
6 whether there has been a substantiated report of abuse or neglect of the child by the
7 person receiving those payments. If there has been a substantial change in
8 circumstances and if there has been no substantiated report of abuse or neglect of
9 the child by that person, the county department, Indian tribe, or department shall
10 offer to increase the amount of those payments based on criteria established by the
11 department by rule promulgated under sub. (7) (b). If an increased monthly
12 subsidized guardianship payment is agreed to by the person receiving those
13 payments, the county department, Indian tribe, or department shall amend the
14 agreement in writing to specify the increased amount of those payments.

15 **SECTION 979.** 48.623 (3) (c) 2. of the statutes is amended to read:

16 48.623 (3) (c) 2. Annually, a county department, Indian tribe, or the department
17 shall review an agreement that has been amended under subd. 1. to determine
18 whether the substantial change in circumstances that was the basis for amending
19 the agreement continues to exist. If that substantial change in circumstances
20 continues to exist, the agreement, as amended, shall remain in effect. If that
21 substantial change in circumstances no longer exists, the county department, Indian
22 tribe, or department shall offer to decrease the amount of the monthly subsidized
23 guardianship payments provided under sub. (1) based on criteria established by the
24 department under sub. (7) (c). If the decreased amount of those payments is agreed
25 to by the person receiving those payments, the county department, Indian tribe, or

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1 department shall amend the agreement in writing to specify the decreased amount
2 of those payments. If the decreased amount of those payments is not agreed to by
3 the person receiving those payments, that person may appeal the decision of the
4 county department, Indian tribe, or department regarding the decrease under sub.
5 (5).

6 **SECTION 980.** 48.623 (3) (d) of the statutes is amended to read:

7 48.623 (3) (d) The department, an Indian tribe, or a county department may
8 recover an overpayment made under sub. (1) or (6) from a guardian or interim
9 caretaker who continues to receive those payments by reducing the amount of the
10 person's monthly payment. The department may by rule specify other methods for
11 recovering those overpayments. A county department or Indian tribe that recovers
12 an overpayment under this paragraph due to the efforts of its officers and employees
13 may retain a portion of the amount recovered, as provided by the department by rule.

14 **SECTION 981.** 48.623 (4) of the statutes is amended to read:

15 48.623 (4) ANNUAL REVIEW. A county department, an Indian tribe, or the
16 department shall review a placement of a child for which the county department,
17 Indian tribe, or department makes payments under sub. (1) not less than every 12
18 months after the county department, Indian tribe, or department begins making
19 those payments to determine whether the child and the guardian remain eligible for
20 those payments. If the child or the guardian is no longer eligible for those payments,
21 the county department, Indian tribe, or department shall discontinue making those
22 payments.

23 **SECTION 982.** 48.623 (5) (b) 1. (intro.) of the statutes is amended to read:

24 48.623 (5) (b) 1. (intro.) Upon receipt of a timely petition described in par. (a)
25 the department shall give the applicant or recipient reasonable notice and an

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1 opportunity for a fair hearing. The department may make such additional
2 investigation as it considers necessary. Notice of the hearing shall be given to the
3 applicant or recipient and to the county department, Indian tribe, or subunit of the
4 department whose action or failure to act is the subject of the petition. That county
5 department, Indian tribe, or subunit of the department may be represented at the
6 hearing. The department shall render its decision as soon as possible after the
7 hearing and shall send a certified copy of its decision to the applicant or recipient and
8 to the county department, Indian tribe, or subunit of the department whose action
9 or failure to act is the subject of the petition. The decision of the department shall
10 have the same effect as an order of the county department, Indian tribe, or subunit
11 of the department whose action or failure to act is the subject of the petition. The
12 decision shall be final, but may be revoked or modified as altered conditions may
13 require. The department shall deny a petition for review or shall refuse to grant
14 relief if any of the following applies:

15 **SECTION 983.** 48.623 (5) (b) 2. of the statutes is amended to read:

16 48.623 (5) (b) 2. If a recipient requests a hearing within 10 days after the date
17 of notice that his or her payments under sub. (1) are being decreased or discontinued,
18 those payments may not be decreased or discontinued until a decision is rendered
19 after the hearing but payments made pending the hearing decision may be recovered
20 by the department if the contested action or failure to act is upheld. The department
21 shall promptly notify the county department, Indian tribe, or the subunit of the
22 department whose action is the subject of the hearing that the recipient has
23 requested a hearing. Payments under sub. (1) shall be decreased or discontinued if
24 the recipient is contesting a state law or a change in state law and not the
25 determination of the payment made on the recipient's behalf.

ASSEMBLY BILL 43**SECTION 984**

1 **SECTION 984.** 48.623 (6) (am) (intro.) of the statutes is amended to read:

2 48.623 (6) (am) (intro.) On the death, incapacity, resignation, or removal of a
3 guardian receiving payments under sub. (1), the county department, Indian tribe, or
4 the department providing those payments shall provide monthly subsidized
5 guardianship payments in the amount specified in sub. (3) (b) for a period of up to
6 12 months to an interim caretaker if all of the following conditions are met:

7 **SECTION 985.** 48.623 (6) (am) 1. of the statutes is amended to read:

8 48.623 (6) (am) 1. The county department, Indian tribe, or department inspects
9 the home of the interim caretaker, interviews the interim caretaker, and determines
10 that placement of the child with the interim caretaker is in the best interests of the
11 child. In the case of an Indian child, the best interests of the Indian child shall be
12 determined in accordance with s. 48.01 (2).

13 **SECTION 986.** 48.623 (6) (am) 2. of the statutes is amended to read:

14 48.623 (6) (am) 2. The county department, Indian tribe, or department
15 conducts a background investigation under s. 48.685 of the interim caretaker and
16 any nonclient resident, as defined in s. 48.685 (1) (bm), of the home of the interim
17 caretaker and determines that those individuals meet the requirements specified in
18 s. 48.685. For investigations conducted by an Indian tribe, the background
19 investigation may be conducted under s. 48.685 or by meeting the background check
20 requirements for foster parent licensing under 42 USC 671 (a) (20). The county
21 department, Indian tribe, or department shall provide the department of health
22 services with information about each person who is denied monthly subsidized
23 guardianship payments or permission to reside in the home of an interim caretaker
24 for a reason specified in s. 48.685 (4m) (a) 1. to 5. or (b) 1. to 5.

25 **SECTION 987.** 48.623 (6) (am) 3. of the statutes is amended to read:

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1 48.623 (6) (am) 3. The interim caretaker cooperates with the county
2 department, Indian tribe, or department in finding a permanent placement for the
3 child.

4 **SECTION 988.** 48.623 (6) (bm) (intro.), 1., 2., 3., 4. and 5. of the statutes are
5 amended to read:

6 48.623 (6) (bm) (intro.) On the death or incapacity of a guardian receiving
7 payments under sub. (1), the county department, an Indian tribe, or the department
8 providing those payments shall provide monthly subsidized guardianship payments
9 in the amount specified in sub. (3) (b) to a person named as a prospective successor
10 guardian of the child in a subsidized guardianship agreement or amended subsidized
11 guardianship agreement that was entered into before the death or incapacity of the
12 guardian if all of the following conditions are met and the court appoints the person
13 as successor guardian to assume the duty and authority of guardianship as provided
14 in s. 48.977 (5m):

15 1. The county department, Indian tribe, or department determines that the
16 child, if 14 years of age or over, has been consulted with regarding the successor
17 guardianship arrangement.

18 2. The county department, Indian tribe, or department determines that the
19 person has a strong commitment to caring permanently for the child.

20 3. The county department, Indian tribe, or department inspects the home of the
21 person, interviews the person, and determines that placement of the child with the
22 person is in the best interests of the child. In the case of an Indian child, the best
23 interests of the Indian child shall be determined in accordance with s. 48.01 (2).

ASSEMBLY BILL 43**SECTION 988**

1 4. Prior to being appointed as successor guardian to assume the duty and
2 authority of guardianship, the person enters into a subsidized guardianship
3 agreement under sub. (2) with the county department, Indian tribe, or department.

4 5. Prior to the person entering into the subsidized guardianship agreement, the
5 county department, Indian tribe, or department conducts a background
6 investigation under s. 48.685 of the person and any nonclient resident, as defined in
7 s. 48.685 (1) (bm), of the home of the person and determines that those individuals
8 meet the requirements specified in s. 48.685. The county department, Indian tribe,
9 or department shall provide the department of health services with information
10 about each person who is denied monthly subsidized guardianship payments or
11 permission to reside in the home of a person receiving those payments for a reason
12 specified in s. 48.685 (4m) (a) 1. to 5. or (b) 1. to 5.

13 **SECTION 989.** 48.623 (7) (b) of the statutes is amended to read:

14 48.623 (7) (b) Rules establishing requirements for submitting a request under
15 sub. (3) (c) 1. and criteria for determining the amount of the increase in monthly
16 subsidized guardianship payments that a county department, an Indian tribe, or the
17 department shall offer if there has been a substantial change in circumstances and
18 if there has been no substantiated report of abuse or neglect of the child by the person
19 receiving those payments.

20 **SECTION 990.** 48.623 (8) of the statutes is created to read:

21 48.623 (8) TRIBAL AGREEMENTS. (a) The department may enter into an
22 agreement with the governing body of an Indian tribe to allow that governing body
23 to administer subsidized guardianships ordered by a tribal court under a tribal law
24 substantially similar to s. 48.977 (2) and to be reimbursed by the department for
25 eligible tribal subsidized guardianship payments. An agreement under this

ASSEMBLY BILL 43**SECTION 990**

1 paragraph shall require the governing body of an Indian tribe to comply with all
2 requirements for administering subsidized guardianship that apply to counties and
3 the department, including eligibility.

4 (b) A county department may provide the monthly payments under sub. (1) or
5 (6) for guardianships of children ordered by the tribal court if the county department
6 has entered into an agreement with the governing body of an Indian tribe to provide
7 those payments.

8 **SECTION 991.** 48.63 (3) (b) 4. of the statutes is amended to read:

9 48.63 (3) (b) 4. Before a child may be placed under subd. 1., the department,
10 county department, or child welfare agency making the placement and the proposed
11 adoptive parent or parents shall enter into a written agreement that specifies who
12 is financially responsible for the cost of providing care for the child prior to the
13 finalization of the adoption and for the cost of returning the child to the parent who
14 has custody of the child if the adoption is not finalized. Under the agreement, the
15 department, county department, or child welfare agency or the proposed adoptive
16 parent or parents, but not the any birth parent of the child or any alleged or
17 presumed father parent of the child, shall be financially responsible for those costs.

18 **SECTION 992.** 48.63 (3) (b) 5. of the statutes is amended to read:

19 48.63 (3) (b) 5. Prior to termination of parental rights to the child, no person
20 may coerce a birth parent of the child or any alleged or presumed father parent of the
21 child into refraining from exercising his or her right to withdraw consent to the
22 transfer or surrender of the child or to termination of his or her parental rights to the
23 child, to have reasonable visitation or contact with the child, or to otherwise exercise
24 his or her parental rights to the child.

25 **SECTION 993.** 48.64 (1) of the statutes is amended to read:

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1 48.64 (1) DEFINITION. In this section, “agency” means the department, the
2 department of corrections, a county department under s. 46.215, 46.22, or 46.23, or
3 a licensed child welfare agency authorized to place children in foster homes, group
4 homes, or shelter care facilities approved under s. 938.22 (2) (c) ~~or~~, in the homes of
5 relatives other than a parent, or in the homes of like-kin.

6 **SECTION 994.** 48.64 (1m) of the statutes is amended to read:

7 48.64 (1m) OUT-OF-HOME CARE AGREEMENTS. If an agency places a child in a
8 foster home or group home or in the home of a relative other than a parent or in the
9 home of like-kin under a court order or places a child in a foster home, group home,
10 or shelter care facility approved under s. 938.22 (2) (c) under a voluntary agreement
11 under s. 48.63, the agency shall enter into a written agreement with the head of the
12 home or facility. The agreement shall provide that the agency shall have access at
13 all times to the child and the home or facility, and that the child will be released to
14 the agency whenever, in the opinion of the agency placing the child or the
15 department, the best interests of the child require release to the agency. If a child
16 has been in a foster home or group home or in the home of a relative other than a
17 parent or in the home of like-kin for 6 months or more, the agency shall give the head
18 of the home written notice of intent to remove the child, stating the reasons for the
19 removal. The child may not be removed from a foster home, group home, or home of
20 a relative other than a parent or the home of like-kin before completion of the
21 hearing under sub. (4) (a) or (c), if requested, or 30 days after the receipt of the notice,
22 whichever is later, unless the safety of the child requires it or, in a case in which the
23 reason for removal is to place the child for adoption under s. 48.833, unless all of the
24 persons who have the right to request a hearing under sub. (4) (a) or (c) sign written
25 waivers of objection to the proposed removal. If the safety of the child requires earlier

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1 removal, s. 48.19 applies. If an agency removes a child from an adoptive placement,
2 the head of the home shall have no claim against the placing agency for the expense
3 of care, clothing, or medical treatment.

4 **SECTION 995.** 48.64 (2) of the statutes is amended to read:

5 48.64 (2) SUPERVISION OF OUT-OF-HOME CARE PLACEMENTS. Every child who is
6 placed in a foster home, group home, or shelter care facility approved under s. 938.22
7 (2) (c) shall be under the supervision of an agency. Every child who is placed in the
8 home of a relative other than a parent or in the home of like-kin under a court order
9 shall be under the supervision of an agency.

10 **SECTION 996.** 48.64 (4) (a) of the statutes is amended to read:

11 48.64 (4) (a) Except as provided in par. (d), any decision or order issued by an
12 agency that affects the head of a foster home or group home, the head of the home
13 of a relative other than a parent or the home of like-kin in which a child is placed,
14 or the child involved may be appealed to the department under fair hearing
15 procedures established under rules promulgated by the department. Upon receipt
16 of an appeal, the department shall give the head of the home reasonable notice and
17 an opportunity for a fair hearing. The department may make any additional
18 investigation that the department considers necessary. The department shall give
19 notice of the hearing to the head of the home and to the departmental subunit, county
20 department, or child welfare agency that issued the decision or order. Each person
21 receiving notice is entitled to be represented at the hearing. At all hearings
22 conducted under this paragraph, the head of the home, or a representative of the
23 head of the home, shall have an adequate opportunity, notwithstanding s. 48.78 (2)
24 (a), to examine all documents and records to be used at the hearing at a reasonable
25 time before the date of the hearing as well as during the hearing, to bring witnesses,

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1 to establish all pertinent facts and circumstances, and to question or refute any
2 testimony or evidence, including an opportunity to confront and cross-examine
3 adverse witnesses. The department shall grant a continuance for a reasonable
4 period of time when an issue is raised for the first time during a hearing. This
5 requirement may be waived with the consent of the parties. The decision of the
6 department shall be based exclusively on evidence introduced at the hearing. A
7 transcript of testimony and exhibits, or an official report containing the substance
8 of what transpired at the hearing, together with all papers and requests filed in the
9 proceeding, and the findings of the hearing examiner shall constitute the exclusive
10 record for decision by the department. The department shall make the record
11 available at any reasonable time and at an accessible place to the head of the home
12 or his or her representative. Decisions by the department shall specify the reasons
13 for the decision and identify the supporting evidence. No person participating in an
14 agency action being appealed may participate in the final administrative decision on
15 that action. The department shall render its decision as soon as possible after the
16 hearing and shall send a certified copy of its decision to the head of the home and to
17 the departmental subunit, county department, or child welfare agency that issued
18 the decision or order. The decision shall be binding on all parties concerned.

19 **SECTION 997.** 48.64 (4) (c) of the statutes is amended to read:

20 48.64 (4) (c) Except as provided in par. (d), the circuit court for the county where
21 the dispositional order placing a child in a foster home or group home or in the home
22 of a relative other than a parent or in the home of like-kin was entered or the
23 voluntary agreement under s. 48.63 placing a child in a foster home or group home
24 was made has jurisdiction upon petition of any interested party over the child who
25 is placed in the foster home, group home, or home of the relative or like-kin. The

ASSEMBLY BILL 43**SECTION 997**

1 circuit court may call a hearing, at which the head of the home and the supervising
2 agency under sub. (2) shall be present, for the purpose of reviewing any decision or
3 order of that agency involving the placement and care of the child. If the child has
4 been placed in a foster home or in the home of a relative other than a parent or in the
5 home of like-kin, the foster parent ~~or~~, relative, or like-kin may present relevant
6 evidence at the hearing. The petitioner has the burden of proving by clear and
7 convincing evidence that the decision or order issued by the agency is not in the best
8 interests of the child.

9 **SECTION 998.** 48.67 (4) (b) of the statutes is amended to read:

10 48.67 (4) (b) The training under par. (a) shall be available to a kinship care
11 relative provider, as defined in s. 48.40 (1m), upon request of the kinship care ~~relative~~
12 provider.

13 **SECTION 999.** 48.685 (5) (a) of the statutes is amended to read:

14 48.685 (5) (a) Subject to par. (bm), the department may license to operate an
15 entity, a county department or a child welfare agency may license to operate a foster
16 home under s. 48.62, the department in a county having a population of 750,000 or
17 more, an Indian tribe, or a county department may provide subsidized guardianship
18 payments under s. 48.623 (6) to a person who otherwise may not be so licensed or
19 provided those payments for a reason specified in sub. (4m) (a) 1. to 5., and an entity
20 may employ, contract with, or permit to reside at the entity or permit to reside with
21 a caregiver specified in sub. (1) (ag) 1. am. of the entity a person who otherwise may
22 not be so employed, provided payments, or permitted to reside at the entity or with
23 that caregiver for a reason specified in sub. (4m) (b) 1. to 5., if the person
24 demonstrates to the department, county department, or child welfare agency or, in
25 the case of an entity that is located within the boundaries of a reservation, to the

ASSEMBLY BILL 43**SECTION 999**

1 person or body designated by the Indian tribe under sub. (5d) (a) 3., by clear and
2 convincing evidence and in accordance with procedures established by the
3 department by rule or by the tribe that he or she has been rehabilitated.

4 **SECTION 1000.** 48.82 (1) (a) of the statutes is amended to read:

5 48.82 (1) (a) ~~A husband and wife~~ Spouses jointly, or either the husband or wife
6 if the other spouse is of a parent of the minor.

7 **SECTION 1001.** 48.837 (1r) (d) of the statutes is amended to read:

8 48.837 (1r) (d) Before a child may be placed under par. (a), the department,
9 county department, or child welfare agency making the placement and the proposed
10 adoptive parent or parents shall enter into a written agreement that specifies who
11 is financially responsible for the cost of providing care for the child prior to the
12 finalization of the adoption and for the cost of returning the child to the parent who
13 has custody of the child if the adoption is not finalized. Under the agreement, the
14 department, county department, or child welfare agency or the proposed adoptive
15 parent or parents, but not the any birth parent of the child or any alleged or
16 presumed father parent of the child, shall be financially responsible for those costs.

17 **SECTION 1002.** 48.837 (1r) (e) of the statutes is amended to read:

18 48.837 (1r) (e) Prior to termination of parental rights to the child, no person
19 may coerce a birth parent of the child or any alleged or presumed father parent of the
20 child into refraining from exercising his or her right to withdraw consent to the
21 transfer or surrender of the child or to termination of his or her parental rights to the
22 child, to have reasonable visitation or contact with the child, or to otherwise exercise
23 his or her parental rights to the child.

24 **SECTION 1003.** 48.837 (6) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1003**

1 48.837 (6) (b) At the beginning of the hearing held under sub. (2), the court shall
2 review the report that is submitted under s. 48.913 (6). The court shall determine
3 whether any payments or the conditions specified in any agreement to make
4 payments are coercive to the any birth parent of the child or to an alleged or
5 presumed father parent of the child or are impermissible under s. 48.913 (4). Making
6 any payment to or on behalf of the a birth parent of the child, an, alleged or presumed
7 father parent of the child, or the child conditional in any part upon transfer or
8 surrender of the child or the termination of parental rights or the finalization of the
9 adoption creates a rebuttable presumption of coercion. Upon a finding of coercion,
10 the court shall dismiss the petitions under subs. (2) and (3) or amend the agreement
11 to delete any coercive conditions, if the parties agree to the amendment. Upon a
12 finding that payments which that are impermissible under s. 48.913 (4) have been
13 made, the court may dismiss the petition and may refer the matter to the district
14 attorney for prosecution under s. 948.24 (1).

15 **SECTION 1004.** 48.837 (6) (br) of the statutes is amended to read:

16 48.837 (6) (br) At the hearing on the petition under sub. (2), the court shall
17 determine whether any person has coerced a birth parent or ~~any~~ alleged or presumed
18 father parent of the child in violation of sub. (1r) (e). Upon a finding of coercion, the
19 court shall dismiss the petitions under subs. (2) and (3).

20 **SECTION 1005.** 48.913 (1) (a) of the statutes is amended to read:

21 48.913 (1) (a) Preadoptive counseling for a birth parent of the child or an
22 alleged or presumed father parent of the child.

23 **SECTION 1006.** 48.913 (1) (b) of the statutes is amended to read:

24 48.913 (1) (b) Post-adoptive counseling for a birth parent of the child or an
25 alleged or presumed father parent of the child.

ASSEMBLY BILL 43**SECTION 1007**

1 **SECTION 1007.** 48.913 (1) (h) of the statutes is amended to read:

2 48.913 (1) (h) Legal and other services received by a birth parent of the child,
3 an alleged or presumed ~~father~~ parent of the child, or the child in connection with the
4 adoption.

5 **SECTION 1008.** 48.913 (2) (intro.) of the statutes is amended to read:

6 48.913 (2) PAYMENT OF EXPENSES WHEN BIRTH PARENT IS RESIDING IN ANOTHER
7 STATE. (intro.) Notwithstanding sub. (1), the proposed adoptive parents of a child or
8 a person acting on behalf of the proposed adoptive parents of a child may pay for an
9 expense of a birth parent of the child or an alleged or presumed ~~father~~ parent of the
10 child if the birth parent or ~~the~~ alleged or presumed ~~father~~ parent was residing in
11 another state when the payment was made and when the expense was incurred and
12 if all of the following apply:

13 **SECTION 1009.** 48.913 (2) (b) of the statutes is amended to read:

14 48.913 (2) (b) The state in which the birth parent or ~~the~~ alleged or presumed
15 ~~father~~ parent was residing when the payment was made permits the payment of that
16 expense by the proposed adoptive parents of the child.

17 **SECTION 1010.** 48.913 (2) (c) (intro.) of the statutes is amended to read:

18 48.913 (2) (c) (intro.) A listing of all payments made under this subsection, a
19 copy of the statutory provisions of the state in which the birth parent or ~~the~~ alleged
20 or presumed ~~father~~ parent was residing when the payments were made that permit
21 those payments to be made by the proposed adoptive parents of the child, and a copy
22 of all orders entered in the state in which the birth parent or ~~the~~ alleged or presumed
23 ~~father~~ parent was residing when the payments were made that relate to the payment
24 of expenses of the birth parent or ~~the~~ alleged or presumed ~~father~~ parent by the
25 proposed adoptive parents of the child is submitted to the court as follows:

ASSEMBLY BILL 43**SECTION 1011**

1 **SECTION 1011.** 48.913 (3) of the statutes is amended to read:

2 48.913 (3) **METHOD OF PAYMENT.** Any payment under sub. (1) or (2) shall be made
3 directly to the provider of a good or service except that a payment under sub. (1) or
4 (2) may be made to a birth parent of the child or to an alleged or presumed father
5 parent of the child as reimbursement of an amount previously paid by the birth
6 parent or by the alleged or presumed father parent if documentation is provided
7 showing that the birth parent or alleged or presumed father parent has made the
8 previous payment.

9 **SECTION 1012.** 48.913 (4) of the statutes is amended to read:

10 48.913 (4) **OTHER PAYMENTS PROHIBITED.** The proposed adoptive parents of a
11 child or a person acting on behalf of the proposed adoptive parents may not make any
12 payments to or on behalf of a birth parent of the child, an alleged or presumed father
13 parent of the child, or the child except as provided in subs. (1) and (2).

14 **SECTION 1013.** 48.913 (7) of the statutes is amended to read:

15 48.913 (7) **REPORT TO THE COURT; CONTENTS REQUIRED.** The report required under
16 sub. (6) shall include a list of all transfers of anything of value made or agreed to be
17 made by the proposed adoptive parents or by a person acting on their behalf to a birth
18 parent of the child, an alleged or presumed father parent of the child, or the child,
19 on behalf of a birth parent of the child, an alleged or presumed father parent of the
20 child, or the child, or to any other person in connection with the pregnancy, the birth
21 of the child, the placement of the child with the proposed adoptive parents, or the
22 adoption of the child by the proposed adoptive parents. The report shall be itemized
23 and shall show the goods or services for which payment was made or agreed to be
24 made. The report shall include the dates of each payment, the names and addresses
25 of each attorney, doctor, hospital, agency, or other person or organization receiving

ASSEMBLY BILL 43**SECTION 1013**

1 any payment from the proposed adoptive parents or a person acting on behalf of the
2 proposed adoptive parents in connection with the pregnancy, the birth of the child,
3 the placement of the child with the proposed adoptive parents, or the adoption of the
4 child by the proposed adoptive parents.

5 **SECTION 1014.** 48.977 (3r) (a) of the statutes is amended to read:

6 48.977 (3r) (a) *Guardian*. Subsidized guardianship payments under s. 48.623
7 (1) may not be made to a guardian of a child unless a subsidized guardianship
8 agreement under s. 48.623 (2) is entered into before the guardianship order is
9 granted and the court either terminates any order specified in sub. (2) (a) or
10 dismisses any proceeding in which the child has been adjudicated in need of
11 protection or services as specified in sub. (2) (a). If a child's permanency plan calls
12 for placement of the child in the home of a guardian and the provision of monthly
13 subsidized guardianship payments to the guardian, the petitioner under sub. (4) (a)
14 shall include in the petition under sub. (4) (b) a statement of the determinations
15 made under s. 48.623 (1) and a request for the court to include in the court's findings
16 under sub. (4) (d) a finding confirming those determinations. If the court confirms
17 those determinations, appoints a guardian for the child under sub. (2), and either
18 terminates any order specified in sub. (2) (a) or dismisses any proceeding in which
19 the child is adjudicated to be in need of protection or services as specified in sub. (2)
20 (a), the county department or, as provided in s. 48.623 (3) (a), an Indian tribe or the
21 department shall provide monthly subsidized guardianship payments to the
22 guardian under s. 48.623 (1).

23 **SECTION 1015.** 48.977 (3r) (b) of the statutes is amended to read:

24 48.977 (3r) (b) *Successor guardian*. Subsidized guardianship payments under
25 s. 48.623 (6) (bm) may not be made to a successor guardian of a child unless the court

ASSEMBLY BILL 43**SECTION 1015**

1 makes a finding confirming that the successor guardian is named as a prospective
2 successor guardian of the child in a subsidized guardianship agreement or amended
3 subsidized guardianship agreement under s. 48.623 (2) that was entered into before
4 the death or incapacity of the guardian and that the conditions specified in s. 48.623
5 (6) (bm) have been met, appoints the successor guardian to assume the duty and
6 authority of guardianship as provided in sub. (5m), and either terminates any order
7 specified in sub. (2) (a) or dismisses any proceeding in which the child has been
8 adjudicated in need of protection or services as specified in sub. (2) (a). If the court
9 makes that finding and appointment and either terminates such an order or
10 dismisses such a proceeding, the county department or, as provided in s. 48.623 (3)
11 (a), an Indian tribe or the department shall provide monthly subsidized
12 guardianship payments to the successor guardian under s. 48.623 (6) (bm).

13 **SECTION 1016.** 48.9795 (1) (a) 1. c. of the statutes is amended to read:

14 48.9795 (1) (a) 1. c. Any person who has filed a declaration of ~~paternal~~ parental
15 interest under s. 48.025, who is alleged to the court to be ~~the father~~ a parent of the
16 child, or who may, based on the statements of the ~~mother~~ parent who gave birth to
17 the child or other information presented to the court, be the ~~father~~ parent of the child.

18 **SECTION 1017.** 48.9795 (1) (b) of the statutes is amended to read:

19 48.9795 (1) (b) “Party” means the person petitioning for the appointment of a
20 guardian for a child or any interested person other than a person who is alleged to
21 the court to be ~~the father~~ a parent of the child or who may, based on the statements
22 of the ~~mother~~ parent who gave birth to the child or other information presented to
23 the court, be the ~~father~~ parent of the child.

24 **SECTION 1018.** 49.132 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1018**

1 **49.132 Child care partnership grant program.** (1) In this section,
2 “business” means any organization or enterprise operated for profit or a nonprofit
3 corporation. “Business” does not include a governmental entity.

4 (2) The department may establish a grant program to award funding to
5 businesses that provide or wish to provide child care services for their employees.
6 A grant awarded under this program may be used to reserve child care placements
7 for local business employees, pay child care tuition, and other costs related to child
8 care.

9 (3) A business awarded a grant under this section shall provide matching funds
10 equal to 25 percent or more of the amount awarded.

11 (4) The department may promulgate rules to administer this section, including
12 to determine eligibility for a grant.

13 **SECTION 1019.** 49.133 of the statutes is created to read:

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

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

23 **SECTION 1020.** 49.1385 of the statutes is repealed.

24 **SECTION 1021.** 49.141 (1) (j) 1. of the statutes is amended to read:

25 49.141 (1) (j) 1. A ~~biological~~ natural parent.

ASSEMBLY BILL 43**SECTION 1022**

1 **SECTION 1022.** 49.141 (1) (j) 2. of the statutes is repealed.

2 **SECTION 1023.** 49.148 (4) (a) of the statutes is amended to read:

3 49.148 (4) (a) A Wisconsin ~~works~~ Works agency shall require a participant in
4 a community service job or transitional placement who, after August 22, 1996, was
5 convicted in any state or federal court of a felony that had as an element possession,
6 use or distribution of a controlled substance to submit to a test for use of a controlled
7 substance as a condition of continued eligibility. If the test results are positive, the
8 Wisconsin ~~works~~ Works agency shall decrease the presanction benefit amount for
9 that participant by not more than 15 percent for not fewer than 12 months, or for the
10 remainder of the participant's period of participation in a community service job or
11 transitional placement, if less than 12 months. If, at the end of 12 months, the
12 individual is still a participant in a community service job or transitional placement
13 and submits to another test for use of a controlled substance and if the results of the
14 test are negative, the Wisconsin ~~works~~ Works agency shall discontinue the reduction
15 under this paragraph. In this subsection, "controlled substance" does not include
16 tetrahydrocannabinols in any form, including tetrahydrocannabinols contained in
17 marijuana, obtained from marijuana, or chemically synthesized.

18 **SECTION 1024.** 49.155 (1m) (a) 1m. b. of the statutes is amended to read:

19 49.155 (1m) (a) 1m. b. The individual has not yet attained the age of 18 years
20 and the individual resides with his or her custodial parent or with a kinship care
21 relative provider under s. 48.57 (3m) or with a long-term kinship care relative
22 provider under s. 48.57 (3n) or is in a foster home licensed under s. 48.62, a subsidized
23 guardianship home under s. 48.623, a group home, or an independent living
24 arrangement supervised by an adult.

25 **SECTION 1025.** 49.155 (1m) (c) 1g. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1025**

1 49.155 **(1m)** (c) 1g. If the individual is a foster parent of the child or a subsidized
2 guardian or interim caretaker of the child under s. 48.623, the child's ~~biological~~
3 natural or adoptive family has a gross income that is at or below 200 percent of the
4 poverty line. In calculating the gross income of the child's ~~biological~~ natural or
5 adoptive family, the department or county department or agency determining
6 eligibility shall include court-ordered child or family support payments received by
7 the individual, if those support payments exceed \$1,250 per month, and income
8 described under s. 49.145 (3) (b) 1. and 3.

9 **SECTION 1026.** 49.155 (1m) (c) 1h. of the statutes is amended to read:

10 49.155 **(1m)** (c) 1h. If the individual is a relative of the child, is providing care
11 for the child under a court order, and is receiving payments under s. 48.57 (3m) or
12 (3n) on behalf of the child, the child's ~~biological~~ natural or adoptive family has a gross
13 income that is at or below 200 percent of the poverty line. In calculating the gross
14 income of the child's ~~biological~~ natural or adoptive family, the department or county
15 department or agency determining eligibility shall include court-ordered child or
16 family support payments received by the individual, if those support payments
17 exceed \$1,250 per month, and income described under s. 49.145 (3) (b) 1. and 3.

18 **SECTION 1027.** 49.155 (6) (e) 2. of the statutes is repealed.

19 **SECTION 1028.** 49.155 (6) (e) 3. (intro.) of the statutes is amended to read:

20 49.155 **(6)** (e) 3. (intro.) The department may modify a child care provider's
21 maximum payment rate under ~~subd. 2. pars. (a) to (c)~~ on the basis of the provider's
22 quality rating, as described in the quality rating plan, in the following manner:

23 **SECTION 1029.** 49.163 (2) (am) 2. of the statutes is amended to read:

24 49.163 **(2)** (am) 2. If over 25 years of age, be a ~~biological~~ natural or adoptive
25 parent of a child under 18 years of age whose parental rights to the child have not

ASSEMBLY BILL 43**SECTION 1029**

1 been terminated or be a relative and primary caregiver of a child under 18 years of
2 age.

3 **SECTION 1030.** 49.163 (2) (am) 4. of the statutes is repealed.

4 **SECTION 1031.** 49.163 (2) (am) 5. of the statutes is amended to read:

5 49.163 (2) (am) 5. ~~Be ineligible~~ Have not filed for unemployment insurance
6 benefits or have filed but is not eligible to receive unemployment insurance benefits.

7 **SECTION 1032.** 49.1635 (1) of the statutes is repealed.

8 **SECTION 1033.** 49.1635 (2) of the statutes is repealed.

9 **SECTION 1034.** 49.1635 (3) of the statutes is repealed.

10 **SECTION 1035.** 49.1635 (4) of the statutes is repealed.

11 **SECTION 1036.** 49.1635 (5) (a) of the statutes is renumbered 49.1635 (1m) and
12 amended to read:

13 49.1635 (1m) From the allocation under s. 49.175 (1) (j), the department shall
14 make a grant of \$500,000 \$1,000,000 in each fiscal year to Wisconsin Trust Account
15 Foundation, Inc., for distribution of annual awards of not more than \$75,000 per year
16 ~~per program~~ to programs that provide legal services to persons who are eligible under
17 ~~par. (b) 2.~~ sub. (2m) (b) if all of the following apply:

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

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

ASSEMBLY BILL 43**SECTION 1036**

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

4 **SECTION 1037.** 49.1635 (5) (b) of the statutes is renumbered 49.1635 (2m), and
5 49.1635 (2m) (a), as renumbered, is amended to read:

6 49.1635 (2m) (a) Subject to ~~subd. 3. par. (c)~~, the grant may be used only to
7 provide legal services in civil matters related to eviction, domestic abuse, or sexual
8 abuse, or to restraining orders or injunctions for individuals at risk under s. 813.123.

9 **SECTION 1038.** 49.1635 (5) (c) of the statutes is renumbered 49.1635 (3m) and
10 amended to read:

11 49.1635 (3m) For each fiscal year in which the department makes a grant
12 under this subsection section, Wisconsin Trust Account Foundation, Inc., shall
13 submit to the department, within 3 months after spending the full amount of that
14 grant, a report detailing how the grant proceeds were used. The department may not
15 make a grant in a subsequent fiscal year unless Wisconsin Trust Account
16 Foundation, Inc., submits the report under this ~~paragraph~~ subsection within the
17 time required and the department determines that the grant proceeds were used in
18 accordance with the approved plan under ~~par. (a) 1. sub. (1m) (a)~~, the agreement
19 under ~~par. (a) 2. sub. (1m) (b)~~, and the requirements under ~~par. (b) sub. (2m)~~.

20 **SECTION 1039.** 49.166 of the statutes is created to read:

21 **49.166 Living independently through financial empowerment.** From
22 the appropriation under s. 20.437 (1) (ce), the department may allocate no more than
23 \$14,000,000 in each fiscal year to establish and administer the living independently
24 through financial empowerment program. Under that program, the department
25 may provide short-term assistance to individuals who are survivors of domestic

ASSEMBLY BILL 43**SECTION 1039**

1 abuse. The department may contract with a Wisconsin works agency to administer
2 the program under this section.

3 **SECTION 1040.** 49.170 of the statutes is created to read:

4 **49.170 Boys and Girls Clubs of Wisconsin.** From the appropriation account
5 under s. 20.437 (2) (er), the department shall provide funding annually to the Boys
6 and Girls Clubs of Wisconsin.

7 **SECTION 1041.** 49.175 (1) (intro.) of the statutes is amended to read:

8 49.175 (1) ALLOCATION OF FUNDS. (intro.) In this section, with respect to any
9 of the following that fund a contract for services, “allocate” means to designate an
10 amount of money equal to the amount under the contract that the department is
11 obligated to pay. Except as provided in sub. (2), within the limits of the
12 appropriations under s. 20.437 (2) (a), (cm), (dz), (k), (kx), (L), (mc), (md), (me), and
13 (s) and (3) (kp), the department shall allocate the following amounts for the following
14 purposes:

15 **SECTION 1042.** 49.175 (1) (a) of the statutes is amended to read:

16 49.175 (1) (a) *Wisconsin Works benefits.* For Wisconsin Works benefits,
17 \$37,000,000 \$30,717,200 in fiscal year ~~2021-22~~ 2023-24 and \$34,000,000
18 \$32,913,100 in fiscal year ~~2022-23~~ 2024-25.

19 **SECTION 1043.** 49.175 (1) (b) of the statutes is amended to read:

20 49.175 (1) (b) *Wisconsin Works agency contracts; job access loans.* For contracts
21 with Wisconsin Works agencies under s. 49.143 and for job access loans under s.
22 49.147 (6), ~~\$54,009,700~~ \$52,580,300 in fiscal year ~~2021-22~~ 2023-24 and ~~\$57,071,200~~
23 \$59,854,900 in fiscal year ~~2022-23~~ 2024-25.

24 **SECTION 1044.** 49.175 (1) (d) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1044**

1 49.175 (1) (d) *Families and Schools Together*. For the families and schools
2 together program in 5 Milwaukee elementary schools to be chosen by the
3 department, \$250,000 in each fiscal year and an additional \$250,000 in each fiscal
4 year for this purpose to be distributed only if the recipient provides matching funds.

5 **SECTION 1045.** 49.175 (1) (f) of the statutes is amended to read:

6 49.175 (1) (f) *Homeless case management services grants*. For grants to shelter
7 facilities under s. 16.3085, \$500,000 \$1,000,000 in each fiscal year. All moneys
8 allocated under this paragraph shall be credited to the appropriation account under
9 s. 20.505 (7) (kg).

10 **SECTION 1046.** 49.175 (1) (g) of the statutes is amended to read:

11 49.175 (1) (g) *State administration of public assistance programs and*
12 *overpayment collections*. For state administration of public assistance programs and
13 the collection of public assistance overpayments, \$17,231,100 \$19,160,100 in fiscal
14 year ~~2021-22~~ 2023-24 and \$17,482,300 \$19,569,100 in fiscal year ~~2022-23~~ 2024-25.

15 **SECTION 1047.** 49.175 (1) (j) of the statutes is amended to read:

16 49.175 (1) (j) *Grants for providing civil legal services*. For the grants under s.
17 49.1635 (5) to Wisconsin Trust Account Foundation, Inc., for distribution to
18 programs that provide civil legal services to low-income families, \$500,000
19 \$1,000,000 in each fiscal year.

20 **SECTION 1048.** 49.175 (1) (k) of the statutes is amended to read:

21 49.175 (1) (k) *Transform Milwaukee and Transitional Jobs programs*. For
22 contract costs under the Transform Milwaukee Jobs program and the Transitional
23 Jobs program under s. 49.163, \$9,500,000 \$11,200,000 in each fiscal year.

24 **SECTION 1049.** 49.175 (1) (Lm) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1049**

1 49.175 (1) (Lm) *Jobs for America's Graduates*. For grants to the Jobs for
2 America's Graduates-Wisconsin to fund programs that improve social, academic,
3 and employment skills of youth who are eligible to receive temporary assistance for
4 needy families under 42 USC 601 et seq., ~~\$500,000~~ \$1,000,000 in each fiscal year.

5 **SECTION 1050.** 49.175 (1) (ms) of the statutes is created to read:

6 49.175 (1) (ms) *Child support debt reduction*. For the child support debt
7 reduction program for low-income noncustodial parents under s. 49.226, \$3,472,000
8 in fiscal year 2023-24 and \$6,944,000 in fiscal year 2024-25.

9 **SECTION 1051.** 49.175 (1) (o) of the statutes is amended to read:

10 49.175 (1) (o) ~~*Evidence-based substance abuse prevention grants*~~ *Grants for*
11 *youth services*. For grants awarded under s. ~~48.545 (2) (e)~~ 48.481, \$500,000 in each
12 fiscal year.

13 **SECTION 1052.** 49.175 (1) (p) of the statutes is amended to read:

14 49.175 (1) (p) *Direct child care services*. For direct child care services under s.
15 49.155 or 49.257, ~~\$376,700,400~~ \$385,628,800 in fiscal year ~~2021-22~~ 2023-24 and
16 ~~\$383,900,400~~ \$403,573,700 in fiscal year ~~2022-23~~ 2024-25.

17 **SECTION 1053.** 49.175 (1) (q) of the statutes is amended to read:

18 49.175 (1) (q) *Child care state administration and licensing activities*. For state
19 administration of child care programs under s. 49.155 and for child care licensing
20 activities, ~~\$42,117,800~~ \$45,957,600 in fiscal year ~~2021-22~~ 2023-24 and ~~\$41,803,100~~
21 \$46,043,900 in fiscal year ~~2022-23~~ 2024-25.

22 **SECTION 1054.** 49.175 (1) (qm) of the statutes is amended to read:

23 49.175 (1) (qm) *Quality care for quality kids*. For the child care quality
24 improvement activities specified in ss. 49.155 (1g) and 49.257, ~~\$16,683,700 in each~~
25 fiscal year and the establishment of an early childhood education center under 2023

ASSEMBLY BILL 43**SECTION 1054**

1 Wisconsin Act ... (this act), section 9106 (3), \$42,850,900 in fiscal year 2023-24 and
2 \$42,647,700 in fiscal year 2024-25.

3 **SECTION 1055.** 49.175 (1) (r) of the statutes is amended to read:

4 49.175 (1) (r) *Children of recipients of supplemental security income.* For
5 payments made under s. 49.775 for the support of the dependent children of
6 recipients of supplemental security income, ~~\$18,564,700~~ \$12,762,400 in fiscal year
7 ~~2021-22 2023-24~~ and ~~\$18,145,000~~ \$12,188,900 in fiscal year ~~2022-23~~ 2024-25.

8 **SECTION 1056.** 49.175 (1) (s) of the statutes is amended to read:

9 49.175 (1) (s) *Kinship care and long-term kinship care assistance.* For kinship
10 care and long-term kinship care payments under s. 48.57 (3m) (am) and (3n) (am),
11 for assessments to determine eligibility for those payments, and for agreements
12 under s. 48.57 (3t) with the governing bodies of Indian tribes for the administration
13 of the kinship care and long-term kinship care programs within the boundaries of
14 the reservations of those tribes, ~~\$28,727,100~~ \$43,574,100 in fiscal year ~~2021-22~~
15 2023-24 and ~~\$31,441,800~~ \$53,719,500 in fiscal year ~~2022-23~~ 2024-25.

16 **SECTION 1057.** 49.175 (1) (t) of the statutes is amended to read:

17 49.175 (1) (t) *Safety and out-of-home placement services.* For services provided
18 to ensure the safety of children who the department or a county determines may
19 remain at home if appropriate services are provided, and for services provided to
20 families with children placed in out-of-home care, ~~\$10,314,300~~ \$6,282,400 in each
21 fiscal year. To receive funding under this paragraph, a county shall match a
22 percentage of the amount received that is equal to the percentage the county is
23 required to match for a distribution under s. 48.563 (2) as specified by the schedule
24 established by the department under s. 48.569 (1) (d).

25 **SECTION 1058.** 49.175 (1) (u) (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1058**

1 49.175 (1) (u) (title) *Prevention Child welfare prevention services.*

2 **SECTION 1059.** 49.175 (1) (y) of the statutes is repealed.

3 **SECTION 1060.** 49.175 (1) (z) of the statutes is amended to read:

4 49.175 (1) (z) *Grants to the Boys and Girls Clubs of America.* For grants to the
5 Wisconsin Chapter of the Boys and Girls Clubs of America to fund programs that
6 improve social, academic, and employment skills of youth who are eligible to receive
7 temporary assistance for needy families under 42 USC 601 et seq., focusing on study
8 habits, intensive tutoring in math and English, and exposure to career options and
9 role models, ~~\$2,807,000~~ \$3,307,000 in each fiscal year. Grants provided under this
10 paragraph may not be used by the grant recipient to replace funding for programs
11 that are being funded, when the grant proceeds are received, with moneys other than
12 those from the appropriations specified in sub. (1) (intro.). The total amount of the
13 grants includes funds for the BE GREAT: Graduate program in the amount of
14 matching funds that the program provides, up to \$1,532,000 in each fiscal year, to
15 be used only for activities for which federal Temporary Assistance for Needy Families
16 block grant moneys may be used.

17 **SECTION 1061.** 49.175 (1) (zh) of the statutes is amended to read:

18 49.175 (1) (zh) *Earned income tax credit supplement.* For the transfer of
19 moneys from the appropriation account under s. 20.437 (2) (md) to the appropriation
20 account under s. 20.835 (2) (kf) for the earned income tax credit, ~~\$63,600,000~~
21 \$109,020,000 in fiscal year ~~2021-22~~ 2023-24 and ~~\$66,600,000~~ \$111,260,000 in fiscal
22 year ~~2022-23~~ 2024-25.

23 **SECTION 1062.** 49.19 (1) (a) 2. a. of the statutes is amended to read:

24 49.19 (1) (a) 2. a. Is living with a parent; a blood relative, including those of
25 half-blood, and including first cousins, nephews or nieces and persons of preceding

ASSEMBLY BILL 43**SECTION 1062**

1 generations as denoted by prefixes of grand, great or great-great; a ~~stepfather,~~
2 ~~stepmother~~ stepparent, stepbrother, or stepsister; a person who legally adopts the
3 child or is the adoptive parent of the child's parent, a natural or legally adopted child
4 of such person or a relative of an adoptive parent; or a spouse of any person named
5 in this ~~subparagraph~~ subd. 2. a. even if the marriage is terminated by death or
6 divorce; and is living in a residence maintained by one or more of these relatives as
7 the child's or their own home, or living in a residence maintained by one or more of
8 these relatives as the child's or their own home because the parents of the child have
9 been found unfit to have care and custody of the child; or

10 **SECTION 1063.** 49.19 (4) (d) (intro.) of the statutes is amended to read:

11 49.19 (4) (d) (intro.) Aid may be granted to the ~~mother or stepmother~~ parent
12 or stepparent of a dependent child if he or she is without a husband spouse or if he
13 or she:

14 **SECTION 1064.** 49.19 (4) (d) 1. of the statutes is amended to read:

15 49.19 (4) (d) 1. Is the wife spouse of a husband person who is incapacitated for
16 gainful work by mental or physical disability; or

17 **SECTION 1065.** 49.19 (4) (d) 2. of the statutes is amended to read:

18 49.19 (4) (d) 2. Is the wife spouse of a husband person who is incarcerated or
19 who is a convicted offender permitted to live at home but precluded from earning a
20 wage because the husband person is required by a court imposed sentence to perform
21 unpaid public work or unpaid community service; or

22 **SECTION 1066.** 49.19 (4) (d) 3. of the statutes is amended to read:

23 49.19 (4) (d) 3. Is the wife spouse of a husband person who has been committed
24 to the department pursuant to ch. 975, irrespective of the probable period of such
25 commitment; or

ASSEMBLY BILL 43**SECTION 1067**

1 **SECTION 1067.** 49.19 (4) (d) 4. of the statutes is amended to read:

2 49.19 (4) (d) 4. Is the wife spouse of a husband person who has continuously
3 abandoned or failed to support him or her, if proceedings have been commenced
4 against the husband person under ch. 769; or

5 **SECTION 1068.** 49.19 (4) (d) 5. of the statutes is amended to read:

6 49.19 (4) (d) 5. Has been divorced and is without a husband spouse or legally
7 separated from his or her husband spouse and is unable through use of the provisions
8 of law to compel his or her former husband spouse to adequately support the child
9 for whom aid is sought; or

10 **SECTION 1069.** 49.226 of the statutes is created to read:

11 **49.226 Child support debt reduction. (1)** The department shall establish
12 a program to provide a noncustodial child support debt reduction. A noncustodial
13 parent qualifies to receive \$1,500 in debt reduction under this section if all of the
14 following apply:

15 (a) The noncustodial parent completes an eligible employment program, as
16 defined by the department in rules promulgated under sub. (3).

17 (b) The custodial parent agrees to reducing child support debt owed up to the
18 amount of the benefit paid.

19 **(2)** A noncustodial parent may not receive debt reduction under sub. (1) more
20 than once in any 12-month period.

21 **(3)** The department shall promulgate rules to implement this section,
22 including rules to determine how debt reduction provided under sub. (1) is
23 apportioned among multiple child support orders.

24 **SECTION 1070.** 49.345 (2) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1070**

1 49.345 (2) Except as provided in sub. (14) (b) and (c), any person, including a
2 person placed under s. 48.32 (1) (am) or (b), 48.345 (3), 48.357 (1) or (2m), 938.183,
3 938.34 (3) or (4d), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance,
4 services, and supplies provided by any institution in this state, in which the state is
5 chargeable with all or part of the person's care, maintenance, services, and supplies,
6 and the person's property and estate, including the homestead, and the spouse of the
7 person, and the spouse's property and estate, including the homestead, and, in the
8 case of a minor child, the parents of the person, and their property and estates,
9 including their homestead, and, in the case of a foreign child described in s. 48.839
10 (1) who became dependent on public funds for his or her primary support before an
11 order granting his or her adoption, the resident of this state appointed guardian of
12 the child by a foreign court who brought the child into this state for the purpose of
13 adoption, and his or her property and estate, including his or her homestead, shall
14 be liable for the cost of the care, maintenance, services, and supplies in accordance
15 with the fee schedule established by the department under s. 49.32 (1). If a spouse,
16 ~~widow~~ surviving spouse, or minor, or an incapacitated person may be lawfully
17 dependent upon the property for his or her support, the court shall release all or such
18 part of the property and estate from the charges that may be necessary to provide for
19 the person. The department shall make every reasonable effort to notify the liable
20 persons as soon as possible after the beginning of the maintenance, but the notice or
21 the receipt of the notice is not a condition of liability.

22 **SECTION 1071.** 49.37 of the statutes, as affected by 2023 Wisconsin Act ... (this
23 act), is repealed.

24 **SECTION 1072.** 49.37 (2) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1072**

1 49.37 (2) Upon completion of the demonstration project under sub. (1) and by
2 June 30, ~~2023~~ 2024, the department of children and families shall conduct an
3 evaluation of the demonstration project.

4 **SECTION 1073.** 49.43 (12) of the statutes is amended to read:

5 49.43 (12) “Spouse” means the legal ~~husband or wife of~~ person to whom the
6 beneficiary is legally married, whether or not the person is eligible for medical
7 assistance.

8 **SECTION 1074.** 49.45 (2p) of the statutes is repealed.

9 **SECTION 1075.** 49.45 (2t) of the statutes is repealed.

10 **SECTION 1076.** 49.45 (3) (e) 11. of the statutes is amended to read:

11 49.45 (3) (e) 11. The department shall use a portion of the moneys collected
12 under s. 50.38 (2) (a) to pay for services provided by eligible hospitals, as defined in
13 s. 50.38 (1), other than critical access hospitals, under the Medical Assistance
14 Program under this subchapter, including services reimbursed on a fee-for-service
15 basis and services provided under a managed care system. For state fiscal year
16 2008-09, total payments required under this subdivision, including both the federal
17 and state share of Medical Assistance, shall equal the amount collected under s.
18 50.38 (2) (a) for fiscal year 2008-09 divided by 57.75 percent. For each state fiscal
19 year after state fiscal year 2008-09, total payments required under this subdivision,
20 including both the federal and state share of Medical Assistance, shall equal the
21 amount collected under s. 50.38 (2) (a) for the fiscal year divided by ~~61.68~~ 44.21
22 percent.

23 **SECTION 1077.** 49.45 (3) (e) 12. of the statutes is amended to read:

24 49.45 (3) (e) 12. The department shall use a portion of the moneys collected
25 under s. 50.38 (2) (b) to pay for services provided by critical access hospitals under

ASSEMBLY BILL 43**SECTION 1077**

1 the Medical Assistance Program under this subchapter, including services
2 reimbursed on a fee-for-service basis and services provided under a managed care
3 system. For each state fiscal year, total payments required under this subdivision,
4 including both the federal and state share of Medical Assistance, shall equal the
5 amount collected under s. 50.38 (2) (b) for the fiscal year divided by ~~61.68~~ 44.21
6 percent.

7 **SECTION 1078.** 49.45 (3) (em) of the statutes is amended to read:

8 49.45 (3) (em) The department shall expend moneys collected under s. 256.23
9 (2), less amounts transferred under s. 256.23 (6), to supplement reimbursement for
10 eligible ambulance service providers, as defined in s. 256.23 (1) (a), for services
11 provided under the Medical Assistance program under this subchapter, including
12 services reimbursed on a fee-for-service basis and provided under managed care, by
13 eligible ambulance service providers. Health plans shall be indemnified and held
14 harmless for any errors made by the department or its agents in calculation of any
15 supplemental reimbursement made under this paragraph.

16 **SECTION 1079.** 49.45 (6xm) of the statutes is created to read:

17 49.45 (6xm) PEDIATRIC INPATIENT SUPPLEMENT. (a) From the appropriations
18 under s. 20.435 (4) (b), (o), and (w), the department shall, using a method determined
19 by the department, distribute a total sum of \$2,000,000 in each state fiscal year to
20 hospitals that meet all of the following criteria:

- 21 1. The hospital is an acute care hospital located in this state.
- 22 2. During the hospital's fiscal year, the inpatient days in the hospital's acute
23 care pediatric units and intensive care pediatric units totaled more than 12,000 days,
24 not including neonatal intensive care units. For purposes of this subdivision, the

ASSEMBLY BILL 43**SECTION 1079**

1 hospital's fiscal year is the hospital's fiscal year that ended in the 2nd calendar year
2 preceding the beginning of the state fiscal year.

3 (b) Notwithstanding par. (a), from the appropriations under s. 20.435 (4) (b),
4 (o), and (w), the department may, using a method determined by the department,
5 distribute an additional total sum of \$10,000,000 in each state fiscal year to hospitals
6 that are free-standing pediatric teaching hospitals located in Wisconsin that have
7 a percentage calculated under s. 49.45 (3m) (b) 1. a. greater than 45 percent.

8 **SECTION 1080.** 49.45 (7m) of the statutes is created to read:

9 49.45 (7m) PAY-FOR-PERFORMANCE; HEALTH INFORMATION EXCHANGE. The
10 department shall develop and implement for non-hospital providers in the Medical
11 Assistance program, including physicians, clinics, health departments, home health
12 agencies, and post-acute care facilities, a payment system based on performance to
13 incentivize participation in health information data sharing to facilitate better
14 patient care, reduced costs, and easier access to patient information. The
15 department shall establish performance metrics for the payment system under this
16 subsection that satisfy all of the following:

17 (a) The metric shall include participation by providers in a health information
18 exchange at a minimum level of patient record access.

19 (b) The payment under the payment system shall increase as the participation
20 level in the health information exchange increases.

21 (c) The payment system shall begin in the 2024 rate year.

22 (d) For purposes of the payment system, the department shall seek any
23 available federal moneys.

24 **SECTION 1081.** 49.45 (23) of the statutes is repealed.

25 **SECTION 1082.** 49.45 (23b) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 1083**

1 **SECTION 1083.** 49.45 (30) (a) of the statutes is repealed.

2 **SECTION 1084.** 49.45 (30) (b) of the statutes is renumbered 49.45 (30) and
3 amended to read:

4 49.45 (30) SERVICE PROVIDED BY COMMUNITY SUPPORT PROGRAMS. The department
5 shall reimburse a provider of county that provides services under s. 49.46 (2) (b) 6.
6 L. only for the amount of the allowable charges for those services under the Medical
7 Assistance program that is provided by the federal government and for the amount
8 of the allowable charges for those services under the Medical Assistance program
9 that is not provided by the federal government.

10 **SECTION 1085.** 49.45 (30e) (a) 2. of the statutes is repealed.

11 **SECTION 1086.** 49.45 (30e) (b) 3. of the statutes is amended to read:

12 49.45 (30e) (b) 3. Requirements for certification of community-based
13 psychosocial service programs. The department may certify county-based providers
14 and providers that are not county-based providers.

15 **SECTION 1087.** 49.45 (30e) (c) of the statutes is renumbered 49.45 (30e) (c) 1.
16 and amended to read:

17 49.45 (30e) (c) 1. ~~A For a county that elects to make provide~~ the services under
18 s. 49.46 (2) (b) 6. Lm. ~~available shall reimburse a provider of the services for the~~
19 ~~amount of the allowable charges for those services under the medical assistance~~
20 ~~program that is not provided by the federal government. The, the~~ department shall
21 reimburse the provider county only for the amount of the allowable charges for those
22 services under the ~~medical assistance~~ Medical Assistance program that is provided
23 by the federal government.

24 **SECTION 1088.** 49.45 (30e) (c) 2. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1088**

1 49.45 (30e) (c) 2. The department shall reimburse a provider that is not a
2 county-based provider for services under s. 49.46 (2) (b) 6. Lm. for both the federal
3 and nonfederal share of a fee schedule that is determined by the department.

4 **SECTION 1089.** 49.45 (30e) (d) of the statutes is amended to read:

5 49.45 (30e) (d) *Provision of services on regional basis.* Notwithstanding par.
6 (c) 1. and subject to par. (e), in counties that elect to ~~deliver~~ provide the services under
7 s. 49.46 (2) (b) 6. Lm. through the Medical Assistance program on a regional basis
8 according to criteria established by the department, the department shall reimburse
9 a provider of the services for the amount of the allowable charges for those services
10 under the Medical Assistance program that is provided by the federal government
11 and for the amount of the allowable charges that is not provided by the federal
12 government.

13 **SECTION 1090.** 49.45 (30j) (title) of the statutes is amended to read:

14 49.45 (30j) (title) REIMBURSEMENT FOR PEER RECOVERY COACH AND CERTIFIED PEER
15 SPECIALIST SERVICES.

16 **SECTION 1091.** 49.45 (30j) (a) 1. and 2. of the statutes are renumbered 49.45
17 (30j) (a) 2m. and 3.

18 **SECTION 1092.** 49.45 (30j) (a) 1m. of the statutes is created to read:

19 49.45 (30j) (a) 1m. “Certified peer specialist” means an individual who has
20 experience in the mental health and substance use services system, who is trained
21 to provide support to others, and who has received peer specialist or parent peer
22 specialist certification under the rules established by the department.

23 **SECTION 1093.** 49.45 (30j) (bm) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1093**

1 49.45 (30j) (bm) The department shall reimburse under the Medical Assistance
2 program under this subchapter any service provided by a certified peer specialist if
3 the service satisfies all of the following conditions:

4 1. The recipient of the service provided by a certified peer specialist is in
5 treatment for or recovery from a mental illness or a substance use disorder.

6 2. The certified peer specialist provides the service under the supervision of a
7 competent mental health professional.

8 3. The certified peer specialist provides the service in coordination with the
9 Medical Assistance recipient's individual treatment plan and in accordance with the
10 recipient's individual treatment goals.

11 4. The certified peer specialist providing the service has completed training
12 requirements, as established by the department by rule, after consulting with
13 members of the recovery community.

14 **SECTION 1094.** 49.45 (30j) (c) of the statutes is amended to read:

15 49.45 (30j) (c) The department shall certify under Medical Assistance peer
16 recovery coaches and certified peer specialists to provide services in accordance with
17 this subsection.

18 **SECTION 1095.** 49.45 (30p) of the statutes is created to read:

19 49.45 (30p) DETOXIFICATION AND STABILIZATION SERVICES. (a) In this subsection:

20 1. "Adult residential integrated behavioral health stabilization service" means
21 a residential behavioral health treatment service, delivered under the oversight of
22 a medical director, that provides withdrawal management and intoxication
23 monitoring, as well as integrated behavioral health stabilization services, and
24 includes nursing care on site for medical monitoring available on a 24-hour basis.

25 "Adult residential integrated behavioral health stabilization service" may include

ASSEMBLY BILL 43**SECTION 1095**

1 the provision of services including screening, assessment, intake, evaluation and
2 diagnosis, medical care, observation and monitoring, physical examination,
3 determination of medical stability, medication management, nursing services, case
4 management, drug testing, counseling, individual therapy, group therapy, family
5 therapy, psychoeducation, peer support services, recovery coaching, recovery
6 support services, and crisis intervention services, to ameliorate acute behavioral
7 health symptoms and stabilize functioning.

8 2. “Community-based withdrawal management” means a medically managed
9 withdrawal management service delivered on an outpatient basis by a physician or
10 other service personnel acting under the supervision of a physician.

11 3. “Detoxification and stabilization services” means adult residential
12 integrated behavioral health stabilization service, residential withdrawal
13 management service, or residential intoxication monitoring service.

14 4. “Residential intoxication monitoring service” means a residential service
15 that provides 24-hour observation to monitor the safe resolution of alcohol or
16 sedative intoxication and to monitor for the development of alcohol withdrawal for
17 intoxicated patients who are not in need of emergency medical or behavioral
18 healthcare. “Residential intoxication monitoring service” may include the provision
19 of services including screening, assessment, intake, evaluation and diagnosis,
20 observation and monitoring, case management, drug testing, counseling, individual
21 therapy, group therapy, family therapy, psychoeducation, peer support services,
22 recovery coaching, and recovery support services.

23 5. “Residential withdrawal management service” means a residential
24 substance use treatment service that provides withdrawal management and
25 intoxication monitoring, and includes medically managed 24-hour on-site nursing

ASSEMBLY BILL 43**SECTION 1095**

1 care, under the supervision of a physician. “Residential withdrawal management
2 service” may include the provision of services, including screening, assessment,
3 intake, evaluation and diagnosis, medical care, observation and monitoring,
4 physical examination, medication management, nursing services, case
5 management, drug testing, counseling, individual therapy, group therapy, family
6 therapy, psychoeducation, peer support services, recovery coaching, and recovery
7 support services, to ameliorate symptoms of acute intoxication and withdrawal and
8 to stabilize functioning. “Residential withdrawal management service” may also
9 include community-based withdrawal management and intoxication monitoring
10 services.

11 (b) Subject to par. (c), the department shall provide reimbursement for
12 detoxification and stabilization services under the Medical Assistance program
13 under s. 49.46 (2) (b) 14r. The department shall certify providers under the Medical
14 Assistance program to provide detoxification and stabilization services in
15 accordance with this subsection.

16 (c) The department shall submit to the federal department of health and
17 human services any request for a state plan amendment, waiver, or other federal
18 approval necessary to provide reimbursement for detoxification and stabilization
19 services as described in this subsection. If the federal department approves the
20 request or if no federal approval is necessary, the department shall provide the
21 reimbursement under par. 49.46 (2) (b) 14r. If the federal department disapproves
22 the request, the department may not provide the reimbursement described in this
23 subsection.

24 **SECTION 1096.** 49.45 (30t) of the statutes is created to read:

25 49.45 (30t) DOULA SERVICES. (a) In this subsection:

ASSEMBLY BILL 43**SECTION 1096**

1 1. “Certified doula” means an individual who has received certification from a
2 doula certifying organization recognized by the department.

3 2. “Doula services” means childbirth education and support services, including
4 emotional and physical support provided during pregnancy, labor, birth, and the
5 postpartum period.

6 (b) The department shall request from the secretary of the federal department
7 of health and human services any required waiver or any required amendment to the
8 state plan for Medical Assistance to allow reimbursement for doula services provided
9 by a certified doula. If the waiver or state plan amendment is granted, the
10 department shall reimburse a certified doula under s. 49.46 (2) (b) 12p. for the
11 allowable charges for doula services provided to Medical Assistance recipients.

12 **SECTION 1097.** 49.45 (39) (b) 1. of the statutes is amended to read:

13 49.45 (39) (b) 1. ‘Payment for school medical services.’ If a school district or a
14 cooperative educational service agency elects to provide school medical services and
15 meets all requirements under par. (c), the department shall reimburse the school
16 district or the cooperative educational service agency for ~~60~~ 100 percent of the federal
17 share of allowable charges for the school medical services that it provides and, as
18 specified in subd. 2., for allowable administrative costs. If the Wisconsin Center for
19 the Blind and Visually Impaired or the Wisconsin Educational Services Program for
20 the Deaf and Hard of Hearing elects to provide school medical services and meets all
21 requirements under par. (c), the department shall reimburse the department of
22 public instruction for ~~60~~ 100 percent of the federal share of allowable charges for the
23 school medical services that the Wisconsin Center for the Blind and Visually
24 Impaired or the Wisconsin Educational Services Program for the Deaf and Hard of
25 Hearing provides and, as specified in subd. 2., for allowable administrative costs. A

ASSEMBLY BILL 43**SECTION 1097**

1 school district, cooperative educational service agency, the Wisconsin Center for the
2 Blind and Visually Impaired, or the Wisconsin Educational Services Program for the
3 Deaf and Hard of Hearing may submit, and the department shall allow, claims for
4 common carrier transportation costs as a school medical service unless the
5 department receives notice from the federal health care financing administration
6 that, under a change in federal policy, the claims are not allowed. If the department
7 receives the notice, a school district, cooperative educational service agency, the
8 Wisconsin Center for the Blind and Visually Impaired, or the Wisconsin Educational
9 Services Program for the Deaf and Hard of Hearing may submit, and the department
10 shall allow, unreimbursed claims for common carrier transportation costs incurred
11 before the date of the change in federal policy. The department shall promulgate
12 rules establishing a methodology for making reimbursements under this paragraph.
13 All other expenses for the school medical services provided by a school district or a
14 cooperative educational service agency shall be paid for by the school district or the
15 cooperative educational service agency with funds received from state or local taxes.
16 The school district, the Wisconsin Center for the Blind and Visually Impaired, the
17 Wisconsin Educational Services Program for the Deaf and Hard of Hearing, or the
18 cooperative educational service agency shall comply with all requirements of the
19 federal department of health and human services for receiving federal financial
20 participation.

21 **SECTION 1098.** 49.45 (39) (b) 2. of the statutes is amended to read:

22 49.45 (39) (b) 2. 'Payment for school medical services administrative costs.' The
23 department shall reimburse a school district or a cooperative educational service
24 agency specified under subd. 1. and shall reimburse the department of public
25 instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired or

ASSEMBLY BILL 43**SECTION 1098**

1 the Wisconsin Educational Services Program for the Deaf and Hard of Hearing for
2 90 100 percent of the federal share of allowable administrative costs, using time
3 studies, ~~beginning in fiscal year 1999-2000~~. A school district or a cooperative
4 educational service agency may submit, and the department of health services shall
5 allow, claims for administrative costs incurred during the period that is up to 24
6 months before the date of the claim, if allowable under federal law.

7 **SECTION 1099.** 49.45 (41) (a) of the statutes is renumbered 49.45 (41) (a) (intro.)
8 and amended to read:

9 49.45 (41) (a) (intro.) In this subsection, “crisis intervention services” means
10 crisis intervention services for the treatment of mental illness, intellectual disability,
11 substance abuse, and dementia that are provided by ~~a~~ any of the following:

12 2. A crisis intervention program operated by, or under contract with, a county,
13 if the county is certified as a medical assistance provider.

14 **SECTION 1100.** 49.45 (41) (a) 1. of the statutes is created to read:

15 49.45 (41) (a) 1. A crisis urgent care and observation facility certified under s.
16 51.036.

17 **SECTION 1101.** 49.45 (41) (b) of the statutes is amended to read:

18 49.45 (41) (b) If a county elects to become certified as a provider of crisis
19 intervention services under par. (a) 2., the county may provide crisis intervention
20 services under this subsection in the county to medical assistance recipients through
21 the medical assistance program. A county that elects to provide the services shall
22 pay the amount of the allowable charges for the services under the medical
23 assistance program that is not provided by the federal government. The department
24 shall reimburse the county under this subsection only for the amount of the allowable

ASSEMBLY BILL 43**SECTION 1101**

1 charges for those services under the medical assistance program that is provided by
2 the federal government.

3 **SECTION 1102.** 49.45 (41) (c) (intro.) of the statutes is amended to read:

4 49.45 (41) (c) (intro.) Notwithstanding par. (b), if a county elects, pursuant to
5 par. (a) 2., to deliver crisis intervention services under the Medical Assistance
6 program on a regional basis according to criteria established by the department, all
7 of the following apply:

8 **SECTION 1103.** 49.45 (41) (d) of the statutes is created to read:

9 49.45 (41) (d) The department shall request any necessary federal approval
10 required to provide reimbursement to crisis urgent care and observation facilities
11 certified under s. 51.036 for crisis intervention services under this subsection. If
12 federal approval is granted or no federal approval is required, the department shall
13 provide reimbursement under s. 49.46 (2) (b) 15. If federal approval is necessary but
14 is not granted, the department may not provide reimbursement for crisis
15 intervention services provided by crisis urgent care and observation facilities.

16 **SECTION 1104.** 49.45 (52) (a) 1. of the statutes is amended to read:

17 49.45 (52) (a) 1. If the department provides the notice under par. (c) selecting
18 the payment procedure in this paragraph, the department may, from the
19 appropriation account under s. 20.435 (7) (b), make Medical Assistance payment
20 adjustments to county departments under s. 46.215, 46.22, 46.23, 51.42, or 51.437
21 or to local health departments, as defined in s. 250.01 (4), as appropriate, for covered
22 services under s. 49.46 (2) (a) 2. and 4. d. and f. and (b) 6. b., c., f., fm., g., j., k., L.,
23 Lm., and m., 9., 12., 12m., 13., 15., and 16., except for services specified under s. 49.46
24 (2) (b) 6. b. and c. provided to children participating in the early intervention program
25 under s. 51.44. Payment adjustments under this paragraph shall include the state

ASSEMBLY BILL 43**SECTION 1104**

1 share of the payments. The total of any payment adjustments under this paragraph
2 and Medical Assistance payments made from appropriation accounts under s. 20.435
3 (4) (b), (gm), (o), and (w), may not exceed applicable limitations on payments under
4 42 USC 1396a (a) (30) (A).

5 **SECTION 1105.** 49.45 (52) (b) 1. of the statutes is amended to read:

6 49.45 **(52)** (b) 1. Annually, a county department under s. 46.215, 46.22, 46.23,
7 51.42, or 51.437 shall submit a certified cost report that meets the requirements of
8 the federal department of health and human services for covered services under s.
9 49.46 (2) (a) 2. and 4. d. and f. and (b) 6. b., c., f., fm., g., j., k., ~~L.~~ Lm., and m., 9., 12.,
10 12m., 13., 15., and 16., except for services specified under s. 49.46 (2) (b) 6. b. and c.
11 provided to children participating in the early intervention program under s. 51.44.

12 **SECTION 1106.** 49.46 (1) (a) 1m. of the statutes is amended to read:

13 49.46 **(1)** (a) 1m. Any pregnant woman whose income does not exceed the
14 standard of need under s. 49.19 (11) and whose pregnancy is medically verified.
15 Eligibility continues to the last day of the month in which the 60th day or, if approved
16 by the federal government, the ~~90th~~ 365th day after the last day of the pregnancy
17 falls.

18 **SECTION 1107.** 49.46 (1) (j) of the statutes is amended to read:

19 49.46 **(1)** (j) An individual determined to be eligible for benefits under par. (a)
20 9. remains eligible for benefits under par. (a) 9. for the balance of the pregnancy and
21 to the last day of the month in which the 60th day or, if approved by the federal
22 government, the ~~90th~~ 365th day after the last day of the pregnancy falls without
23 regard to any change in the individual's family income.

24 **SECTION 1108.** 49.46 (2) (b) 8m. of the statutes is created to read:

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1 49.46 (2) (b) 8m. Room and board for residential substance use disorder
2 treatment.

3 **SECTION 1109.** 49.46 (2) (b) 11m. of the statutes is created to read:

4 49.46 (2) (b) 11m. Subject to par. (bx), acupuncture provided by an
5 acupuncturist who holds a certificate under ch. 451.

6 **SECTION 1110.** 49.46 (2) (b) 12p. of the statutes is created to read:

7 49.46 (2) (b) 12p. Doula services provided by a certified doula, as specified
8 under s. 49.45 (30t).

9 **SECTION 1111.** 49.46 (2) (b) 14c. of the statutes is created to read:

10 49.46 (2) (b) 14c. Subject to par. (bv), services by a psychiatric residential
11 treatment facility.

12 **SECTION 1112.** 49.46 (2) (b) 14p. of the statutes is amended to read:

13 49.46 (2) (b) 14p. Subject to s. 49.45 (30j), services provided by a peer recovery
14 coach or a certified peer specialist.

15 **SECTION 1113.** 49.46 (2) (b) 14r. of the statutes is created to read:

16 49.46 (2) (b) 14r. Detoxification and stabilization services as specified under s.
17 49.45 (30p).

18 **SECTION 1114.** 49.46 (2) (b) 24. of the statutes is created to read:

19 49.46 (2) (b) 24. Subject to par. (by), nonmedical services that contribute to the
20 determinants of health.

21 **SECTION 1115.** 49.46 (2) (bv) of the statutes is created to read:

22 49.46 (2) (bv) The department shall submit to the federal department of health
23 and human services any request for a state plan amendment, waiver, or other federal
24 approval necessary to provide reimbursement for services by a psychiatric
25 residential treatment facility. If the federal department of health and human

ASSEMBLY BILL 43**SECTION 1115**

1 services approves the request or if no federal approval is necessary, the department
2 shall provide reimbursement under par. (b) 14c. If the federal department of health
3 and human services disapproves the request, the department may not provide
4 reimbursement for services under par. (b) 14c.

5 **SECTION 1116.** 49.46 (2) (bx) of the statutes is created to read:

6 49.46 (2) (bx) The department shall submit to the federal department of health
7 and human services any request for a state plan amendment, waiver, or other federal
8 approval necessary to provide reimbursement for the benefit under par. (b) 11m. If
9 the federal department approves the request or if no federal approval is necessary,
10 the department shall provide the benefit and reimbursement under par. (b) 11m. If
11 the federal department disapproves the request, the department may not provide the
12 benefit or reimbursement for the benefit described under par. (b) 11m.

13 **SECTION 1117.** 49.46 (2) (by) of the statutes is created to read:

14 49.46 (2) (by) The department shall determine those services under par. (b) 24.
15 that contribute to the determinants of health. The department shall seek any
16 necessary state plan amendment or request any waiver of federal Medicaid law to
17 implement this paragraph. The department is not required to provide the services
18 under this paragraph as a benefit under the Medical Assistance program if the
19 federal department of health and human services does not provide federal financial
20 participation for the services under this paragraph.

21 **SECTION 1118.** 49.47 (4) (ag) 2. of the statutes is amended to read:

22 49.47 (4) (ag) 2. Pregnant and the woman's pregnancy is medically verified.
23 Eligibility continues to the last day of the month in which the 60th day or, if approved
24 by the federal government, the ~~90th~~ 365th day after the last day of the pregnancy
25 falls.

ASSEMBLY BILL 43**SECTION 1119**

1 **SECTION 1119.** 49.471 (1) (b) 2. of the statutes is amended to read:

2 49.471 (1) (b) 2. A ~~stepfather, stepmother~~ stepparent, stepbrother, or stepsister.

3 **SECTION 1120.** 49.471 (1) (cr) of the statutes is created to read:

4 49.471 (1) (cr) “Enhanced federal medical assistance percentage” means a
5 federal medical assistance percentage described under 42 USC 1396d (y) or (z).

6 **SECTION 1121.** 49.471 (4) (a) 4. b. of the statutes is amended to read:

7 49.471 (4) (a) 4. b. The individual’s family income does not exceed ~~100~~ 133
8 percent of the poverty line ~~before application of the 5 percent income disregard under~~
9 ~~42 CFR 435.603 (d)~~.

10 **SECTION 1122.** 49.471 (4) (a) 8. of the statutes is created to read:

11 49.471 (4) (a) 8. An individual who meets all of the following criteria:

12 a. The individual is an adult under the age of 65.

13 b. The adult has a family income that does not exceed 133 percent of the poverty
14 line, except as provided in sub. (4g).

15 c. The adult is not otherwise eligible for the Medical Assistance program under
16 this subchapter or the Medicare program under 42 USC 1395 et seq.

17 **SECTION 1123.** 49.471 (4g) of the statutes is created to read:

18 49.471 (4g) **MEDICAID EXPANSION; FEDERAL MEDICAL ASSISTANCE PERCENTAGE.** For
19 services provided to individuals described under sub. (4) (a) 8., the department shall
20 comply with all federal requirements to qualify for the highest available enhanced
21 federal medical assistance percentage. The department shall submit any
22 amendment to the state medical assistance plan, request for a waiver of federal
23 Medicaid law, or other approval request required by the federal government to
24 provide services to the individuals described under sub. (4) (a) 8. and qualify for the
25 highest available enhanced federal medical assistance percentage.

ASSEMBLY BILL 43**SECTION 1124**

1 **SECTION 1124.** 49.471 (6) (b) of the statutes is amended to read:

2 49.471 **(6)** (b) A pregnant woman who is determined to be eligible for benefits
3 under sub. (4) remains eligible for benefits under sub. (4) for the balance of the
4 pregnancy and to the last day of the month in which the 60th day or, if approved by
5 the federal government, the 90th 365th day after the last day of the pregnancy falls
6 without regard to any change in the woman's family income.

7 **SECTION 1125.** 49.471 (7) (b) 1. of the statutes is amended to read:

8 49.471 **(7)** (b) 1. A pregnant woman whose family income exceeds 300 percent
9 of the poverty line may become eligible for coverage under this section if the
10 difference between the pregnant woman's family income and the applicable income
11 limit under sub. (4) (a) is obligated or expended for any member of the pregnant
12 woman's family for medical care or any other type of remedial care recognized under
13 state law or for personal health insurance premiums or for both. Eligibility obtained
14 under this subdivision continues without regard to any change in family income for
15 the balance of the pregnancy and to the last day of the month in which the 60th day
16 or, if approved by the federal government, the 90th 365th day after the last day of the
17 woman's pregnancy falls. Eligibility obtained by a pregnant woman under this
18 subdivision extends to all pregnant women in the pregnant woman's family.

19 **SECTION 1126.** 49.485 of the statutes is renumbered 20.9315 (19) and amended
20 to read:

21 20.9315 **(19)** ~~Whoever knowingly presents or causes to be presented to any~~
22 ~~officer, employee, or agent of this state a false claim for medical assistance shall~~
23 ~~forfeit not less than \$5,000 nor more than \$10,000, plus 3 times the amount of the~~
24 ~~damages that were sustained by the state or would have been sustained by the state,~~

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1 ~~whichever is greater, as a result of the false claim.~~ The attorney general may bring
2 an action on behalf of the state to recover any forfeiture incurred under this section.

3 **SECTION 1127.** 49.686 (3) (d) of the statutes is amended to read:

4 49.686 (3) (d) Has applied for coverage under and has been denied eligibility
5 for medical assistance within 12 months prior to application for reimbursement
6 under sub. (2). This paragraph does not apply to an individual ~~who is eligible for~~
7 ~~benefits under the demonstration project for childless adults under s. 49.45 (23) or~~
8 ~~to an individual~~ who is eligible for benefits under BadgerCare Plus under s. 49.471
9 (4) (a) 8. or (11).

10 **SECTION 1128.** 49.79 (1) (b) of the statutes is amended to read:

11 49.79 (1) (b) “Controlled substance” has the meaning given in 21 USC 802 (6),
12 except that “controlled substance” does not include tetrahydrocannabinols in any
13 form, including tetrahydrocannabinols contained in marijuana, obtained from
14 marijuana, or chemically synthesized.

15 **SECTION 1129.** 49.79 (7m) of the statutes is created to read:

16 49.79 (7m) HEALTHY EATING INCENTIVES. (a) In this subsection, “fruit and
17 vegetables” means “any variety of fresh, canned, dried, or frozen whole or cut fruits
18 or vegetables without added sugars, fats, oils, or salt.

19 (b) Subject to pars. (c) and (d), from the appropriation under s. 20.435 (4) (bu),
20 the department shall establish and implement a statewide healthy eating incentives
21 Double Up Food Bucks pilot program under the federal Gus Schumacher Nutrition
22 Incentive Program to match benefit amounts spent by recipients under the food
23 stamp program on fruits and vegetables from participating retailers with additional
24 benefit amounts to be used for the purchase of fruits and vegetables.

ASSEMBLY BILL 43**SECTION 1129**

1 (c) The department shall do all of the following, on a schedule determined by
2 the department:

3 1. Submit to the U.S. department of agriculture a request for a waiver or any
4 other federal approval necessary to allow the department to implement the program
5 under this subsection.

6 2. Seek any available moneys, including federal moneys under the federal Gus
7 Schumacher Nutrition Incentive Program, to fund implementation of the program
8 under this subsection.

9 (d) If the U.S. department of agriculture disapproves the request under par. (c)
10 1. or if the department is unable to obtain sufficient funding for the program, the
11 department may not implement the program under this subsection.

12 **SECTION 1130.** 49.79 (7s) of the statutes is created to read:

13 49.79 (7s) PAYMENT PROCESSING PROGRAM. From the appropriation under s.
14 20.435 (4) (bu), the department shall administer a payment processing program to
15 provide to farmers' markets and farmers who sell directly to consumers electronic
16 benefit transfer and credit and debit card processing equipment and services,
17 including electronic benefit transfer for the food stamp program. To participate in
18 the payment processing program, the vendor that is under contract to process the
19 electronic benefit transfer and credit and debit card transactions shall also process
20 any local purchasing incentives, even if those local purchasing incentives are funded
21 by a local 3rd-party entity.

22 **SECTION 1131.** 49.79 (9) (a) 1g. of the statutes is amended to read:

23 49.79 (9) (a) 1g. Except as provided in subds. 2. and 3., ~~beginning October 1,~~
24 ~~2019,~~ the department shall require, to the extent allowed by the federal government,
25 ~~all~~ able-bodied adults without dependents in this state to participate in the

ASSEMBLY BILL 43**SECTION 1131**

1 employment and training program under this subsection, except for able-bodied
2 adults without dependents who are employed, as determined by the department.
3 The department may require ~~other~~ able individuals who are 18 to 60 years of age, or
4 a subset of those individuals to the extent allowed by the federal government, who
5 are not participants in a Wisconsin Works employment position to participate in the
6 employment and training program under this subsection.

7 **SECTION 1132.** 49.79 (9) (d) of the statutes is repealed.

8 **SECTION 1133.** 49.79 (9) (f) of the statutes is repealed.

9 **SECTION 1134.** 49.791 of the statutes is repealed.

10 **SECTION 1135.** 49.90 (4) of the statutes is amended to read:

11 49.90 (4) The circuit court shall in a summary way hear the allegations and
12 proofs of the parties and by order require maintenance from these relatives, if they
13 have sufficient ability, considering their own future maintenance and making
14 reasonable allowance for the protection of the property and investments from which
15 they derive their living and their care and protection in old age, in the following
16 order: First the ~~husband or wife~~ spouse; then the ~~father and the mother~~ parents; and
17 then the grandparents in the instances in which sub. (1) (a) 2. applies. The order
18 shall specify a sum ~~which~~ that will be sufficient for the support of the dependent
19 person under sub. (1) (a) 1. or the maintenance of a child of a dependent person under
20 sub. (1) (a) 2., to be paid weekly or monthly, during a period fixed by the order or until
21 the further order of the court. If the court is satisfied that any such relative is unable
22 wholly to maintain the dependent person or the child, but is able to contribute to the
23 person's support or the child's maintenance, the court may direct 2 or more of the
24 relatives to maintain the person or the child and prescribe the proportion each shall
25 contribute. If the court is satisfied that these relatives are unable together wholly

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1 to maintain the dependent person or the child, but are able to contribute to the
2 person's support or the child's maintenance, the court shall direct a sum to be paid
3 weekly or monthly by each relative in proportion to ability. Contributions directed
4 by court order, if for less than full support, shall be paid to the department of health
5 services or the department of children and families, whichever is appropriate, and
6 distributed as required by state and federal law. An order under this subsection that
7 relates to maintenance required under sub. (1) (a) 2. shall specifically assign
8 responsibility for and direct the manner of payment of the child's health care
9 expenses, subject to the limitations under subs. (1) (a) 2. and (11). Upon application
10 of any party affected by the order and upon like notice and procedure, the court may
11 modify such an order. Obedience to such an order may be enforced by proceedings
12 for contempt.

13 **SECTION 1136.** 50.01 (1b) of the statutes is repealed.

14 **SECTION 1137.** 50.08 (2) of the statutes is amended to read:

15 50.08 (2) A physician, an advanced practice registered nurse ~~prescriber~~
16 ~~certified~~ who may issue prescription orders under s. ~~441.16~~ 441.09 (2), or a physician
17 assistant who prescribes a psychotropic medication to a nursing home resident who
18 has degenerative brain disorder shall notify the nursing home if the prescribed
19 medication has a boxed warning under 21 CFR 201.57.

20 **SECTION 1138.** 50.09 (1) (a) (intro.) of the statutes is amended to read:

21 50.09 (1) (a) (intro.) Private and unrestricted communications with the
22 resident's family, physician, physician assistant, advanced practice registered nurse
23 ~~prescriber~~, attorney, and any other person, 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, except that

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1 communications with public officials or with the resident's attorney shall not be
2 restricted in any event. The right to private and unrestricted communications shall
3 include, but is not limited to, the right to:

4 **SECTION 1139.** 50.09 (1) (f) 1. of the statutes is amended to read:

5 50.09 (1) (f) 1. Privacy for visits by spouse or domestic partner. If both spouses
6 or both domestic partners under ch. 770 are residents of the same facility, the spouses
7 or domestic partners shall be permitted to share a room unless medically
8 contraindicated as documented by the resident's physician, physician assistant, or
9 advanced practice registered nurse ~~prescriber~~ in the resident's medical record.

10 **SECTION 1140.** 50.09 (1) (h) of the statutes is amended to read:

11 50.09 (1) (h) Meet with, and participate in activities of social, religious, and
12 community groups at the resident's discretion, unless medically contraindicated as
13 documented by the resident's physician, physician assistant, or advanced practice
14 registered nurse ~~prescriber~~ in the resident's medical record.

15 **SECTION 1141.** 50.09 (1) (k) of the statutes is amended to read:

16 50.09 (1) (k) Be free from mental and physical abuse, and be free from chemical
17 and physical restraints except as authorized in writing by a physician, physician
18 assistant, or advanced practice registered nurse ~~prescriber~~ for a specified and
19 limited period of time and documented in the resident's medical record. Physical
20 restraints may be used in an emergency when necessary to protect the resident from
21 injury to himself or herself or others or to property. However, authorization for
22 continuing use of the physical restraints shall be secured from a physician, physician
23 assistant, or advanced practice registered nurse ~~prescriber~~ within 12 hours. Any use
24 of physical restraints shall be noted in the resident's medical records. "Physical
25 restraints" includes, but is not limited to, any article, device, or garment that

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1 interferes with the free movement of the resident and that the resident is unable to
2 remove easily, and confinement in a locked room.

3 **SECTION 1142.** 50.36 (3s) of the statutes is created to read:

4 50.36 (3s) The department shall require a hospital that provides emergency
5 services to have sufficient qualified personnel at all times to manage the number and
6 severity of emergency department cases anticipated by the location. At all times, a
7 hospital that provides emergency services shall have on-site at least one physician
8 who, through education, training, and experience, specializes in emergency
9 medicine.

10 **SECTION 1143.** 50.49 (1) (b) (intro.) of the statutes is amended to read:

11 50.49 (1) (b) (intro.) “Home health services” means the following items and
12 services that are furnished to an individual, who is under the care of a physician,
13 physician assistant, or advanced practice registered nurse ~~prescriber~~, by a home
14 health agency, or by others under arrangements made by the home health agency,
15 that are under a plan for furnishing those items and services to the individual that
16 is established and periodically reviewed by a physician, physician assistant, or
17 advanced practice registered nurse ~~prescriber~~ and that are, except as provided in
18 subd. 6., provided on a visiting basis in a place of residence used as the individual’s
19 home:

20 **SECTION 1144.** 51.036 of the statutes is created to read:

21 **51.036 Crisis urgent care and observation facilities. (1) DEFINITIONS.** In
22 this section:

23 (a) “Crisis” means a situation caused by an individual’s apparent mental or
24 substance use disorder that results in a high level of stress or anxiety for the
25 individual, persons providing care for the individual, or the public and that is not

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1 resolved by the available coping methods of the individual or by the efforts of those
2 providing ordinary care or support for the individual.

3 (b) “Crisis urgent care and observation facility” means a treatment facility that
4 admits an individual to prevent, de-escalate, or treat the individual’s mental health
5 or substance use disorder and includes the necessary structure and staff to support
6 the individual’s needs relating to the mental health or substance use disorder.

7 **(2) CERTIFICATION REQUIRED; EXEMPTION.** (a) The department shall establish a
8 certification process for crisis urgent care and observation facilities and may
9 establish criteria by rule for the certification of crisis urgent care and observation
10 facilities. The department may limit the number of certifications it grants to operate
11 crisis urgent care and observation facilities. No person may operate a crisis urgent
12 care and observation facility without a certification under this section. The
13 department shall establish by rule a process for crisis urgent care and observation
14 facilities to apply to the department for certification of the facility for the receipt of
15 funds for services provided as a benefit to a recipient under the Medical Assistance
16 program.

17 (b) A crisis urgent care and observation facility certified under this section is
18 not subject to facility regulation under ch. 50, unless otherwise required due to the
19 facility’s licensure or certification for other services or purposes. A crisis urgent care
20 and observation facility is not a hospital under s. 50.32 and nothing in this paragraph
21 limits services a hospital may provide under s. 50.32.

22 (c) A crisis urgent care and observation facility certified under this section shall
23 do all of the following:

24 1. Accept referrals for crisis services for both youths and adults, including
25 involuntary patients under emergency detention, voluntary patients, walk-ins, and

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1 individuals brought by law enforcement, emergency medical responders, and other
2 emergency medical services practitioners.

3 2. Abstain from having a requirement for medical clearance before admission
4 assessment.

5 3. Provide assessments for physical health, substance use disorder, and mental
6 health.

7 4. Provide screens for suicide and violence risk.

8 5. Provide medication management and therapeutic counseling.

9 6. Provide coordination of services for basic needs.

10 7. Have adequate staffing 24 hours a day, 7 days a week, with a
11 multidisciplinary team including, as needed, psychiatrists or psychiatric nurse
12 practitioners, nurses, licensed clinicians capable of completing assessments and
13 providing necessary treatment, peers with lived experience, and other appropriate
14 staff.

15 8. Allow for voluntary and involuntary treatment of individuals in crisis as a
16 means to avoid unnecessary placement of those individuals in hospital inpatient
17 beds and allow for an effective conversion to voluntary stabilization when warranted
18 in the same setting.

19 **(3) ADMISSION.** (a) A crisis urgent care and observation facility certified under
20 this section may accept individuals for voluntary stabilization, observation and
21 treatment, including for assessments for mental health or substance use disorder,
22 screening for suicide and violence risk, and medication management and therapeutic
23 counseling.

24 (b) A crisis urgent care and observation facility certified under this section may
25 accept individuals for emergency detention under s. 51.15 if the facility agrees to

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1 accept the individual. A county crisis assessment under s. 51.15 (2) (c) is required
2 prior to acceptance of an individual for purposes of emergency detention at a crisis
3 urgent care and observation facility certified under this section. Medical clearance
4 is not required before admission, but the facility shall provide necessary medical
5 services on site.

6 (4) GRANTS. From the appropriation under s. 20.435 (5) (cj), the department
7 shall award grants to individuals and entities to develop and support crisis urgent
8 care and observation facilities under this section.

9 (5) RULES. The department may promulgate rules to implement this section,
10 including requirements for admitting and holding individuals for purposes of
11 emergency detention. The department may promulgate the rules under this section
12 as emergency rules under s. 227.24. Notwithstanding s. 227.24 (1) (c) and (2), a rule
13 promulgated under this subsection may remain in effect for not more than 24
14 months. Notwithstanding s. 227.24 (1) (a) and (3), the department is not required
15 to provide evidence that promulgating a rule under this subsection as an emergency
16 rule is necessary for the preservation of the public peace, health, safety, or welfare
17 and is not required to provide a finding of emergency for a rule promulgated under
18 this subsection.

19 **SECTION 1145.** 51.042 (3m) of the statutes is created to read:

20 51.042 (3m) GRANTS. From the appropriation under s. 20.435 (5) (cc), the
21 department shall award grants to organizations to develop and support youth crisis
22 stabilization facilities.

23 **SECTION 1146.** 51.044 of the statutes is created to read:

24 **51.044 Psychiatric residential treatment facilities. (1) DEFINITION.** In
25 this section, “psychiatric residential treatment facility” is a non-hospital facility

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1 that provides inpatient comprehensive mental health treatment services to
2 individuals under the age of 21 who, due to mental illness, substance use, or severe
3 emotional disturbance, need treatment that can most effectively be provided in a
4 residential treatment facility.

5 **(2) CERTIFICATION REQUIRED; EXEMPTION.** (a) No person may operate a
6 psychiatric residential treatment facility without a certification from the
7 department. The department may limit the number of certifications it grants to
8 operate a psychiatric residential treatment facility.

9 (b) A psychiatric residential treatment facility that has a certification from the
10 department under this section is not subject to facility regulation under ch. 48.

11 **(3) RULES.** The department may promulgate rules to implement this section.

12 **SECTION 1147.** 51.41 (1d) (b) 4. of the statutes is amended to read:

13 51.41 **(1d)** (b) 4. A psychiatric mental health advanced practice registered
14 nurse who is suggested by the Milwaukee County board of supervisors. The
15 Milwaukee County board of supervisors shall solicit suggestions from organizations
16 including the Wisconsin Nurses Association for individuals who specialize in a full
17 continuum of behavioral health and medical services including emergency
18 detention, inpatient, residential, transitional, partial hospitalization, intensive
19 outpatient, and wraparound community-based services. The Milwaukee County
20 board of supervisors shall suggest to the Milwaukee County executive 4 psychiatric
21 mental health advanced practice registered nurses for this board membership
22 position.

23 **SECTION 1148.** 51.44 (5) (bm) of the statutes is created to read:

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1 51.44 (5) (bm) Ensure that any child with a level of lead in his or her blood that
2 is 3.5 or more micrograms per 100 milliliters of blood, as confirmed by one venous
3 blood test, is eligible for services under the program under this section.

4 **SECTION 1149.** 51.441 of the statutes is repealed.

5 **SECTION 1150.** 51.442 of the statutes is repealed.

6 **SECTION 1151.** 51.443 of the statutes is created to read:

7 **51.443 Mental health consultation program. (1)** In this section:

8 (a) “Participating clinicians” includes physicians, nurse practitioners,
9 physician assistants, and medically appropriate members of the care teams of
10 physicians, nurse practitioners, and physician assistants.

11 (b) “Program” means the mental health consultation program under this
12 section.

13 (2) During the fiscal year 2023-24, the department shall contract with the
14 organization that provided consultation services through the child psychiatry
15 consultation program under s. 51.442, 2021 stats., as of January 1, 2023, to
16 administer the mental health consultation program described under this section. In
17 subsequent fiscal years, the department shall contract with the organization that
18 provided consultation services through the child psychiatry consultation program
19 under s. 51.442, 2021 stats., as of January 1, 2023, or another organization to
20 administer the mental health consultation program under this section.

21 (3) The contracting organization under sub. (2) shall administer a mental
22 health consultation program that incorporates a comprehensive set of mental health
23 consultation services, which may include perinatal, child, adult, geriatric, pain,
24 veteran, and general mental health consultation services, and may contract with any

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1 other entity to perform any operations and satisfy any requirements under this
2 section for the program.

3 (4) As a condition of providing services through the program, the contracting
4 organization under sub. (2) shall do all of the following:

5 (a) Ensure that all mental health care providers who are providing services
6 through the program have the applicable credential from this state; if a psychiatric
7 professional, that the provider is eligible for certification or is certified by the
8 American Board of Psychiatry and Neurology for adult psychiatry, child and
9 adolescent psychiatry, or both; and if a psychologist, that the provider is registered
10 in a professional organization, including the American Psychological Association,
11 National Register of Health Service Psychologists, Association for Psychological
12 Science, or the National Alliance of Professional Psychology Providers.

13 (b) Maintain the infrastructure necessary to provide the program's services
14 statewide.

15 (c) Operate the program on weekdays during normal business hours of 8 a.m.
16 to 5 p.m.

17 (d) Provide consultation services under the program as promptly as is
18 practicable.

19 (e) Have the capability to provide consultation services by, at a minimum,
20 telephone and email. Consultation through the program may be provided by
21 teleconference, video conference, voice over Internet protocol, email, pager,
22 in-person conference, or any other telecommunication or electronic means.

23 (f) Provide all of the following services through the program:

24 1. Support for participating clinicians to assist in the management of mental
25 health concerns.

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1 2. Triage-level assessments to determine the most appropriate response to
2 each request, including appropriate referrals to any community providers and
3 health systems.

4 3. When medically appropriate, diagnostics and therapeutic feedback.

5 4. Recruitment of other clinicians into the program as participating clinicians
6 when possible.

7 (g) Report to the department any information requested by the department.

8 (h) Conduct annual surveys of participating clinicians who use the program to
9 assess the quality of care provided, self-perceived levels of confidence in providing
10 mental health services, and satisfaction with the consultations and other services
11 provided through the program. Immediately after participating clinicians begin
12 using the program and again 6 to 12 months later, the contracting organization
13 under sub. (2) may conduct assessments of participating clinicians to assess the
14 barriers to and benefits of participation in the program to make future improvements
15 and to determine the participating clinicians' treatment abilities, confidence, and
16 awareness of relevant resources before and after beginning to use the program.

17 **(5)** Services provided under sub. (4) (b) to (h) are eligible for funding from the
18 department. The contracting organization under sub. (2) also may provide any of the
19 following services under the program that are eligible for funding from the
20 department:

21 (a) Second opinion diagnostic and medication management evaluations and
22 community resource referrals conducted by either a psychiatrist or allied health
23 professionals.

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1 (b) In-person or web-based educational seminars and refresher courses on a
2 medically appropriate topic within mental or behavioral health care provided to any
3 participating clinician who uses the program.

4 (c) Data evaluation and assessment of the program.

5 **SECTION 1152.** 51.445 of the statutes is repealed.

6 **SECTION 1153.** 54.01 (36) (a) of the statutes is amended to read:

7 54.01 **(36)** (a) An individual who obtains or consents to a final decree or
8 judgment of divorce from the decedent or an annulment of their marriage, if the
9 decree or judgment is not recognized as valid in this state, unless the 2 subsequently
10 participated in a marriage ceremony purporting to marry each other or they
11 subsequently held themselves out as ~~husband and wife~~ married to each other.

12 **SECTION 1154.** 54.960 (1) of the statutes is amended to read:

13 54.960 **(1)** Beneficial interests in a custodial trust created for multiple
14 beneficiaries are deemed to be separate custodial trusts of equal undivided interests
15 for each beneficiary. Except in a transfer or declaration for use and benefit of
16 ~~husband and wife~~ 2 individuals who are married to each other, for whom
17 survivorship is presumed, a right of survivorship does not exist unless the
18 instrument creating the custodial trust specifically provides for survivorship or
19 survivorship is required as to marital property.

20 **SECTION 1155.** 59.52 (6) (a) of the statutes is amended to read:

21 59.52 **(6)** (a) *How acquired; purposes.* Take and hold land acquired under ch.
22 75 and acquire, lease or rent property, real and personal, for public uses or purposes
23 of any nature, including without limitation acquisitions for county buildings,
24 airports, parks, recreation, highways, dam sites in parks, parkways and
25 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits

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1 for operation under s. 59.70 (24), equipment for clearing and draining land and
2 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and
3 transfer of real property to the state for new collegiate institutions or research
4 facilities, and for transfer to the state for state parks and for the uses and purposes
5 specified in s. 23.09 (2) (d). ~~The power of condemnation may not be used to acquire~~
6 ~~property for the purpose of establishing or extending a recreational trail; a bicycle~~
7 ~~way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a~~
8 ~~pedestrian way, as defined in s. 346.02 (8) (a).~~

9 **SECTION 1156.** 59.54 (25) (title) of the statutes is amended to read:

10 59.54 (25) (title) POSSESSION REGULATION OF MARIJUANA.

11 **SECTION 1157.** 59.54 (25) (a) (intro.) of the statutes is amended to read:

12 59.54 (25) (a) (intro.) The board may enact and enforce an ordinance ~~to prohibit~~
13 ~~the possession of marijuana, as defined in s. 961.01 (14), subject to the exceptions in~~
14 ~~s. 961.41 (3g) (intro.), and provide a forfeiture for a violation of the ordinance that~~
15 ~~is consistent with s. 961.71 or 961.72; except that if a complaint is issued regarding~~
16 ~~an allegation of possession of more than 25 grams of marijuana, or possession of any~~
17 ~~amount of marijuana following a conviction in this state for possession of marijuana~~
18 ~~alleging a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may~~
19 ~~not be prosecuted under this subsection for the same action that is the subject of the~~
20 ~~complaint unless all of the following occur:~~

21 **SECTION 1158.** 60.33 (10p) of the statutes is created to read:

22 60.33 (10p) CLAIMS IN TOWNS CONTAINING STATE INSTITUTIONS. Make a certified
23 claim against the state, without direction from the board, in all cases in which the
24 reimbursement is directed in s. 16.51 (7), upon forms prescribed by the department

ASSEMBLY BILL 43**SECTION 1158**

1 of administration. The forms shall contain information required by the clerk and
2 shall be filed annually with the department of corrections on or before June 1.

3 **SECTION 1159.** 60.782 (2) (d) of the statutes is amended to read:

4 60.782 (2) (d) Lease or acquire, including by condemnation, any real property
5 situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g)
6 or 30.275 (4). ~~The power of condemnation may not used to acquire property for the~~
7 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~
8 ~~s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as~~
9 ~~defined in s. 346.02 (8) (a).~~

10 **SECTION 1160.** 60.85 (1) (f) of the statutes is repealed.

11 **SECTION 1161.** 60.85 (1) (h) 1. c. of the statutes is amended to read:

12 60.85 (1) (h) 1. c. Real property assembly costs, meaning any deficit incurred
13 resulting from the sale or lease as lessor by the town of real ~~or personal~~ property
14 within a tax incremental district for consideration which is less than its cost to the
15 town.

16 **SECTION 1162.** 60.85 (1) (o) of the statutes is amended to read:

17 60.85 (1) (o) "Taxable property" means all real ~~and personal~~ taxable property
18 located in a tax incremental district.

19 **SECTION 1163.** 60.85 (5) (j) of the statutes is created to read:

20 60.85 (5) (j) Upon receiving a written application from the town clerk, in a form
21 prescribed by the department of revenue, the department shall recalculate the base
22 value of a tax incremental district affected by 2023 Wisconsin Act (this act) to
23 remove the value of the personal property. An application received under this
24 paragraph no later than October 31 is effective in the year following the year in which

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1 the application is made. An application received after October 31 is effective in the
2 2nd year following the year in which the application is made.

3 **SECTION 1164.** 61.25 (11) of the statutes is created to read:

4 61.25 (11) To make a certified claim against the state, without direction from
5 the board, in all cases in which the reimbursement is directed in s. 16.51 (7), upon
6 forms prescribed by the department of administration. The forms shall contain
7 information required by the clerk and shall be filed annually with the department
8 of corrections on or before June 1.

9 **SECTION 1165.** 61.34 (3) (a) of the statutes is renumbered 61.34 (3) and
10 amended to read:

11 61.34 (3) ACQUISITION AND DISPOSAL OF PROPERTY. ~~Except as provided in par. (b),~~
12 ~~the~~ The village board may acquire property, real or personal, within or outside the
13 village, for parks, libraries, recreation, beautification, streets, water systems,
14 sewage or waste disposal, harbors, improvement of watercourses, public grounds,
15 vehicle parking areas, and for any other public purpose; may acquire real property
16 within or contiguous to the village, by means other than condemnation, for industrial
17 sites; may improve and beautify the same; may construct, own, lease and maintain
18 buildings on such property for instruction, recreation, amusement and other public
19 purposes; and may sell and convey such property. Condemnation shall be as
20 provided by ch. 32.

21 **SECTION 1166.** 61.34 (3) (b) of the statutes is repealed.

22 **SECTION 1167.** 62.03 (1) of the statutes is amended to read:

23 62.03 (1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j)
24 ~~and, (k), and (m),~~ 62.175, 62.23 (7) (em) and (he), and 62.237, does not apply to 1st
25 class cities under special charter.

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1 **SECTION 1168.** 62.09 (11) (m) of the statutes is created to read:

2 62.09 (11) (m) The clerk shall make a certified claim against the state, without
3 direction from the council, in all cases in which the reimbursement is directed in s.
4 16.51 (7), upon forms prescribed by the department of administration. The forms
5 shall contain information required by the clerk and shall be filed annually with the
6 department of corrections on or before June 1.

7 **SECTION 1169.** 62.22 (1) (a) of the statutes is renumbered 62.22 (1) and
8 amended to read:

9 62.22 (1) PURPOSES. ~~Except as provided in par. (b), the~~ The governing body of
10 any city may by gift, purchase or condemnation acquire property, real or personal,
11 within or outside the city, for parks, recreation, water systems, sewage or waste
12 disposal, airports or approaches thereto, cemeteries, vehicle parking areas, and for
13 any other public purpose; may acquire real property within or contiguous to the city,
14 by means other than condemnation, for industrial sites; may improve and beautify
15 the same; may construct, own, lease and maintain buildings on such property for
16 public purposes; and may sell and convey such property. The power of condemnation
17 for any such purpose shall be as provided by ch. 32.

18 **SECTION 1170.** 62.22 (1) (b) of the statutes is repealed.

19 **SECTION 1171.** 62.23 (17) (a) (intro.) of the statutes is amended to read:

20 62.23 (17) (a) (intro.) ~~Except as provided in par. (am), cities~~ Cities may acquire
21 by gift, lease, purchase, or condemnation any lands within its corporate limits for
22 establishing, laying out, widening, enlarging, extending, and maintaining memorial
23 grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public
24 buildings, and reservations in and about and along and leading to any or all of the

ASSEMBLY BILL 43**SECTION 1171**

1 same or any lands adjoining or near to such city for use, sublease, or sale for any of
2 the following purposes:

3 **SECTION 1172.** 62.23 (17) (am) of the statutes is repealed.

4 **SECTION 1173.** 66.0104 of the statutes is repealed.

5 **SECTION 1174.** 66.0107 (1) (bm) of the statutes is amended to read:

6 66.0107 (1) (bm) Enact and enforce an ordinance to ~~prohibit the possession of~~
7 ~~marijuana, as defined in s. 961.01 (14), subject to the exceptions in s. 961.41 (3g)~~
8 ~~(intro.), and provide a forfeiture for a violation of the ordinance that is consistent~~
9 ~~with s. 961.71 or 961.72; except that if a complaint is issued regarding an allegation~~
10 ~~of possession of more than 25 grams of marijuana, or possession of any amount of~~
11 ~~marijuana following a conviction in this state for possession of marijuana alleging~~
12 ~~a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may not be~~
13 ~~prosecuted under this paragraph for the same action that is the subject of the~~
14 ~~complaint unless the charges are dismissed or the district attorney declines to~~
15 ~~prosecute the case.~~

16 **SECTION 1175.** 66.0129 (5) of the statutes is amended to read:

17 66.0129 (5) BIDS FOR CONSTRUCTION. The nonprofit corporation shall let all
18 contracts exceeding \$1,000 for the construction, maintenance or repair of hospital
19 facilities to the lowest responsible bidder after advertising for bids by the publication
20 of a class 2 notice under ch. 985. ~~Section~~ Sections 66.0901 ~~applies~~ and 66.0903 apply
21 to bids and contracts under this subsection.

22 **SECTION 1176.** 66.0134 of the statutes is repealed.

23 **SECTION 1177.** 66.0137 (4) of the statutes is amended to read:

24 66.0137 (4) SELF-INSURED HEALTH PLANS. If a city, including a 1st class city, or
25 a village provides health care benefits under its home rule power, or if a town

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1 provides health care benefits, to its officers and employees on a self-insured basis,
2 the self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
3 632.728, 632.729, 632.746 (1) and (10) (a) 2. and (b) 2., 632.747 (3), 632.798, 632.85,
4 632.853, 632.855, 632.861, 632.862, 632.867, 632.87 (4) to ~~(6)~~ (8), 632.871, 632.885,
5 632.89, 632.895 ~~(9)~~ (8) to (17), 632.896, and 767.513 (4).

6 **SECTION 1178.** 66.0301 (1) (a) of the statutes is amended to read:

7 66.0301 (1) (a) Except as provided in pars. (b) and (c), in this section
8 “municipality” means the state or any department or agency thereof, or any city,
9 village, town, county, or school district, the opportunity schools and partnership
10 programs under subch. IX of ch. 115 and subch. II of ch. 119, the superintendent of
11 schools opportunity schools and partnership program under s. 119.33, or any public
12 library system, public inland lake protection and rehabilitation district, sanitary
13 district, farm drainage district, metropolitan sewerage district, sewer utility district,
14 solid waste management system created under s. 59.70 (2), local exposition district
15 created under subch. II of ch. 229, local professional baseball park district created
16 under subch. III of ch. 229, local professional football stadium district created under
17 subch. IV of ch. 229, local cultural arts district created under subch. V of ch. 229,
18 transit authority created under s. 66.1039, long-term care district under s. 46.2895,
19 water utility district, mosquito control district, municipal electric company, county
20 or city transit commission, commission created by contract under this section,
21 taxation district, regional planning commission, housing authority created under s.
22 66.1201, redevelopment authority created under s. 66.1333, community
23 development authority created under s. 66.1335, or city-county health department.

24 **SECTION 1179.** 66.0408 (2) (d) of the statutes is repealed.

25 **SECTION 1180.** 66.04185 of the statutes is created to read:

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1 **66.04185 Cultivation of tetrahydrocannabinols.** No city, village, town, or
2 county may prohibit cultivating tetrahydrocannabinols outdoors if the cultivation is
3 by an individual who has no more than 6 marijuana plants at one time for his or her
4 personal use.

5 **SECTION 1181.** 66.0422 (1) (cr) of the statutes is created to read:

6 66.0422 (1) (cr) “Unservd area” means an area of this state that is designated
7 as an unserved area by the public service commission under s. 196.504 (2) (e).

8 **SECTION 1182.** 66.0422 (2) (c) of the statutes is amended to read:

9 66.0422 (2) (c) No less than 30 days before the public hearing, the local
10 government prepares and makes available for public inspection a report estimating
11 the total costs of, and revenues derived from, constructing, owning, or operating the
12 facility and including a cost-benefit analysis of the facility for a period of at least 3
13 years. The costs that are subject to this paragraph include personnel costs and costs
14 of acquiring, installing, maintaining, repairing, or operating any plant or
15 equipment, and include an appropriate allocated portion of costs of personnel, plant,
16 or equipment that are used to provide jointly both telecommunications services and
17 other services. This paragraph does not apply to a broadband facility that is intended
18 to serve an unserved area.

19 **SECTION 1183.** 66.0422 (3d) (intro.) of the statutes is amended to read:

20 66.0422 (3d) (intro.) Subsection (2) does not apply to a facility for providing
21 broadband service to an area within the boundaries of a local government if the local
22 government asks, in writing, each person that provides broadband service within the
23 boundaries of the local government whether the person currently provides
24 broadband service to the area and, if the area is not an unserved area, whether the
25 person intends to provide broadband service to the area within 9 months, or, if the

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1 area is an unserved area, whether the person actively plans to provide broadband
2 service to the area within 3 months and any of the following are satisfied:

3 **SECTION 1184.** 66.0422 (3d) (a) of the statutes is amended to read:

4 66.0422 (3d) (a) ~~The local government asks, in writing, each person that~~
5 ~~provides broadband service within the boundaries of the local government whether~~
6 ~~the person currently provides broadband service to the area or intends to provide~~
7 ~~broadband service within 9 months to the area and within 60 days after receiving the~~
8 ~~written request no person responds in writing to the~~ The local government does not
9 receive a response in writing that ~~the~~ a person currently provides broadband service
10 to the area or intends or actively plans to provide broadband service to the area
11 within ~~9 months~~ the relevant time period.

12 **SECTION 1185.** 66.0422 (3d) (b) of the statutes is amended to read:

13 66.0422 (3d) (b) ~~The local government determines that a person who responded~~
14 ~~to a written request under par. (a) that the person currently provides broadband~~
15 ~~service to the area did not actually provide broadband service to the area and no other~~
16 ~~person makes the response~~ responds ~~to the local government described in par. (a).~~

17 **SECTION 1186.** 66.0422 (3d) (c) of the statutes is amended to read:

18 66.0422 (3d) (c) ~~The local government determines that a person who responded~~
19 ~~to a written request under par. (a) that the person intended~~ or actively planned
20 to provide broadband service to the area within ~~9 months~~ the relevant time period did
21 not actually provide broadband service to the area within ~~9 months~~ the relevant time
22 period and no other person ~~makes the response~~ responds to the local government
23 described in par. (a).

24 **SECTION 1187.** 66.0422 (3m) (b) of the statutes is amended to read:

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1 66.0422 **(3m)** (b) The municipality itself does not use the facility to provide
2 broadband service to end users. This paragraph does not apply to a facility that is
3 intended to serve an unserved area.

4 **SECTION 1188.** 66.0422 (3m) (c) of the statutes is amended to read:

5 66.0422 **(3m)** (c) The municipality determines that, at the time that the
6 municipality authorizes the construction, ownership, or operation of the facility,
7 whichever occurs first, the facility does not compete with more than one provider of
8 broadband service. This paragraph does not apply to a facility that is intended to
9 serve an unserved area.

10 **SECTION 1189.** 66.0435 (3) (g) of the statutes is amended to read:

11 66.0435 **(3)** (g) Failure to timely pay the tax prescribed in this subsection shall
12 be treated as a default in payment of personal property tax and is subject to all
13 procedures and penalties applicable under chs. 70 and 74.

14 **SECTION 1190.** 66.0441 of the statutes is created to read:

15 **66.0441 Quarry hours of operation. (1)** In this section:

16 (a) “Political subdivision” means a city, village, town, or county.

17 (b) “Public works project” means a federal, state, county, or municipal project
18 that involves the construction, maintenance, or repair of a public transportation
19 facility or other public infrastructure and in which nonmetallic minerals are used.

20 (c) “Quarry” means the surface area from which nonmetallic minerals,
21 including soil, clay, sand, gravel, and construction aggregate, that are used for a
22 public works project or a private construction or transportation project are extracted
23 and processed.

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1 (d) "Quarry operations" means the extraction and processing of minerals at a
2 quarry and all related activities, including blasting, vehicle and equipment access
3 to the quarry, and loading and hauling of material to and from the quarry.

4 (2) A political subdivision may not limit the times that quarry operations may
5 occur if the materials produced by the quarry will be used in a public works project
6 that requires construction work to be performed during the night or an emergency
7 repair.

8 **SECTION 1191.** 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and
9 amended to read:

10 66.0501 (1) (a) ~~No~~ Except as provided in par. (b), no person may be appointed
11 deputy sheriff of any county or police officer for any city, village, or town unless that
12 person is a citizen of the United States. This section does not apply to common
13 carriers or to a deputy sheriff not required to take an oath of office.

14 **SECTION 1192.** 66.0501 (1) (b) of the statutes is created to read:

15 66.0501 (1) (b) The sheriff of a county or the appointing authority of a local law
16 enforcement agency that provides police service to a city, village, or town may elect
17 to authorize the appointment of noncitizens who are in receipt of valid employment
18 authorization from the federal department of homeland security as deputy sheriffs
19 for that county or as police officers for that city, village, or town.

20 **SECTION 1193.** 66.0509 (1m) (c) 1. of the statutes is amended to read:

21 66.0509 (1m) (c) 1. A grievance procedure that addresses employee
22 terminations, employee discipline, and workplace safety.

23 **SECTION 1194.** 66.0509 (1m) (c) 2. of the statutes is repealed and recreated to
24 read:

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1 66.0509 (1m) (c) 2. A just cause standard of review for employee terminations,
2 including a refusal to renew a teaching contract under s. 118.22.

3 **SECTION 1195.** 66.0509 (1m) (c) 3. of the statutes is repealed.

4 **SECTION 1196.** 66.0509 (1m) (d) 2. of the statutes is amended to read:

5 66.0509 (1m) (d) 2. A hearing before an impartial hearing officer from the
6 employment relations commission.

7 **SECTION 1197.** 66.0509 (1m) (d) 4. and 5. of the statutes are created to read:

8 66.0509 (1m) (d) 4. A provision indicating that the grievant shall be entitled
9 to representation throughout the grievance process.

10 5. A provision indicating that the employer shall bear all fees and costs
11 associated with the grievance process, except for the grievant's representational fees
12 and costs.

13 **SECTION 1198.** 66.0602 (1) (ak) of the statutes is amended to read:

14 66.0602 (1) (ak) "Joint emergency medical services ~~district~~ service" means a
15 joint emergency medical services ~~district~~ service organized by any combination of 2
16 or more cities, villages, or towns under s. 66.0301 (2) through the formation of a joint
17 emergency services district, joint ownership, joint purchase of services from a
18 nonprofit corporation, or joint contracting with a public or private emergency
19 services provider.

20 **SECTION 1199.** 66.0602 (1) (am) of the statutes is amended to read:

21 66.0602 (1) (am) "Joint fire ~~department~~ service" means a joint fire department
22 organized under s. 61.65 (2) (a) 3. or 62.13 (2m), or a joint fire department service
23 organized by any combination of 2 or more cities, villages, or towns under s. 66.0301
24 (2) through the formation of a joint fire service district, joint ownership, joint

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1 purchase of services from a nonprofit corporation, or joint contracting with a public
2 or private fire service provider.

3 **SECTION 1200.** 66.0602 (1) (d) of the statutes is amended to read:

4 66.0602 (1) (d) "Valuation factor" means a percentage equal to the greater of
5 either the percentage change in the political subdivision's January 1 equalized value
6 due to new construction less improvements removed between the previous year and
7 the current or ~~zero~~ 2 percent.

8 **SECTION 1201.** 66.0602 (2m) (b) of the statutes is repealed.

9 **SECTION 1202.** 66.0602 (2m) (c) of the statutes is created to read:

10 66.0602 (2m) (c) Rental inspection fees charged by a political subdivision are
11 not subject to a deduction from the political subdivision's levy.

12 **SECTION 1203.** 66.0602 (3) (a) of the statutes is repealed.

13 **SECTION 1204.** 66.0602 (3) (e) 10. of the statutes is created to read:

14 66.0602 (3) (e) 10. The amount that a political subdivision levies in that year
15 to pay for the political subdivision's share of a regional planning commission's budget
16 as charged by the commission under s. 66.0309 (14) (a) to (c).

17 **SECTION 1205.** 66.0602 (3) (f) 3. (intro.) of the statutes is renumbered 66.0602
18 (3) (f) 3. and amended to read:

19 66.0602 (3) (f) 3. The adjustment described in subd. 1. may occur only if the
20 political subdivision's governing body approves of the adjustment by ~~one of the~~
21 ~~following methods:~~ a majority vote of the governing body.

22 **SECTION 1206.** 66.0602 (3) (f) 3. a. to c. of the statutes are repealed.

23 **SECTION 1207.** 66.0602 (3) (fm) 3. of the statutes is amended to read:

24 66.0602 (3) (fm) 3. The adjustment described in subd. 1. may occur only if the
25 political subdivision's governing body approves of the adjustment by a ~~two-thirds~~

ASSEMBLY BILL 43**SECTION 1207**

1 majority vote of the governing body and if the political subdivision's level of
2 outstanding general obligation debt in the current year is less than or equal to the
3 political subdivision's level of outstanding general obligation debt in the previous
4 year.

5 **SECTION 1208.** 66.0602 (3) (h) 1. of the statutes is amended to read:

6 66.0602 (3) (h) 1. Subject to subd. 2., the limit otherwise applicable under this
7 section does not apply to the amount that a city, village, or town levies in that year
8 to pay for charges assessed by a joint fire ~~department~~ service or a joint emergency
9 medical ~~services district~~ service, but only to the extent that the amount levied to pay
10 for such charges would cause the city, village, or town to exceed the limit that is
11 otherwise applicable under this section.

12 **SECTION 1209.** 66.0602 (3) (h) 2. a. of the statutes is amended to read:

13 66.0602 (3) (h) 2. a. The total charges assessed by the joint fire ~~department~~
14 service or the joint emergency medical ~~services district~~ service for the current year
15 increase, relative to the total charges assessed by the joint fire ~~department~~ service
16 or the joint emergency medical ~~services district~~ service for the previous year, by a
17 percentage that is less than or equal to the percentage change in the U.S. consumer
18 price index for all urban consumers, U.S. city average, as determined by the U.S.
19 department of labor, for the 12 months ending on August 31 of the year of the levy,
20 plus 2 percent.

21 **SECTION 1210.** 66.0602 (3) (h) 2. b. of the statutes is amended to read:

22 66.0602 (3) (h) 2. b. The governing body of each city, village, and town that is
23 served by the joint fire ~~department~~ service or the joint emergency medical ~~services~~
24 ~~district~~ service adopts a resolution in favor of exceeding the limit as described in
25 subd. 1.

ASSEMBLY BILL 43**SECTION 1211**

1 **SECTION 1211.** 66.0602 (3) (h) 3. of the statutes is created to read:

2 66.0602 (3) (h) 3. Charges assessed by a joint fire service or joint emergency
3 medical service under this paragraph include all fees charged to a city, village, or
4 town by the the joint fire service or joint emergency medical service.

5 **SECTION 1212.** 66.0602 (3) (p) of the statutes is created to read:

6 66.0602 (3) (p) 1. Subject to subd. 2., the limit otherwise applicable under this
7 section does not apply to the amount that a political subdivision levies in that year
8 for operating and capital costs directly related to the provision of new or enhanced
9 transit services across adjacent county borders or across adjacent municipal borders.
10 For costs to be eligible for the exception under this paragraph, the starting date for
11 the new or enhanced transit services must be on or after the effective date of this
12 subdivision [LRB inserts date], and the costs to which the levy applies must be
13 described in the agreement under subd. 2.

14 2. A political subdivision may not use the exception under this paragraph
15 unless all of the following apply:

16 a. The political subdivisions between which the new or enhanced transit routes
17 operate have entered into an intergovernmental cooperation agreement under s.
18 66.0301 to provide for the new or enhanced transit services. The agreement shall
19 describe the services and the amounts that must be levied to pay for those services.

20 b. The agreement described in subd. 2. a. is approved in a referendum, by the
21 electors in each political subdivision that is a party to the agreement, to be held at
22 the next succeeding spring primary or election or partisan primary or general
23 election to be held not earlier than 70 days after the adoption of the agreement by
24 all of the parties to the agreement. The governing body shall file the resolution to
25 be submitted to the electors as provided in s. 8.37.

ASSEMBLY BILL 43**SECTION 1213**

1 **SECTION 1213.** 66.0603 (1m) (a) (intro.) of the statutes is amended to read:

2 66.0603 **(1m)** (a) (intro.) A county, city, village, town, school district, drainage
3 district, technical college district or other governing board, other than a local
4 professional baseball park district board created under subch. III of ch. 229 or a local
5 professional football stadium district board created under subch. IV of ch. 229, may
6 invest any of its funds not immediately needed in any of the following:

7 **SECTION 1214.** 66.0617 (7) of the statutes is amended to read:

8 66.0617 **(7)** LOW-COST OR WORKFORCE HOUSING. An ordinance enacted under this
9 section may provide for an exemption from, or a reduction in the amount of, impact
10 fees on land development that provides low-cost housing, ~~except that no~~ or workforce
11 housing, as defined in s. 66.1105 (2) (n). Under no circumstances may the amount
12 of an impact fee for which an exemption or reduction is provided under this
13 subsection may be shifted to any other development in the land development in
14 which the low-cost housing or workforce housing is located or to any other land
15 development in the municipality.

16 **SECTION 1215.** 66.0621 (1) (b) of the statutes is amended to read:

17 66.0621 **(1)** (b) “Public utility” means any revenue producing facility or
18 enterprise owned by a municipality and operated for a public purpose as defined in
19 s. 67.04 (1) (b) including garbage incinerators, toll bridges, swimming pools, tennis
20 courts, parks, playgrounds, golf links, bathing beaches, bathhouses, street lighting,
21 city halls, village halls, town halls, courthouses, jails, schools, cooperative
22 educational service agencies, hospitals, homes for the aged or indigent, child care
23 centers, regional projects, waste collection and disposal operations, sewerage
24 systems, ~~local professional baseball park facilities,~~ as defined in s. 229.65 (1s), local

ASSEMBLY BILL 43**SECTION 1215**

1 professional football stadium facilities, local cultural arts facilities, and any other
2 necessary public works projects undertaken by a municipality.

3 **SECTION 1216.** 66.0901 (1) (ae) of the statutes is repealed.

4 **SECTION 1217.** 66.0901 (1) (am) of the statutes is repealed.

5 **SECTION 1218.** 66.0901 (6) of the statutes is amended to read:

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

17 **SECTION 1219.** 66.0901 (6m) of the statutes is repealed.

18 **SECTION 1220.** 66.0901 (6s) of the statutes is repealed.

19 **SECTION 1221.** 66.0903 (1) (a), (am), (b), (cm), (dr), (em), (hm) and (im) of the
20 statutes are created to read:

21 66.0903 (1) (a) "Area" means the county in which a proposed project of public
22 works that is subject to this section is located or, if the department determines that
23 there is insufficient wage data in that county, "area" means those counties that are
24 contiguous to that county or, if the department determines that there is insufficient
25 wage data in those counties, "area" means those counties that are contiguous to those

ASSEMBLY BILL 43**SECTION 1221**

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

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

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

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

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

16 (em) “Multiple-trade project of public works” has the meaning given in s.
17 103.49 (1) (br).

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

20 (im) “Supply and installation contract” has the meaning given in s. 103.49 (1)
21 (fm).

22 **SECTION 1222.** 66.0903 (1) (c) of the statutes is amended to read:

23 66.0903 (1) (c) “Hourly basic rate of pay” has the meaning given in s. ~~16.856~~
24 103.49 (1) (b), ~~2015 stats.~~

25 **SECTION 1223.** 66.0903 (1) (f) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1223**

1 66.0903 (1) (f) “Prevailing hours of labor” has the meaning given in s. ~~16.856~~
2 103.49 (1) (e), 2015 stats. (c).

3 **SECTION 1224.** 66.0903 (1) (g) of the statutes is repealed and recreated to read:
4 66.0903 (1) (g) “Prevailing wage rate” has the meaning given in s. 103.49 (1)
5 (d).

6 **SECTION 1225.** 66.0903 (1) (j) of the statutes is amended to read:

7 66.0903 (1) (j) “Truck driver” ~~includes an owner-operator of a truck~~ has the
8 meaning given in s. 103.49 (1) (g).

9 **SECTION 1226.** 66.0903 (1m) (b) of the statutes is amended to read:

10 66.0903 (1m) (b) The legislature finds that the enactment of ordinances or
11 other enactments by local governmental units requiring laborers, workers,
12 mechanics, and truck drivers employed on projects of public works or on publicly
13 funded private construction projects to be paid the prevailing wage rate and to be
14 paid at least 1.5 times their hourly basic rate of pay for hours worked in excess of the
15 prevailing hours of labor would be logically inconsistent with, would defeat the
16 purpose of, and would go against the ~~repeals~~ spirit of this section and the repeal of
17 s. 66.0904, 2009 stats., and s. ~~66.0903 (2) to (12), 2013 stats.~~ Therefore, this section
18 shall be construed as an enactment of statewide concern for the ~~purposes of~~
19 ~~facilitating broader participation with respect to bidding on projects of public works,~~
20 ~~ensuring that wages accurately reflect market conditions, providing local~~
21 ~~governments with the flexibility to reduce costs on capital projects, and reducing~~
22 ~~spending at all levels of government in this state~~ purpose of providing uniform
23 prevailing wage rate and prevailing hours of labor requirements throughout the
24 state.

25 **SECTION 1227.** 66.0903 (2) to (12) of the statutes are created to read:

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1 66.0903 (2) APPLICABILITY. Subject to sub. (5), this section applies to any project
2 of public works erected, constructed, repaired, remodeled, or demolished for a local
3 governmental unit, including all of the following:

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

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

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

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

17 (3) PREVAILING WAGE RATES AND HOURS OF LABOR. (am) A local governmental unit,
18 before making a contract by direct negotiation or soliciting bids on a contract for the
19 erection, construction, remodeling, repairing, or demolition of any project of public
20 works, shall apply to the department to determine the prevailing wage rate for each
21 trade or occupation required in the work contemplated. The department shall
22 conduct investigations and hold public hearings as necessary to define the trades or
23 occupations that are commonly employed on projects of public works that are subject
24 to this section and to inform itself of the prevailing wage rates in all areas of the state
25 for those trades or occupations, in order to determine the prevailing wage rate for

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1 each trade or occupation. The department shall issue its determination within 30
2 days after receiving the request and shall file the determination with the requesting
3 local governmental unit.

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

11 (av) In determining prevailing wage rates under par. (am) or (ar), the
12 department may not use data from projects that are subject to this section, s. 103.49
13 or 103.50, or 40 USC 3142 unless the department determines that there is
14 insufficient wage data in the area to determine those prevailing wage rates, in which
15 case the department may use data from projects that are subject to this section, s.
16 103.49 or 103.50, or 40 USC 3142. In determining prevailing wage rates under par.
17 (am) or (ar), the department may not use data from any construction work that is
18 performed by a local governmental unit or a state agency.

19 (bm) Any person may request a recalculation of any portion of an initial
20 determination within 30 days after the initial determination date if the person
21 submits evidence with the request showing that the prevailing wage rate for any
22 given trade or occupation included in the initial determination does not represent the
23 prevailing wage rate for that trade or occupation in the area. The evidence shall
24 include wage rate information reflecting work performed by individuals working in
25 the contested trade or occupation in the area during the current survey period. The

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1 department shall affirm or modify the initial determination within 15 days after the
2 date on which the department receives the request for recalculation.

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

17 (dm) A local governmental unit that is subject to this section shall include a
18 reference to the prevailing wage rates determined by the department and to the
19 prevailing hours of labor in the notice published for the purpose of securing bids for
20 the project of public works. Except as otherwise provided in this paragraph, if any
21 contract or subcontract for a project of public works is entered into, the prevailing
22 wage rates determined by the department and the prevailing hours of labor shall be
23 physically incorporated into and made a part of the contract or subcontract. For a
24 minor subcontract, as determined by the department, the department shall
25 prescribe by rule the method of notifying the minor subcontractor of the prevailing

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1 wage rates and prevailing hours of labor applicable to the minor subcontract. The
2 prevailing wage rates and prevailing hours of labor applicable to a contract or
3 subcontract may not be changed during the time that the contract or subcontract is
4 in force.

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

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

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

15 **(4) COVERED EMPLOYEES.** (a) Subject to par. (b), any person subject to this
16 section shall pay all of the following employees the prevailing wage rate determined
17 under sub. (3) and may not allow such employees to work a greater number of hours
18 per day or per week than the prevailing hours of labor, unless the person pays the
19 employee for all hours worked in excess of the prevailing hours of labor at a rate of
20 at least 1.5 times the employee's hourly basic rate of pay:

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

23 2. All laborers, workers, mechanics, and truck drivers employed in the
24 manufacturing or furnishing of materials, articles, supplies, or equipment on the site
25 of a project of public works that is subject to this section or from a facility dedicated

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1 exclusively, or nearly so, to a project of public works that is subject to this section by
2 a contractor, subcontractor, agent, or other person performing any work on the site
3 of the project.

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

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

17 2. The laborer, worker, mechanic, or truck driver is employed to go to the site
18 of a project of public works that is subject to this section, pick up excavated material
19 or spoil from the site of the project, and transport that excavated material or spoil
20 away from the site of the project.

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

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

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

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

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

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

17 (g) A road, street, bridge, sanitary sewer, or water main project that is a part
18 of a development in which not less than 90 percent of the lots contain or will contain
19 2 dwelling units or less, as determined by the local governmental unit at the time of
20 approval of the development, and that, on completion, is acquired by, or dedicated to,
21 a local governmental unit, including under s. 236.13 (2), for ownership or
22 maintenance by the local governmental unit.

23 **(8) POSTING.** A local governmental unit that has contracted for a project of
24 public works shall post the prevailing wage rates determined by the department, the
25 prevailing hours of labor, and the provisions of subs. (10) (a) and (11) (a) in at least

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1 one conspicuous place on the site of the project that is easily accessible by employees
2 working on the project, or, if there is no common site on the project, at the place
3 normally used by the local governmental unit to post public notices.

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

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

18 (c) Upon completion of a project of public works and before receiving final
19 payment for his or her work on the project, each contractor shall file with the local
20 governmental unit authorizing the work an affidavit stating that the contractor has
21 complied fully with the requirements of this section and that the contractor has
22 received an affidavit under par. (b) from each of the contractor's agents and
23 subcontractors. A local governmental unit may not authorize a final payment until
24 the affidavit is filed in proper form and order. If a local governmental unit authorizes
25 a final payment before an affidavit is filed in proper form and order or if the

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1 department determines, based on the greater weight of the credible evidence, that
2 any person performing the work specified in sub. (4) has been or may have been paid
3 less than the prevailing wage rate or less than 1.5 times the hourly basic rate of pay
4 for all hours worked in excess of the prevailing hours of labor and requests that the
5 local governmental unit withhold all or part of the final payment, but the local
6 governmental unit fails to do so, the local governmental unit is liable for all back
7 wages payable up to the amount of the final payment.

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

14 (b) The department or the contracting local governmental unit may demand
15 and examine, and every contractor, subcontractor, and contractor's or
16 subcontractor's agent shall keep, and furnish upon request by the department or
17 local governmental unit, copies of payrolls and other records and information
18 relating to the wages paid to individuals performing the work described in sub. (4)
19 for work to which this section applies. The department may inspect records in the
20 manner provided in ch. 103. Every contractor, subcontractor, or agent performing
21 work on a project of public works that is subject to this section is subject to the
22 requirements of ch. 103 relating to the examination of records.

23 (c) If requested by any person, the department shall inspect the payroll records
24 of any contractor, subcontractor, or agent performing work on a project of public
25 works that is subject to this section as provided in this paragraph to ensure

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

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

18 **(11) LIABILITY AND PENALTIES.** (a) 1. A contractor, subcontractor, or contractor's
19 or subcontractor's agent who fails to pay the prevailing wage rate determined by the
20 department under sub. (3) or who pays less than 1.5 times the hourly basic rate of
21 pay for all hours worked in excess of the prevailing hours of labor is liable to any
22 affected employee in the amount of his or her unpaid wages or his or her unpaid
23 overtime compensation and in an additional amount as liquidated damages as
24 provided under subd. 2. or 3., whichever is applicable.

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

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

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

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

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

14 3. Any individual employed on a project of public works that is subject to this
15 section who knowingly allows a contractor, subcontractor, or contractor's or
16 subcontractor's agent to pay him or her less than the prevailing wage rate set forth
17 in the contract governing the project, who gives up, waives, or returns any part of the
18 compensation to which he or she is entitled under the contract, or who gives up,
19 waives, or returns any part of the compensation to which he or she is normally
20 entitled for work on a project that is not subject to this section during a week in which
21 the individual works both on a project of public works that is subject to this section
22 and on a project that is not subject to this section, is guilty of an offense under s.
23 946.15 (2).

24 4. Whoever induces any individual who seeks to be or is employed on any
25 project of public works that is subject to this section to allow any part of the wages

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1 to which the individual is entitled under the contract governing the project to be
2 deducted from the individual's pay is guilty of an offense under s. 946.15 (3), unless
3 the deduction would be allowed under 29 CFR 3.5 or 3.6 from an individual who is
4 working on a project that is subject to 40 USC 3142.

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

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

14 **(12) DEPARTMENT.** (a) Except as provided under pars. (b) and (c), the department
15 shall notify any local governmental unit applying for a determination under sub. (3)
16 of the names of all persons that the department has found to have failed to pay the
17 prevailing wage rate determined under sub. (3) or has found to have paid less than
18 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing
19 hours of labor at any time in the preceding 3 years. The department shall include
20 with each name the address of the person and shall specify when the person failed
21 to pay the prevailing wage rate and when the person paid less than 1.5 times the
22 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor.
23 A local governmental unit may not award any contract to the person unless otherwise
24 recommended by the department or unless 3 years have elapsed from the date the

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1 department issued its findings or the date of final determination by a court of
2 competent jurisdiction, whichever is later.

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

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

13 (d) Any person submitting a bid or negotiating a contract on a project of public
14 works that is subject to this section shall, on the date the person submits the bid or
15 negotiates the contract, identify any construction business in which the person, or
16 a shareholder, officer, or partner of the person, if the person is a business, owns, or
17 has owned at least a 25 percent interest on the date the person submits the bid or
18 negotiates the contract or at any other time within 3 years preceding the date the
19 person submits the bid or negotiates the contract, if the business has been found to
20 have failed to pay the prevailing wage rate determined under sub. (3) or to have paid
21 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
22 prevailing hours of labor.

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

24 **SECTION 1228.** 66.10012 of the statutes is created to read:

25 **66.10012 Workforce housing. (1) DEFINITIONS.** In this section:

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1 (a) "Housing agency" means the department of administration.

2 (b) "Housing grant" means any grant administered by the department of
3 administration under s. 16.303 or 16.309.

4 (c) "Political subdivision" means any city, village, town, or county.

5 (d) "Workforce housing" means housing to which all of the following apply, as
6 adjusted for family size and the county in which the household is located, based on
7 the county's 5-year average median income and housing costs as calculated by the
8 U.S. bureau of the census in its American community survey:

9 1. The housing costs a household no more than 30 percent of the household's
10 gross median income.

11 2. The residential units of the housing are for initial occupancy by individuals
12 whose household median income is no more than 120 percent of the county's gross
13 median income.

14 **(2) HOUSING INITIATIVES.** (a) Subject to par. (b), to implement a workforce
15 housing initiative, a political subdivision may enact an ordinance, adopt a resolution,
16 or put into effect a policy to accomplish any of the following:

17 1. Reduce by at least 10 percent the processing time for all permits related to
18 workforce housing.

19 2. Reduce by at least 10 percent the cost of impact fees that a political
20 subdivision may impose on developments that include workforce housing units.

21 3. Reduce by at least 10 percent the parking requirements for developments
22 that include workforce housing units.

23 4. Increase by at least 10 percent the allowable zoning density for developments
24 that include workforce housing units.

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1 5. Establish a mixed-use tax incremental district with at least 20 percent of
2 the housing units to be used for workforce housing.

3 6. Demonstrate compliance with a housing affordability report under s.
4 66.10013.

5 7. Rehabilitate at least 5 dwelling units of existing, uninhabitable housing
6 stock into habitable workforce housing.

7 8. Modify existing zoning ordinances to allow for the development of workforce
8 housing in areas zoned for commercial or mixed-use development or in areas near
9 employment centers or major transit corridors.

10 9. Extend the life of a tax incremental district under s. 66.1105 (6) (g) 1.

11 10. Reduce by at least 10 percent the cost of roads for developments that include
12 workforce housing units.

13 11. Implement any other initiative to address the workforce housing needs of
14 the political subdivision.

15 (b) After a political subdivision completes one of the actions specified in par. (a),
16 the workforce housing initiative shall be considered in effect once the political
17 subdivision submits to the department of administration a written explanation of
18 how the action complies with the workforce housing initiative and posts the
19 explanation on the political subdivision's website.

20 (c) Once a political subdivision's action takes effect under par. (b), its workforce
21 housing initiative remains in effect for 5 years. A political subdivision may put into
22 effect more than one of the workforce housing initiatives under par. (a). After June
23 30, 2024, if a political subdivision has in effect at the same time at least 3 of the
24 workforce housing initiatives under par. (a), the housing agency shall give priority
25 to housing grant applications from, or that relate to a project in, the political

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1 subdivision. The department of administration shall promulgate rules establishing
2 how and based on what information the department will give priority to housing
3 grant applications under this paragraph and prescribing the form of application for
4 receiving priority.

5 **SECTION 1229.** 66.1010 of the statutes is repealed.

6 **SECTION 1230.** 66.1011 (1) of the statutes is amended to read:

7 66.1011 (1) DECLARATION OF POLICY. The right of all persons to have equal
8 opportunities for housing regardless of their sex, race, color, disability, as defined in
9 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national
10 origin, marital status, family status, as defined in s. 106.50 (1m) (k), status as a
11 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
12 status as a holder or nonholder of a license under s. 343.03 (3r), lawful source of
13 income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and
14 106.50 and also of local interest under this section and s. 66.0125. The enactment
15 of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of
16 equal opportunities in housing from consideration by political subdivisions, and does
17 not exempt political subdivisions from their duty, nor deprive them of their right, to
18 enact ordinances that prohibit discrimination in any type of housing solely on the
19 basis of an individual being a member of a protected class.

20 **SECTION 1231.** 66.1039 of the statutes is created to read:

21 **66.1039 Transit authorities.** (1) DEFINITIONS. In this section:

22 (a) "Authority" means a transit authority created under this section.

23 (b) "Bonds" means any bonds, interim certificates, notes, debentures, or other
24 obligations of an authority issued under this section.

25 (c) "Common carrier" means any of the following:

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- 1 1. A common motor carrier, as defined in s. 194.01 (1).
- 2 2. A contract motor carrier, as defined in s. 194.01 (2).
- 3 3. A railroad subject to ch. 195, as described in s. 195.02 (1) and (3).
- 4 4. A water carrier, as defined in s. 195.02 (5).
- 5 (d) “Comprehensive unified local transportation system” means a
6 transportation system that is comprised of motor bus lines and any other local public
7 transportation facilities, the major portion of which is located within, or the major
8 portion of the service of which is supplied to the inhabitants of, the jurisdictional area
9 of the authority.
- 10 (e) “Madison metropolitan planning area” means the metropolitan planning
11 area, as defined in 23 USC 134 (b) (1), that includes the city of Madison.
- 12 (em) “Metropolitan area” means a metropolitan statistical area as designated
13 by the U.S. office of management and budget.
- 14 (f) “Municipality” means any city, village, or town.
- 15 (g) “Participating political subdivision” means a political subdivision that is a
16 member of an authority, either from the time of creation of the authority or by later
17 joining the authority.
- 18 (h) “Political subdivision” means a municipality or county.
- 19 (i) “Transportation system” means all land, shops, structures, equipment,
20 property, franchises, and rights of whatever nature required for transportation of
21 passengers within the jurisdictional area of the authority and, only to the extent
22 specifically authorized under this section, outside the jurisdictional area of the
23 authority. “Transportation system” includes elevated railroads, subways,
24 underground railroads, motor vehicles, motor buses, and any combination thereof,
25 and any other form of mass transportation, but does not include transportation

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1 excluded from the definition of “common motor carrier” under s. 194.01 (1) or charter
2 or contract operations to, from, or between points that are outside the jurisdictional
3 area of the authority.

4 (j) “Urbanized Fox Cities metropolitan planning area” means the urbanized
5 area, as defined in 23 USC 134 (b) (7), of the metropolitan planning area, as defined
6 in 23 USC 134 (b) (1), that includes the city of Appleton.

7 **(2) CREATION OF TRANSIT AUTHORITIES.** (a) *Southeast regional transit authority.*

8 1. The southeast regional transit authority, a public body corporate and politic and
9 a separate governmental entity, is created if the governing body of Milwaukee
10 County or Kenosha County, or of any municipality located in whole or in part within
11 that portion of Racine County east of I 94, adopts a resolution authorizing the county
12 or municipality to become a member of the authority. Once created, this authority
13 may transact business and exercise any powers granted to it under this section.

14 2. After an authority is created under subd. 1., any of the counties of Kenosha,
15 Milwaukee, and Racine, and any municipality located in whole or in part within that
16 portion of Racine County east of I 94, if the county or municipality is not already a
17 member of the authority as provided under subd. 1., may join the authority created
18 under subd. 1. if the governing body of the county or municipality adopts a resolution
19 to join the authority.

20 3. If Milwaukee County or Kenosha County adopts a resolution under subd. 1.
21 or 2., any municipality located in whole or in part within Milwaukee County or
22 Kenosha County, respectively, shall be a member of the authority.

23 4. Any of the counties of Waukesha, Ozaukee, and Washington may join the
24 authority created under subd. 1. if the governing body of the county adopts a
25 resolution to join the authority.

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1 5. Any municipality located in whole or in part within Waukesha County,
2 Ozaukee County, or Washington County may join the authority created under subd.
3 1. if the governing body of the municipality adopts a resolution to join the authority
4 and the board of directors of the authority approves the municipality's joinder.

5 6. The jurisdictional area of the authority created under this paragraph is the
6 geographic area formed by the combined territorial boundaries of any county or
7 municipality that adopts a resolution under subd. 1., 2., 4., or 5.

8 (b) *Dane County regional transit authority.* 1. The Dane County regional
9 transit authority, a public body corporate and politic and a separate governmental
10 entity, is created if the governing body of Dane County adopts a resolution
11 authorizing the county to become a member of the authority. Once created, this
12 authority may transact business and exercise any powers granted to it under this
13 section.

14 2. If Dane County adopts a resolution under subd. 1., any municipality located
15 in whole or in part within the Madison metropolitan planning area shall be a member
16 of the authority.

17 3. Any municipality located in whole or in part within Dane County that is not
18 located in whole or in part within the Madison metropolitan planning area may join
19 the authority created under subd. 1. if the governing body of the municipality adopts
20 a resolution to join the authority and the board of directors of the authority approves
21 the municipality's joinder.

22 4. The jurisdictional area of the authority created under this paragraph is the
23 geographic area formed by the Madison metropolitan planning area combined with
24 the territorial boundaries of all municipalities that join the authority under subd. 3.

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1 (c) *Fox Cities regional transit authority.* 1. There is created the Fox Cities
2 regional transit authority, a public body corporate and politic and a separate
3 governmental entity, consisting of the counties of Outagamie, Calumet, and
4 Winnebago and any municipality located in whole or in part within the urbanized
5 Fox Cities metropolitan planning area. This authority may transact business and
6 exercise any powers granted to it under this section.

7 2. Any municipality located in whole or in part within Outagamie County,
8 Calumet County, or Winnebago County that is not located in whole or in part within
9 the urbanized Fox Cities metropolitan planning area may join the authority created
10 under subd. 1. if the governing body of the municipality adopts a resolution to join
11 the authority and the board of directors of the authority approves the municipality's
12 joinder.

13 3. The jurisdictional area of the authority created under this paragraph is the
14 geographic area formed by the urbanized Fox Cities metropolitan planning area
15 combined with the territorial boundaries of all municipalities that join the authority
16 under subd. 2.

17 (f) *Other regional transit authorities.* 1. Except as provided in subd. 4., any 2
18 or more political subdivisions located within the same metropolitan area may jointly
19 create a transit authority that is a public body corporate and politic and a separate
20 governmental entity and that is known by a name that includes the words "regional
21 transit authority," if the governing body of each political subdivision adopts a
22 resolution authorizing the political subdivision to become a member of the authority
23 and all the resolutions are identical to each other. Except as provided in subd. 2. and
24 sub. (13), once created, the members of the authority shall consist of all political
25 subdivisions that adopt resolutions, as provided in this subdivision. Once created,

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1 the authority may transact business and exercise any powers granted to it under this
2 section.

3 2. Except as provided in subd. 4., after an authority is created under subd. 1.,
4 any political subdivision located in whole or in part within a metropolitan area
5 located in whole or in part within an authority's jurisdiction may join the authority
6 if the governing body of the political subdivision adopts a resolution identical to the
7 existing resolutions of the authority's participating political subdivisions and the
8 authority's board of directors approves the political subdivision's joinder.

9 3. The jurisdictional area of an authority created under this paragraph is the
10 geographic area formed by the combined territorial boundaries of all participating
11 political subdivisions of the authority.

12 4. A political subdivision may not create or join an authority under this
13 paragraph if the political subdivision is, or is located in whole or in part within,
14 Calumet County, Dane County, Kenosha County, Milwaukee County, Outagamie
15 County, Racine County, or Winnebago County or if the political subdivision is eligible
16 to join any authority authorized under par. (a), (b), or (c).

17 **(3) TRANSIT AUTHORITY GOVERNANCE.** (a) The powers of an authority shall be
18 vested in its board of directors. Directors shall be appointed for 4-year terms. A
19 majority of the board of directors' full authorized membership constitutes a quorum
20 for the purpose of conducting the authority's business and exercising its powers.
21 Action may be taken by the board of directors upon a vote of a majority of the directors
22 present and voting, unless the bylaws of the authority require a larger number.

23 (b) If an authority is created under sub. (2) (a), the board of directors of the
24 authority consists of the following members:

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1 1. If Kenosha County adopts a resolution under sub. (2) (a) 1. or 2., one member
2 from Kenosha County, appointed by the county executive and approved by the county
3 board, and one member from the city of Kenosha, appointed by the mayor and
4 approved by the common council.

5 2. If Milwaukee County adopts a resolution under sub. (2) (a) 1. or 2., one
6 member from Milwaukee County, appointed by the county executive and approved
7 by the county board, and one member from the city of Milwaukee, appointed by the
8 mayor and approved by the common council.

9 3. If the city of Racine adopts a resolution under sub. (2) (a) 1. or 2., one member
10 from the city of Racine, appointed by the mayor and approved by the common council.

11 4. Two members from the jurisdictional area of the authority, appointed by the
12 governor. If Milwaukee County adopts a resolution under sub. (2) (a) 1. or 2., one of
13 the members appointed by the governor under this subdivision shall be from
14 Milwaukee County for any term commencing after Milwaukee County has adopted
15 the resolution.

16 5. One member from each county that joins the authority under sub. (2) (a) 4.,
17 appointed by the county executive of the county and approved by the county board
18 except that, if the county does not have an elected county executive, the member shall
19 be appointed by the county board chairperson and approved by the county board.

20 6. One member from each city with a population of more than 60,000 that either
21 adopts a resolution under sub. (2) (a) 5. or is located in a county that has joined the
22 authority under sub. (2) (a) 4., appointed by the mayor of each such city and approved
23 by the common council.

24 (c) If an authority is created under sub. (2) (b), the board of directors of the
25 authority consists of the following members:

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1 1. Two members from the Madison metropolitan planning area, appointed by
2 the county executive and approved by the county board.

3 2. Two members appointed by the mayor of the city of Madison and approved
4 by the common council.

5 3. One member appointed by the governor.

6 4. One member from each city with a population of more than 20,000 located
7 in Dane County, appointed by the mayor of each such city and approved by the
8 common council.

9 (d) The board of directors of the authority created under sub. (2) (c) consists of
10 the following members:

11 1. Three members, one each from the counties of Outagamie, Calumet, and
12 Winnebago, appointed by the county executive of each county and approved by the
13 county board except that, if the county does not have an elected county executive, the
14 member shall be appointed by the county board chairperson and approved by the
15 county board.

16 2. Two members, one each from the cities of Appleton and Neenah, appointed
17 by the mayor of each such city and approved by the common council.

18 3. One member from the town of Grand Chute, appointed by the town board
19 chairperson and approved by the town board.

20 4. One member appointed by the governor.

21 5. One member appointed as provided in par. (e).

22 6. One member appointed as provided in par. (f).

23 (e) 1. Board membership under par. (d) 5. shall follow a rotating order of
24 succession, commencing as specified in subds. 2. and 3. and, after June 30, 2031,
25 repeating in the same order and by the same selection process.

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1 2. For the term commencing on the effective date of this subdivision [LRB
2 inserts date], and expiring on June 30, 2027, the member specified in par. (d) 5. shall
3 be from the town of Menasha and shall be appointed by the town board chairperson
4 and approved by the town board.

5 3. For the term commencing on July 1, 2027, and expiring on June 30, 2031,
6 the member specified in par. (d) 5. shall be from the city of Menasha and shall be
7 appointed by the mayor of the city and approved by the common council.

8 (f) 1. Board membership under par. (d) 6. shall follow a rotating order of
9 succession, commencing as specified in subds. 2. to 5. and, after June 30, 2039,
10 repeating in the same order and by the same selection process.

11 2. For the term commencing on the effective date of this subdivision [LRB
12 inserts date], and expiring on June 30, 2027, the member specified in par. (d) 6. shall
13 be from the city of Kaukauna and shall be appointed by the mayor of the city and
14 approved by the common council.

15 3. For the term commencing on July 1, 2027, and expiring on June 30, 2031,
16 the member specified in par. (d) 6. shall be from the village of Kimberly and shall be
17 appointed by the village president and approved by the village board.

18 4. For the term commencing on July 1, 2031, and expiring on June 30, 2035,
19 the member specified in par. (d) 6. shall be from the village of Little Chute and shall
20 be appointed by the village president and approved by the village board.

21 5. For the term commencing on July 1, 2035, and expiring on June 30, 2039,
22 the member specified in par. (d) 6. shall be from the town of Buchanan and shall be
23 appointed by the town board chairperson and approved by the town board.

24 (fm) The board of directors of an authority created under sub. (2) (f) consists
25 of the following members:

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1 1. One member from each participating political subdivision that is a county,
2 appointed by the county executive of each county and approved by the county board
3 except that, if the county does not have an elected county executive, the member shall
4 be appointed by the county board chairperson and approved by the county board.

5 2. One member from each of the two participating political subdivisions that
6 are municipalities, if any, having the highest population, appointed by the mayor and
7 approved by the common council or appointed by the village president and approved
8 by the village board or appointed by the town board chairperson and approved by the
9 town board, as applicable.

10 3. One member appointed by the governor.

11 4. Not more than 2 members from participating political subdivisions that are
12 municipalities other than those identified under subd. 2., appointed by the mayor
13 and approved by the common council or appointed by the village president and
14 approved by the village board or appointed by the town board chairperson and
15 approved by the town board, as applicable. If the authority opts to include members
16 under this subdivision on the board of directors, the bylaws of the authority shall
17 include a provision specifying a method by which the members appointed under this
18 subdivision shall rotate among the participating political subdivisions not entitled
19 to make an appointment under subd. 2.

20 (g) The bylaws of an authority shall govern its management, operations, and
21 administration, consistent with the provisions of this section, and shall include
22 provisions specifying all of the following:

23 1. The functions or services to be provided by the authority.

24 2. The powers, duties, and limitations of the authority.

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1 3. The maximum rate of the taxes that may be imposed by the authority under
2 sub. (4) (s), not to exceed the maximum rate specified in s. 77.708 (1).

3 **(4) POWERS.** Notwithstanding s. 59.84 (2) and any other provision of this
4 chapter or ch. 59 or 85, an authority may do all of the following, to the extent
5 authorized in the authority's bylaws:

6 (a) Establish, maintain, and operate a comprehensive unified local
7 transportation system primarily for the transportation of persons.

8 (b) Acquire a comprehensive unified local transportation system and provide
9 funds for the operation and maintenance of the system. Upon the acquisition of a
10 comprehensive unified local transportation system, the authority may:

11 1. Operate and maintain it or lease it to an operator or contract for its use by
12 an operator.

13 2. Contract for superintendence of the system with an organization that has
14 personnel with the requisite experience and skill.

15 3. Delegate responsibility for the operation and maintenance of the system to
16 an appropriate administrative officer, board, or commission of a participating
17 political subdivision.

18 4. Maintain and improve railroad rights-of-way and improvements on these
19 rights-of-way for future use.

20 (c) Contract with a public or private organization to provide transportation
21 services in lieu of directly providing these services.

22 (d) Purchase and lease transportation facilities to public or private transit
23 companies that operate within and outside the jurisdictional area.

24 (e) Apply for federal aids to purchase transportation facilities considered
25 essential for the authority's operation.

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1 (f) Coordinate specialized transportation services, as defined in s. 85.21 (2) (g),
2 for residents who reside within the jurisdictional area and who are disabled or aged
3 60 or older, including services funded under 42 USC 3001 to 3057o, 42 USC 5001, and
4 42 USC 5011 (b), under ss. 49.43 to 49.499 and 85.21, and under other public funds
5 administered by the county. An authority may contract with a county that is a
6 participating political subdivision for the authority to provide specialized
7 transportation services, but an authority is not an eligible applicant under s. 85.21
8 (2) (e) and may not receive payments directly from the department of transportation
9 under s. 85.21.

10 (g) Acquire, own, hold, use, lease as lessor or lessee, sell or otherwise dispose
11 of, mortgage, pledge, or grant a security interest in any real or personal property or
12 service.

13 (h) Acquire property by condemnation using the procedure under s. 32.05 for
14 the purposes set forth in this section.

15 (i) Enter upon any state, county, or municipal street, road, or alley, or any public
16 highway for the purpose of installing, maintaining, and operating the authority's
17 facilities. Whenever the work is to be done in a state, county, or municipal highway,
18 street, road, or alley, the public authority having control thereof shall be duly
19 notified, and the highway, street, road, or alley shall be restored to as good a condition
20 as existed before the commencement of the work with all costs incident to the work
21 to be borne by the authority.

22 (j) Fix, maintain, and revise fees, rates, rents, and charges for functions,
23 facilities, and services provided by the authority.

24 (k) Make, and from time to time amend and repeal, bylaws, rules, and
25 regulations to carry into effect the powers and purposes of the authority.

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1 (L) Sue and be sued in its own name.

2 (m) Have and use a corporate seal.

3 (n) Employ agents, consultants, and employees, engage professional services,
4 and purchase such furniture, stationery, and other supplies and materials as are
5 reasonably necessary to perform its duties and exercise its powers.

6 (o) Incur debts, liabilities, or obligations including the borrowing of money and
7 the issuance of bonds under subs. (7) and (10).

8 (p) Invest any funds held in reserve or sinking funds, or any funds not required
9 for immediate disbursement, including the proceeds from the sale of any bonds, in
10 such obligations, securities, and other investments as the authority deems proper in
11 accordance with s. 66.0603 (1m).

12 (q) Do and perform any acts and things authorized by this section under,
13 through, or by means of an agent or by contracts with any person.

14 (r) Exercise any other powers that the board of directors considers necessary
15 and convenient to effectuate the purposes of the authority, including providing for
16 passenger safety.

17 (s) Impose, by the adoption of a resolution by the board of directors, the taxes
18 under subch. V of ch. 77 in the authority's jurisdictional area. If an authority adopts
19 a resolution to impose the taxes, it shall deliver a certified copy of the resolution to
20 the department of revenue at least 120 days before its effective date. The authority
21 may, by adoption of a resolution by the board of directors, repeal the imposition of
22 taxes under subch. V of ch. 77 and shall deliver a certified copy of the repeal
23 resolution to the department of revenue at least 120 days before its effective date.

24 **(5) LIMITATIONS ON AUTHORITY POWERS.** (a) Notwithstanding sub. (4) (a), (b), (c),
25 (d), (q), and (r), no authority, and no public or private organization with which an

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1 authority has contracted for service, may provide service outside the jurisdictional
2 area of the authority unless the authority receives financial support for the service
3 under a contract with a public or other private organization for the service or unless
4 it is necessary in order to provide service to connect residents within the authority's
5 jurisdictional area to transit systems in adjacent counties.

6 (b) Whenever the proposed operations of an authority would be competitive
7 with the operations of a common carrier in existence prior to the time the authority
8 commences operations, the authority shall coordinate proposed operations with the
9 common carrier to eliminate adverse financial impact for the carrier. This
10 coordination may include route overlapping, transfers, transfer points, schedule
11 coordination, joint use of facilities, lease of route service, and acquisition of route and
12 corollary equipment. If this coordination does not result in mutual agreement, the
13 proposals of the authority and the common carrier shall be submitted to the
14 department of transportation for arbitration.

15 (c) In exercising its powers under sub. (4), an authority shall consider any plan
16 of a metropolitan planning organization under 23 USC 134 that covers any portion
17 of the authority's jurisdictional area.

18 **(6) AUTHORITY OBLIGATIONS TO EMPLOYEES OF MASS TRANSPORTATION SYSTEMS.** (a)
19 An authority acquiring a comprehensive unified local transportation system for the
20 purpose of the authority's operation of the system shall assume all of the employer's
21 obligations under any contract between the employees and management of the
22 system to the extent allowed by law.

23 (b) An authority acquiring, constructing, controlling, or operating a
24 comprehensive unified local transportation system shall negotiate an agreement
25 with the representative of the labor organization that covers the employees affected

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1 by the acquisition, construction, control, or operation to protect the interests of
2 employees affected. This agreement shall include all of the provisions identified in
3 s. 59.58 (4) (b) 1. to 8. and may include provisions identified in s. 59.58 (4) (c). An
4 affected employee has all the rights and the same status under subch. IV of ch. 111
5 that he or she enjoyed immediately before the acquisition, construction, control, or
6 operation and may not be required to serve a probationary period if he or she attained
7 permanent status before the acquisition, construction, control, or operation.

8 (c) In all negotiations under this subsection, a senior executive officer of the
9 authority shall be a member of the authority's negotiating body.

10 **(7) BONDS; GENERALLY.** (a) An authority may issue bonds, the principal and
11 interest on which are payable exclusively from all or a portion of any revenues
12 received by the authority. The authority may secure its bonds by a pledge of any
13 income or revenues from any operations, rent, aids, grants, subsidies, contributions,
14 or other source of moneys whatsoever.

15 (b) An authority may issue bonds in such principal amounts as the authority
16 deems necessary.

17 (c) 1. Neither the members of the board of directors of an authority nor any
18 person executing the bonds is personally liable on the bonds by reason of the issuance
19 of the bonds.

20 2. The bonds of an authority are not a debt of the participating political
21 subdivisions. Neither the participating political subdivisions nor the state are liable
22 for the payment of the bonds. The bonds of any authority shall be payable only out
23 of funds or properties of the authority. The bonds of the authority shall state the
24 restrictions contained in this paragraph on the face of the bonds.

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1 **(8) ISSUANCE OF BONDS.** (a) Bonds of an authority shall be authorized by
2 resolution of the board of directors. The bonds may be issued under such a resolution
3 or under a trust indenture or other security instrument. The bonds may be issued
4 in one or more series and may be in the form of coupon bonds or registered bonds
5 under s. 67.09. The bonds shall bear the dates, mature at the times, bear interest
6 at the rates, be in the denominations, have the rank or priority, be executed in the
7 manner, be payable in the medium of payment and at the places, and be subject to
8 the terms of redemption, with or without premium, as the resolution, trust
9 indenture, or other security instrument provides. Bonds of an authority are issued
10 for an essential public and governmental purpose and are public instrumentalities
11 and, together with interest and income, are exempt from taxes.

12 (b) The authority may sell the bonds at public or private sales at the price or
13 prices determined by the authority.

14 (c) If an officer whose signatures appear on any bonds or coupons ceases to be
15 an officer of the authority before the delivery of the bonds or coupons, the officer's
16 signature shall, nevertheless, be valid for all purposes as if the officer had remained
17 in office until delivery of the bonds or coupons.

18 **(9) COVENANTS.** An authority may do all of the following in connection with the
19 issuance of bonds:

20 (a) Covenant as to the use of any or all of its property, real or personal.

21 (b) Redeem the bonds, or covenant for the redemption of the bonds, and provide
22 the terms and conditions of the redemption.

23 (c) Covenant as to charge fees, rates, rents, and charges sufficient to meet
24 operating and maintenance expenses, renewals, and replacements of any
25 transportation system, principal and debt service on bonds creation and

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1 maintenance of any reserves required by a bond resolution, trust indenture, or other
2 security instrument and to provide for any margins or coverages over and above debt
3 service on the bonds that the board of directors considers desirable for the
4 marketability of the bonds.

5 (d) Covenant as to the events of default on the bonds and the terms and
6 conditions upon which the bonds shall become or may be declared due before
7 maturity, as to the terms and conditions upon which this declaration and its
8 consequences may be waived, and as to the consequences of default and the remedies
9 of bondholders.

10 (e) Covenant as to the mortgage or pledge of, or the grant of a security interest
11 in, any real or personal property and all or any part of the revenues of the authority
12 to secure the payment of bonds, subject to any agreements with the bondholders.

13 (f) Covenant as to the custody, collection, securing, investment, and payment
14 of any revenues, assets, moneys, funds, or property with respect to which the
15 authority may have any rights or interest.

16 (g) Covenant as to the purposes to which the proceeds from the sale of any bonds
17 may be applied, and as to the pledge of such proceeds to secure the payment of the
18 bonds.

19 (h) Covenant as to limitations on the issuance of any additional bonds, the
20 terms upon which additional bonds may be issued and secured, and the refunding
21 of outstanding bonds.

22 (i) Covenant as to the rank or priority of any bonds with respect to any lien or
23 security.

24 (j) Covenant as to the procedure by which the terms of any contract with or for
25 the benefit of the holders of bonds may be amended or abrogated, the amount of

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1 bonds, the holders of which must consent thereto, and the manner in which such
2 consent may be given.

3 (k) Covenant as to the custody and safekeeping of any of its properties or
4 investments, the insurance to be carried on the property or investments, and the use
5 and disposition of insurance proceeds.

6 (L) Covenant as to the vesting in one or more trustees, within or outside the
7 state, of those properties, rights, powers, and duties in trust as the authority
8 determines.

9 (m) Covenant as to the appointing of, and providing for the duties and
10 obligations of, one or more paying agent or other fiduciaries within or outside the
11 state.

12 (n) Make all other covenants and do any act that may be necessary or
13 convenient or desirable in order to secure its bonds or, in the absolute discretion of
14 the authority, tend to make the bonds more marketable.

15 (o) Execute all instruments necessary or convenient in the exercise of the
16 powers granted under this section or in the performance of covenants or duties,
17 which may contain such covenants and provisions as a purchaser of the bonds of the
18 authority may reasonably require.

19 **(10) REFUNDING BONDS.** An authority may issue refunding bonds for the
20 purpose of paying any of its bonds at or prior to maturity or upon acceleration or
21 redemption. An authority may issue refunding bonds at such time prior to the
22 maturity or redemption of the refunded bonds as the authority deems to be in the
23 public interest. The refunding bonds may be issued in sufficient amounts to pay or
24 provide the principal of the bonds being refunded, together with any redemption
25 premium on the bonds, any interest accrued or to accrue to the date of payment of

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1 the bonds, the expenses of issue of the refunding bonds, the expenses of redeeming
2 the bonds being refunded, and such reserves for debt service or other capital or
3 current expenses from the proceeds of such refunding bonds as may be required by
4 the resolution, trust indenture, or other security instruments. To the extent
5 applicable, refunding bonds are subject to subs. (8) and (9).

6 **(11) BONDS ELIGIBLE FOR INVESTMENT.** (a) Any of the following may invest funds,
7 including capital in their control or belonging to them, in bonds of the authority:

- 8 1. Public officers and agencies of the state.
- 9 2. Local governmental units, as defined in s. 19.42 (7u).
- 10 3. Insurance companies.
- 11 4. Trust companies.
- 12 5. Banks.
- 13 6. Savings banks.
- 14 7. Savings and loan associations.
- 15 8. Investment companies.
- 16 9. Personal representatives.
- 17 10. Trustees.
- 18 11. Other fiduciaries not listed in this paragraph.

19 (b) The authority's bonds are securities that may be deposited with and
20 received by any officer or agency of the state or any local governmental unit, as
21 defined in s. 19.42 (7u), for any purpose for which the deposit of bonds or obligations
22 of the state or any local governmental unit is authorized by law.

23 **(12) BUDGETS; RATES AND CHARGES; AUDIT.** The board of directors of an authority
24 shall annually prepare a budget for the authority. Rates and other charges received
25 by the authority shall be used only for the general expenses and capital expenditures

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1 of the authority, to pay interest, amortization, and retirement charges on bonds, and
2 for specific purposes of the authority and may not be transferred to any political
3 subdivision. The authority shall maintain an accounting system in accordance with
4 generally accepted accounting principles and shall have its financial statements and
5 debt covenants audited annually by an independent certified public accountant.

6 **(13) WITHDRAWAL FROM AUTHORITY.** (a) A participating political subdivision that
7 joined an authority under sub. (2) (a) 1., 2., 4., or 5., (b) 3., (c) 2., or (f) 2. may withdraw
8 from an authority if all of the following conditions are met:

9 1. The governing body of the political subdivision adopts a resolution
10 requesting withdrawal of the political subdivision from the authority.

11 2. The political subdivision has paid, or made provision for the payment of, all
12 obligations of the political subdivision to the authority.

13 (b) A municipality that becomes a member of an authority under sub. (2) (a) 3.
14 shall withdraw from the authority if the county in which the municipality is located
15 withdraws from the authority under par. (a).

16 **(14) DUTY TO PROVIDE TRANSIT SERVICE.** An authority shall provide, or contract
17 for the provision of, transit service within the authority's jurisdictional area.

18 **(15) ADDITIONAL FUNDING FOR SOUTHEAST REGIONAL TRANSIT AUTHORITY.** In
19 addition to any other funding authorized under this section, an authority created
20 under sub. (2) (a) may impose the fees under subch. XIII of ch. 77.

21 **(16) REQUIRED APPLICATION OF THE SOUTHEAST REGIONAL TRANSIT AUTHORITY.** No
22 later than one year after its creation under sub. (2) (a) 1., the southeast regional
23 transit authority shall submit to the federal transit administration in the U.S.
24 department of transportation an application to enter the preliminary engineering

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1 phase of the federal new starts grant program for the Kenosha-Racine-Milwaukee
2 commuter rail link.

3 (17) OTHER STATUTES. This section does not limit the powers of political
4 subdivisions to enter into intergovernmental cooperation or contracts or to establish
5 separate legal entities under s. 66.0301 or 66.1021 or any other applicable law, or
6 otherwise to carry out their powers under applicable statutory provisions. Section
7 66.0803 (2) does not apply to an authority.

8 **SECTION 1232.** 66.1105 (2) (ab) of the statutes is renumbered 66.1105 (2) (n)
9 (intro.) and amended to read:

10 66.1105 (2) (n) (intro.) “Affordable Workforce housing” means housing that
11 costs a household no more than 30 percent of the household’s gross monthly income.
12 to which all of the following apply, as adjusted for family size and the county in which
13 the household is located, based on the county’s 5-year average median income and
14 housing costs as calculated by the U.S. bureau of the census in its American
15 community survey:

16 **SECTION 1233.** 66.1105 (2) (cm) of the statutes is renumbered 66.1105 (2) (cm)
17 (intro.) and amended to read:

18 66.1105 (2) (cm) (intro.) “Mixed-use development” means development that
19 contains a combination of industrial, commercial, or residential uses, except that
20 lands proposed for newly platted residential use, as shown in the project plan, may
21 not exceed ~~35~~ either of the following:

22 1. Thirty-five percent, by area, of the real property within the district.

23 **SECTION 1234.** 66.1105 (2) (cm) 2. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1234**

1 66.1105 (2) (cm) 2. Sixty percent, by area, of the real property within the district
2 if the newly platted residential use that exceeds 35 percent is used solely for
3 workforce housing.

4 **SECTION 1235.** 66.1105 (2) (d) of the statutes is repealed.

5 **SECTION 1236.** 66.1105 (2) (f) 1. c. of the statutes is amended to read:

6 66.1105 (2) (f) 1. c. Real property assembly costs, meaning any deficit incurred
7 resulting from the sale or lease as lessor by the city of real ~~or personal~~ property within
8 a tax incremental district for consideration which is less than its cost to the city.

9 **SECTION 1237.** 66.1105 (2) (n) 1. of the statutes is created to read:

10 66.1105 (2) (n) 1. The housing costs a household no more than 30 percent of the
11 household's gross median income.

12 **SECTION 1238.** 66.1105 (2) (n) 2. of the statutes is created to read:

13 66.1105 (2) (n) 2. The residential units of the housing are for initial occupancy
14 by individuals whose household median income is no more than 120 percent of the
15 county's gross median income.

16 **SECTION 1239.** 66.1105 (4) (f) of the statutes is amended to read:

17 66.1105 (4) (f) Adoption by the planning commission of a project plan for each
18 tax incremental district and submission of the plan to the local legislative body. The
19 plan shall include a statement listing the kind, number and location of all proposed
20 public works or improvements within the district or, to the extent provided in sub.
21 (2) (f) 1. k. and 1. n., outside the district, an economic feasibility study, a detailed list
22 of estimated project costs, and a description of the methods of financing all estimated
23 project costs and the time when the related costs or monetary obligations are to be
24 incurred. The project plan shall also contain alternative projections of the district's
25 finances and economic feasibility under different economic scenarios, including the

ASSEMBLY BILL 43**SECTION 1239**

1 scenario in which work on a public work or improvement specified in the project plan
2 begins 3 years later than expected and the scenario in which the rate of property
3 value growth in the district is at least 10 percent lower than expected. The plan shall
4 also include a map showing existing uses and conditions of real property in the
5 district; a map showing proposed improvements and uses in the district; proposed
6 changes of zoning ordinances, master plan, if any, map, building codes and city
7 ordinances; a list of estimated nonproject costs; and a statement of the proposed
8 method for the relocation of any persons to be displaced. The plan shall indicate how
9 creation of the tax incremental district promotes the orderly development of the city.
10 The city shall include in the plan an opinion of the city attorney or of an attorney
11 retained by the city advising whether the plan is complete and complies with this
12 section.

13 **SECTION 1240.** 66.1105 (4) (gm) 4. c. of the statutes is amended to read:

14 66.1105 (4) (gm) 4. c. Except as provided in subs. (10) (c), (16) (d), (17), (18) (c)
15 3., (20) (b), and (20m) (d) 1., the equalized value of taxable property of the district plus
16 the value increment of all existing districts does not exceed 12 percent of the total
17 equalized value of taxable property within the city or that sub. (17) (g) applies. In
18 determining the equalized value of taxable property under this subd. 4. c. or sub. (17)
19 (c), the department of revenue shall base its calculations on the most recent
20 equalized value of taxable property of the district that is reported under s. 70.57 (1m)
21 before the date on which the resolution under this paragraph is adopted. If the
22 department of revenue determines that a local legislative body exceeds the 12
23 percent limit described in this subd. 4. c. or sub. (17) (c) or that sub. (17) (g) does not
24 apply, the department shall notify the city of its noncompliance, in writing, not later

ASSEMBLY BILL 43**SECTION 1240**

1 than December 31 of the year in which the department receives the completed
2 application or amendment forms described in sub. (5) (b).

3 **SECTION 1241.** 66.1105 (4m) (b) 2. of the statutes is amended to read:

4 66.1105 (4m) (b) 2. No tax incremental district may be created and no project
5 plan may be amended unless the board approves the resolution adopted under sub.
6 (4) (gm) or (h) 1., and no tax incremental base may be redetermined under sub. (5)
7 (h) unless the board approves the resolution adopted under sub. (5) (h) 1., by a
8 majority vote within 45 days after receiving the resolution. For actions described
9 under this subdivision, a majority vote is required, and, except for a
10 multijurisdictional tax incremental district, 3 affirmative votes are required to
11 constitute a majority. With regard to a multijurisdictional tax incremental district
12 created under this section, each public member of a participating city must be part
13 of the majority that votes for approval of the resolution or the district may not be
14 created. The board may not approve the resolution under this subdivision unless the
15 board's approval contains a positive assertion that, in its judgment, the development
16 described in the documents the board has reviewed under subd. 1. would not occur
17 without the creation of a tax incremental district. The board may not approve the
18 resolution under this subdivision unless the board finds that, with regard to a tax
19 incremental district that is proposed to be created by a city under sub. (17) (a), such
20 a district would be the only existing district created under that subsection by that
21 city.

22 **SECTION 1242.** 66.1105 (5) (j) of the statutes is created to read:

23 66.1105 (5) (j) Upon receiving a written application from the city clerk, in a
24 form prescribed by the department of revenue, the department shall recalculate the
25 base value of a tax incremental district affected by 2023 Wisconsin Act ... (this act)

ASSEMBLY BILL 43**SECTION 1242**

1 to remove the value of the personal property. An application received under this
2 paragraph no later than October 31 is effective in the year following the year in which
3 the application is made. An application received after October 31 is effective in the
4 2nd year following the year in which the application is made.

5 **SECTION 1243.** 66.1105 (6) (g) 1. (intro.) of the statutes is amended to read:

6 66.1105 (6) (g) 1. (intro.) ~~After~~ Subject to subd. 1m., after the date on which a
7 tax incremental district created by a city pays off the aggregate of all of its project
8 costs, and notwithstanding the time at which such a district would otherwise be
9 required to terminate under sub. (7), a city may extend the life of the district for ~~one~~
10 year 3 years if the city does all of the following:

11 **SECTION 1244.** 66.1105 (6) (g) 1. a. of the statutes is amended to read:

12 66.1105 (6) (g) 1. a. The city adopts a resolution extending the life of the district
13 for a specified number of months. The resolution shall specify how the city intends
14 to improve its housing stock or increase the number of affordable and workforce
15 housing stock units, as required in subd. 3.

16 **SECTION 1245.** 66.1105 (6) (g) 1. b. of the statutes is amended to read:

17 66.1105 (6) (g) 1. b. The city forwards a copy of the resolution under subd. 1.
18 a. and, if the extension is for more than one year, a copy of the resolution under subd.
19 1m., to the department of revenue, notifying the department that it must continue
20 to authorize the allocation of tax increments to the district under par. (a).

21 **SECTION 1246.** 66.1105 (6) (g) 1m. of the statutes is created to read:

22 66.1105 (6) (g) 1m. An extension under subd. 1. may not be for more than one
23 year unless the joint review board approves, by resolution, the extension under subd.
24 1.

25 **SECTION 1247.** 66.1105 (6) (g) 3. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1247**

1 66.1105 (6) (g) 3. If a city receives tax increments as described in subd. 2., the
2 city shall use at least 75 percent of the increments received that are not supporting
3 housing stock improvements to benefit affordable housing in the city. The remaining
4 portion of the increments shall be used by the city to improve the city's increase the
5 number of the city's affordable and workforce housing stock units, with at least 50
6 percent of the funds supporting units for families with incomes of up to 60 percent
7 of the county's median household income.

8 **SECTION 1248.** 66.1105 (17) (g) of the statutes is created to read:

9 66.1105 (17) (g) *Forthcoming termination.* If a city certifies all of the following
10 to the department of revenue, the department may certify the tax incremental base
11 under sub. (5) (d) notwithstanding the equalized value of taxable property of the
12 district plus the value increment of all existing districts exceeding 12 percent of the
13 total equalized value of taxable property within the city:

14 1. That, not later than one year after the certification under the paragraph,
15 districts having sufficient value increments will terminate so that the municipality
16 will no longer exceed the 12 percent limit described under sub. (4) (gm) 4. c.

17 2. That the municipality will not take any action that would extend the life of
18 any district whose termination is necessary to satisfy subd. 1.

19 **SECTION 1249.** 66.1106 (1) (k) of the statutes is amended to read:

20 66.1106 (1) (k) "Taxable property" means all real and personal taxable property
21 located in an environmental remediation tax incremental district.

22 **SECTION 1250.** 66.1106 (4) (e) of the statutes is created to read:

23 66.1106 (4) (e) Upon receiving a written application from the clerk of a political
24 subdivision, in a form prescribed by the department, the department shall
25 recalculate the base value of a tax incremental district affected by 2023 Wisconsin

ASSEMBLY BILL 43**SECTION 1250**

1 Act (this act) to remove the value of the personal property, as defined in s. 66.1105.
2 An application received under this paragraph no later than October 31 is effective
3 in the year following the year in which the application is made. An application
4 received after October 31 is effective in the 2nd year following the year in which the
5 application is made.

6 **SECTION 1251.** 66.1113 (2) (a) of the statutes is amended to read:

7 66.1113 (2) (a) The governing body of a political subdivision, by a two-thirds
8 vote of the members of the governing body who are present when the vote is taken,
9 may enact an ordinance or adopt a resolution declaring itself to be a premier resort
10 area if, except as provided in pars. (e), (f), (g), (h), (i), ~~and (j)~~, (k), and (L), at least 40
11 percent of the equalized assessed value of the taxable property within such political
12 subdivision is used by tourism-related retailers.

13 **SECTION 1252.** 66.1113 (2) (b) of the statutes is amended to read:

14 66.1113 (2) (b) Subject to pars. (g), (h), (i), ~~and (j)~~, (k), and (L), a political
15 subdivision that is a premier resort area may impose the tax under s. 77.994.

16 **SECTION 1253.** 66.1113 (2) (k) of the statutes is created to read:

17 66.1113 (2) (k) The city of Prescott may enact an ordinance or adopt a resolution
18 declaring itself to be a premier resort area under par. (a) even if less than 40 percent
19 of the equalized assessed value of the taxable property within the city is used by
20 tourism-related retailers. The city may not impose the tax authorized under par. (b)
21 unless the common council adopts a resolution proclaiming its intent to impose the
22 tax and the resolution is approved by a majority of the electors in the city voting on
23 the resolution at a referendum, to be held at the first spring primary or election or
24 partisan primary or general election following by at least 70 days the date of adoption
25 of the resolution.

ASSEMBLY BILL 43**SECTION 1254**

1 **SECTION 1254.** 66.1113 (2) (L) of the statutes is created to read:

2 66.1113 (2) (L) The village of Pepin in Pepin County may enact an ordinance
3 or adopt a resolution declaring itself to be a premier resort area under par. (a) even
4 if less than 40 percent of the equalized assessed value of the taxable property within
5 the village is used by tourism-related retailers. The village may not impose the tax
6 authorized under par. (b) unless the village board adopts a resolution proclaiming its
7 intent to impose the tax and the resolution is approved by a majority of the electors
8 in the village voting on the resolution at a referendum, to be held at the first spring
9 primary or election or partisan primary or general election following by at least 70
10 days the date of adoption of the resolution.

11 **SECTION 1255.** 66.1201 (2m) of the statutes is amended to read:

12 66.1201 (2m) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
13 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
14 facility, or privilege in any manner for any purpose nor be discriminated against
15 because of sex, race, color, creed, national origin, sexual orientation, status as a
16 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
17 or national origin status as a holder or nonholder of a license under s. 343.03 (3r).

18 **SECTION 1256.** 66.1213 (3) of the statutes is amended to read:

19 66.1213 (3) DISCRIMINATION. Persons otherwise entitled to any right, benefit,
20 facility, or privilege under this section may not be denied the right, benefit, facility,
21 or privilege in any manner for any purpose nor be discriminated against because of
22 sex, race, color, creed, national origin, sexual orientation, status as a victim of
23 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
24 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

25 **SECTION 1257.** 66.1301 (2m) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1257**

1 66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility,
2 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
3 or privilege in any manner for any purpose nor be discriminated against because of
4 sex, race, color, creed, national origin, sexual orientation, status as a victim of
5 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
6 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

7 **SECTION 1258.** 66.1333 (3) (e) 2. of the statutes is amended to read:

8 66.1333 **(3)** (e) 2. Persons otherwise entitled to any right, benefit, facility, or
9 privilege under this section may not be denied the right, benefit, facility, or privilege
10 in any manner for any purpose nor be discriminated against because of sex, race,
11 color, creed, national origin, sexual orientation, status as a victim of domestic abuse,
12 sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or national origin status
13 as a holder or nonholder of a license under s. 343.03 (3r).

14 **SECTION 1259.** 67.01 (5) of the statutes is amended to read:

15 67.01 **(5)** “Municipality” means any of the following which is authorized to levy
16 a tax: a county, city, village, town, school district, board of park commissioners,
17 technical college district, metropolitan sewerage district created under ss. 200.01 to
18 200.15 or 200.21 to 200.65, town sanitary district under subch. IX of ch. 60, transit
19 authority created under s. 66.1039, public inland lake protection and rehabilitation
20 district established under s. 33.23, 33.235, or 33.24, and any other public body
21 empowered to borrow money and issue obligations to repay the money out of public
22 funds or revenues. “Municipality” does not include the state.

23 **SECTION 1260.** 69.03 (15) of the statutes is amended to read:

24 69.03 **(15)** Periodically provide to each county child support agency under s.
25 59.53 (5) a list of names and, notwithstanding s. 69.20 (2) (a), addresses of registrants

ASSEMBLY BILL 43**SECTION 1260**

1 who reside in that county for whom ~~no father's~~ only one parent's name has been
2 inserted on the registrant's birth record within 6 months of birth.

3 **SECTION 1261.** 69.11 (4) (b) of the statutes is amended to read:

4 69.11 (4) (b) The state registrar may amend an item on a birth record that
5 affects information about the name, sex, date of birth, place of birth, parent's name,
6 or parent's marital status ~~of the mother~~ if 365 days have elapsed since the occurrence
7 of the event that is the subject of the birth record, if the amendment is at the request
8 of a person with a direct and tangible interest in the record and is in the manner
9 prescribed by the state registrar, and if the amendment is accompanied by 2 items
10 of documentary evidence from early childhood that are sufficient to prove that the
11 item to be changed is in error and by the affidavit of the person requesting the
12 amendment. A change in the marital status on the birth record may be made under
13 this paragraph only if the marital status is inconsistent with information ~~concerning~~
14 ~~the father or husband~~ that appears on the birth record. This paragraph may not be
15 used to add to or delete from a birth record the name of a parent, to change the
16 identity of a parent named on the birth record, or to effect a name change prohibited
17 under s. 301.47.

18 **SECTION 1262.** 69.12 (5) of the statutes is amended to read:

19 69.12 (5) A change in the marital status on the record of birth may be requested
20 under this section only if the marital status is inconsistent with ~~father or husband~~
21 information appearing on the birth record. This section may not be used to add or
22 delete the name of a parent on the record of birth or change the identity of either
23 parent named on the birth record.

24 **SECTION 1263.** 69.13 (2) (b) 4. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1263**

1 69.13 (2) (b) 4. If relevant to the correction sought, a certified copy of a marriage
2 document, divorce or annulment record, or a final divorce decree that indicates that
3 the mother was not married to the person listed as her ~~husband~~ spouse at any time
4 during the pregnancy, a legal name change order, or any other legal document that
5 clarifies the disputed information.

6 **SECTION 1264.** 69.14 (1) (c) 4. of the statutes is amended to read:

7 69.14 (1) (c) 4. In the absence of a person under subds. 1. to 3., the ~~father or~~
8 mother, father, or mother's spouse, or in the absence of the father or the mother's
9 spouse and the inability of the mother, the person responsible for the premises where
10 the birth occurs.

11 **SECTION 1265.** 69.14 (1) (e) (title) and 1. of the statutes are amended to read:

12 69.14 (1) (e) (title) *Father's Spouse's or father's name*. 1. If Except as provided
13 in par. (h), if the mother of a registrant under this section was married at any time
14 from the conception to the birth of the registrant, the name of the ~~husband~~ spouse
15 of the mother shall be entered on the birth record as ~~the a legal father~~ parent of the
16 registrant. The name of the ~~father~~ parent entered under this subdivision may not
17 be changed except by a proceeding under ch. 767.

18 **SECTION 1266.** 69.14 (1) (f) 1. of the statutes is amended to read:

19 69.14 (1) (f) 1. a. Except as provided under subd. 1. b., if the mother of a
20 registrant of a birth record under this section is married ~~to the father of the~~
21 ~~registrant~~ at any time from the conception to the birth of the registrant, the given
22 name and surname ~~which that~~ that the mother ~~and father~~ of the registrant and her
23 spouse enter for the registrant on the birth record shall be the given name and
24 surname filed and registered on the birth record.

ASSEMBLY BILL 43**SECTION 1266**

1 b. If the mother of a registrant of a birth record under this section is married
2 ~~to the father of the registrant~~ at any time from the conception to the birth of the
3 registrant and the mother is separated or divorced ~~from the father of the registrant~~
4 at the time of birth, the given name and surname ~~which~~ that the parent of the
5 registrant with actual custody enters for the registrant on the birth record shall be
6 the given name and surname filed and registered on the birth record, except that if
7 a court has granted legal custody of the registrant, the given name and surname
8 ~~which~~ that the person with legal custody enters for the registrant on the birth record
9 shall be the given name and surname filed and registered on the birth record.

10 c. If the mother of a registrant of a birth record under this section is not married
11 ~~to the father of the registrant~~ at any time from the conception to the birth of the
12 registrant, the given name and surname ~~which~~ that the mother of the registrant
13 enters for the registrant on the birth record shall be the given name and surname
14 filed and registered on the birth record, except that if a court has granted legal
15 custody of the registrant, the given name and surname ~~which~~ that the person with
16 legal custody enters for the registrant on the birth record shall be the given name and
17 surname filed and registered on the birth record.

18 **SECTION 1267.** 69.14 (1) (g) of the statutes is amended to read:

19 69.14 (1) (g) *Birth by artificial insemination.* If the registrant of a birth record
20 under this section is born as a result of artificial insemination under the
21 requirements of s. 891.40, the ~~husband~~ spouse of the woman person inseminated
22 shall be considered ~~the father~~ a parent of the registrant on the birth record. ~~If the~~
23 ~~registrant is born as a result of artificial insemination which does not satisfy the~~
24 ~~requirements of s. 891.40, the information about the father of the registrant shall be~~
25 ~~omitted from the registrant's birth record.~~

ASSEMBLY BILL 43**SECTION 1268**

1 **SECTION 1268.** 69.14 (2) (b) 2. d. of the statutes is amended to read:

2 69.14 (2) (b) 2. d. The full name of the father or the mother's spouse, except that
3 if the mother was not married at the time of conception or birth or between conception
4 and birth of the registrant, the name of the father may not be entered except as
5 provided under s. 69.15 (3).

6 **SECTION 1269.** 69.15 (1) of the statutes is amended to read:

7 69.15 (1) BIRTH RECORD INFORMATION CHANGES. The state registrar may change
8 information on a birth record registered in this state which was correct at the time
9 the birth record was filed under a court or administrative order issued in this state,
10 in another state or in Canada or under the valid order of a court of any federally
11 recognized Indian tribe, band, or nation if all of the following occur:

12 (a) The order provides for an adoption, name change, or name change with sex
13 change or establishes paternity; ~~and~~ or parentage.

14 (b) A clerk of court or, for a paternity or parentage action, a clerk of court or
15 county child support agency under s. 59.53 (5), sends the state registrar a certified
16 report of an order of a court in this state in the method prescribed by the state
17 registrar or, in the case of any other order, the state registrar receives a certified copy
18 of the order and the proper fee under s. 69.22.

19 **SECTION 1270.** 69.15 (3) (title) and (a) (intro.), 1., 2. and 3. of the statutes are
20 amended to read:

21 69.15 (3) (title) ~~PATERNITY~~ PARENTAGE. (a) (intro.) If the state registrar receives
22 an order under sub. (1) that establishes paternity or determines that the ~~man~~ person
23 whose name appears on a registrant's birth record is not the ~~father~~ parent of the
24 registrant, or a report under s. 767.804 (1) (c) that shows a conclusive determination
25 of paternity, the state registrar shall do the following, as appropriate:

ASSEMBLY BILL 43**SECTION 1270**

1 1. Prepare under sub. (6) a new record omitting the ~~father's~~ parent's name if
2 the order determines that the ~~man~~ person whose name appears on a registrant's
3 birth record is not the ~~father~~ parent of the registrant and if there is no adjudicated
4 father.

5 2. Prepare under sub. (6) a new record for the subject of a paternity action
6 changing the name of the ~~father~~ parent if the name of the adjudicated father is
7 different than the name of the ~~man~~ person on the birth record.

8 3. Except as provided under subd. 4., insert the name of the adjudicated or
9 conclusively determined father on the original birth record if the name of the ~~father~~
10 ~~that~~ parent was omitted on the original record.

11 **SECTION 1271.** 69.15 (3) (b) 1., 2., 3. and 4. (intro.), a. and b. of the statutes are
12 amended to read:

13 69.15 (3) (b) 1. Except as provided under par. (c), if the state registrar receives
14 a statement acknowledging paternity parentage in the manner prescribed by the
15 state registrar and signed by both of the ~~birth~~ natural parents of a child determined
16 to be a marital child under s. 767.803, a certified copy of the parents' marriage record,
17 and the fee required under s. 69.22 (5) (b) 1., the state registrar shall insert the name
18 of the ~~husband~~ spouse of the person who gave birth from the marriage record as the
19 ~~father~~ parent if the name of the ~~father~~ that parent was omitted on the original birth
20 record. The state registrar shall include for the acknowledgment the items in s.
21 767.813 (5g).

22 2. Except as provided under par. (c), if the parent of a child determined to be
23 a marital child under s. 767.803 dies after his or her marriage and before the
24 statement acknowledging paternity parentage has been signed, the state registrar

ASSEMBLY BILL 43**SECTION 1271**

1 shall insert the name of the ~~father~~ parent under subd. 1. upon receipt of a court order
2 determining that the ~~husband~~ spouse was the ~~father~~ parent of the child.

3 3. Except as provided under par. (c), if the state registrar receives a statement
4 acknowledging ~~paternity~~ parentage in the method prescribed by the state registrar
5 and signed by both parents, neither of whom was under the age of 18 years when the
6 form was signed, along with the fee under s. 69.22, the state registrar shall insert the
7 name of the ~~father~~ parent under subd. 1. The state registrar shall mark the record
8 to show that the acknowledgement is on file. The acknowledgement shall be
9 available to the department of children and families or a county child support agency
10 under s. 59.53 (5) pursuant to the program responsibilities under s. 49.22 or to any
11 other person with a direct and tangible interest in the record. The state registrar
12 shall include on the acknowledgment the information in s. 767.805 and the items in
13 s. 767.813 (5g).

14 4. (intro.) If a registrant has not reached the age of 18 years and if any of the
15 following indicate, in a statement acknowledging ~~paternity~~ parentage under subd.
16 1. or 3., that the given name or surname, or both, of the registrant should be changed
17 on the birth record, the state registrar shall enter the name indicated on the birth
18 record without a court order:

19 a. ~~The mother of the~~ parent who gave birth to the registrant, except as provided
20 under subd. 4. b. and c.

21 b. ~~The father of~~ natural parent who did not give birth to the registrant if the
22 ~~father~~ that parent has legal custody of the registrant.

23 **SECTION 1272.** 69.15 (3) (b) 3m. of the statutes is created to read:

24 69.15 (3) (b) 3m. Except as provided in par. (c), if the state registrar receives
25 an acknowledgement of parentage on a form prescribed by the state registrar and

ASSEMBLY BILL 43**SECTION 1272**

1 signed by both of the people presumed to be natural parents under s. 891.41 (1) (b),
2 a certified copy of the parents' marriage certificate, and the fee required under s.
3 69.22 (5) (b) 1., the state registrar shall insert the name of the spouse from the
4 marriage certificate as a parent if the name of that parent was omitted on the original
5 birth certificate.

6 **SECTION 1273.** 69.15 (3) (d) of the statutes is amended to read:

7 69.15 (3) (d) The method prescribed by the state registrar for acknowledging
8 paternity parentage shall require that the social security number of each of the
9 registrant's parents be provided.

10 **SECTION 1274.** 69.15 (3m) (title) and (a) (intro.) of the statutes are amended to
11 read:

12 69.15 (3m) (title) RESCISSION OF STATEMENT ACKNOWLEDGING PATERNITY
13 PARENTAGE. (a) (intro.) A statement acknowledging paternity parentage that is filed
14 with the state registrar under sub. (3) (b) 3. may be rescinded by either person who
15 signed the statement as a parent of the registrant if all of the following apply:

16 **SECTION 1275.** 69.15 (3m) (a) 3. and (b) of the statutes are amended to read:

17 69.15 (3m) (a) 3. The person rescinding the statement files a rescission in the
18 method prescribed under subd. 2. before the day on which a court or circuit court
19 commissioner makes an order in an action affecting the family involving the ~~man~~
20 person who signed the statement and the child who is the subject of the statement
21 or before 60 days elapse after the statement was filed, whichever occurs first.

22 (b) If the state registrar, within the time required under par. (a) 3., receives a
23 rescission in the method prescribed by the state registrar, along with the proper fee
24 under s. 69.22, the state registrar shall prepare under sub. (6) a new record omitting
25 the ~~father's~~ parent's name if it was inserted under sub. (3) (b).

ASSEMBLY BILL 43**SECTION 1276**

1 **SECTION 1276.** 70.03 (1) of the statutes is amended to read:

2 70.03 (1) In chs. 70 to 76, 78, and 79, “real property,” “real estate,” and “land”
3 include not only the land itself but all buildings and, fixtures, improvements thereon,
4 ~~and all fixtures and, leases,~~ rights, and privileges appertaining thereto, including
5 assets that cannot be taxed separately as real property, but are inextricably
6 intertwined with the real property, enable the real property to achieve its highest and
7 best use, and are transferable to future owners, except as provided in sub. (2) and
8 except that for the purpose of time-share property, as defined in s. 707.02 (32), real
9 property does not include recurrent exclusive use and occupancy on a periodic basis
10 or other rights, including, but not limited to, membership rights, vacation services,
11 and club memberships. In this subsection, “lease” means a right in real estate that
12 is related primarily to the property and not to the labor, skill, or business acumen of
13 the property owner or tenant. In this subsection, “highest and best use” has the
14 meaning given in s. 70.32 (1).

15 **SECTION 1277.** 70.04 (1r) of the statutes is amended to read:

16 70.04 (1r) ~~Toll bridges; private railroads and bridges; saw~~ Saw logs, timber, and
17 lumber, either upon land or afloat; steamboats, ships, and other vessels, whether at
18 home or abroad; ferry boats, including the franchise for running the same; ice cut and
19 stored for use, sale, or shipment; ~~beginning May 1, 1974,~~ and manufacturing
20 machinery and equipment as defined in s. 70.11 (27), ~~and entire property of~~
21 ~~companies defined in s. 76.28 (1), located entirely within one taxation district.~~

22 **SECTION 1278.** 70.043 of the statutes is amended to read:

23 **70.043 Mobile homes, recreational mobile homes, and manufactured**
24 **homes. (1)** A mobile home, as defined in s. 101.91 (10), a recreational mobile home,
25 as defined in s. 66.0435 (1) (hm), or a manufactured home, as defined in s. 101.91 (2),

ASSEMBLY BILL 43**SECTION 1278**

1 is an improvement to real property if it is connected to utilities and is set upon a
2 foundation upon land which is owned by the mobile home, recreational mobile home,
3 or manufactured home owner. In this section, a mobile home, recreational mobile
4 home, or manufactured home is “set upon a foundation” if it is off its wheels and is
5 set upon some other support.

6 (2) A mobile home, as defined in s. 101.91 (10), a recreational mobile home, as
7 defined in s. 66.0435 (1) (hm), or a manufactured home, as defined in s. 101.91 (2),
8 is personal property if the land upon which it is located is not owned by the mobile
9 home, recreational mobile home, or manufactured home owner or if the mobile home,
10 recreational mobile home, or manufactured home is not set upon a foundation or
11 connected to utilities.

12 **SECTION 1279.** 70.05 (5) (a) 1. of the statutes is amended to read:

13 70.05 (5) (a) 1. “Assessed value” means with respect to each taxation district
14 the total values established under ~~ss. s. 70.32 and 70.34~~, but excluding
15 manufacturing property subject to assessment under s. 70.995.

16 **SECTION 1280.** 70.10 of the statutes is amended to read:

17 **70.10 Assessment, when made, exemption.** The assessor shall assess all
18 ~~real and personal taxable~~ property as of the close of January 1 of each year. Except
19 in cities of the 1st class and 2nd class cities that have a board of assessors under s.
20 70.075, the assessment shall be finally completed before the first Monday in April.
21 All real property conveyed by condemnation or in any other manner to the state, any
22 county, city, village or town by gift, purchase, tax deed or power of eminent domain
23 before January 2 in such year shall not be included in the assessment. Assessment
24 of manufacturing property subject to s. 70.995 shall be made according to that
25 section.

ASSEMBLY BILL 43**SECTION 1281**

1 **SECTION 1281.** 70.11 (2) of the statutes is amended to read:

2 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.
3 Property owned by any county, city, village, town, school district, technical college
4 district, public inland lake protection and rehabilitation district, metropolitan
5 sewerage district, municipal water district created under s. 198.22, joint local water
6 authority created under s. 66.0823, transit authority created under s. 66.1039,
7 regional planning commission created under s. 66.0309, long-term care district
8 under s. 46.2895, or town sanitary district; lands belonging to cities of any other state
9 used for public parks; land tax-deeded to any county or city before January 2; but
10 any residence located upon property owned by the county for park purposes that is
11 rented out by the county for a nonpark purpose shall not be exempt from taxation.
12 Except as to land acquired under s. 59.84 (2) (d), this exemption shall not apply to
13 land conveyed after August 17, 1961, to any such governmental unit or for its benefit
14 while the grantor or others for his or her benefit are permitted to occupy the land or
15 part thereof in consideration for the conveyance. The exemption under this
16 subsection applies to the property of a regional planning commission that the
17 commission owned prior to October 1, 2021. If a regional planning commission
18 subsequently sells property exempt from taxation under this subsection, the
19 exemption applies to property purchased and owned by the commission if the total
20 size of all property owned by the commission is substantially similar in size to the
21 total property owned by the commission prior to October 1, 2021. Any property of the
22 regional planning commission in excess of that size restriction is subject to taxation
23 under this chapter. Leasing the property exempt under this subsection, regardless
24 of the lessee and the use of the leasehold income, does not render that property
25 taxable.

ASSEMBLY BILL 43**SECTION 1282**

1 **SECTION 1282.** 70.11 (36) (a) of the statutes is amended to read:

2 70.11 **(36)** (a) Property consisting of or contained in a sports and entertainment
3 home stadium, except a football stadium as defined in s. 229.821 (6); including but
4 not limited to parking lots, garages, restaurants, parks, concession facilities,
5 entertainment facilities, transportation facilities, and other functionally related or
6 auxiliary facilities and structures, and any other property constituting baseball park
7 development, as defined in s. 229.65 (1m); including those facilities and structures
8 while they are being built; constructed by, leased to or primarily used by a
9 professional athletic team that is a member of a league that includes teams that have
10 home stadiums in other states, and the land on which that stadium and those
11 structures and facilities are located. Leasing or subleasing the property; regardless
12 of the lessee, the sublessee and the use of the leasehold income; does not render the
13 property taxable.

14 **SECTION 1283.** 70.11 (38v) of the statutes is created to read:

15 70.11 **(38v)** WISCONSIN HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY
16 HEADQUARTERS. Land and buildings on that land owned by the Wisconsin Housing
17 and Economic Development Authority and used exclusively as either the corporate
18 headquarters of the Wisconsin Housing and Economic Development Authority or the
19 parking facilities associated with those headquarters.

20 **SECTION 1284.** 70.11 (42) of the statutes is repealed.

21 **SECTION 1285.** 70.11 (47) of the statutes is created to read:

22 70.11 **(47)** CRANBERRY RESEARCH AND EDUCATIONAL STATION. All property, but not
23 exceeding 50 acres of land, owned or leased by an entity that is exempt from taxation
24 under section 501 (c) (3) of the Internal Revenue Code and that is used primarily for

ASSEMBLY BILL 43**SECTION 1285**

1 research and educational activities associated with commercial cranberry
2 production.

3 **SECTION 1286.** 70.1105 (1) of the statutes is amended to read:

4 70.1105 (1) Property that is exempt under s. 70.11 and that is used in part in
5 a trade or business for which the owner of the property is subject to taxation under
6 sections 511 to 515 of the internal revenue code, as defined in s. 71.22 (4m), shall be
7 assessed for taxation, unless otherwise exempt under this chapter, at that portion
8 of the fair market value of the property that is attributable to the part of the property
9 that is used in the unrelated trade or business. This section does not apply to
10 property that is leased by an exempt organization to another person or to property
11 that is exempt under s. 70.11 (34).

12 **SECTION 1287.** 70.1105 (2) of the statutes is repealed.

13 **SECTION 1288.** 70.111 (19) (b) of the statutes is amended to read:

14 70.111 (19) (b) Recreational mobile homes, as defined in s. 66.0435 (1) (hm),
15 that are personal property under s. 70.043 (2) and recreational vehicles, as defined
16 in s. 340.01 (48r). The exemption under this paragraph also applies to steps and a
17 platform, not exceeding 50 square feet, that lead to a doorway of a recreational mobile
18 home or a recreational vehicle, but does not apply to any other addition, attachment,
19 deck, or patio.

20 **SECTION 1289.** 70.111 (28) of the statutes is created to read:

21 70.111 (28) PERSONAL PROPERTY. (a) Beginning with the property tax
22 assessments applicable to the January 1, 2024, assessment year, personal property,
23 as defined under s. 70.04, including steam and other vessels, furniture, and
24 equipment.

25 (b) The exemption under par. (a) does not apply to all of the following:

ASSEMBLY BILL 43**SECTION 1289**

1 1. Property qualifying as real property under s. 70.03.

2 2. Property assessed as real property under s. 70.17 (3).

3 3. Property subject to taxation under s. 76.025 (2).

4 (c) A taxing jurisdiction may include the most recent valuation of personal
5 property described under par. (a) that is located in the taxing jurisdiction for
6 purposes of complying with debt limitations applicable to the jurisdiction.

7 **SECTION 1290.** 70.13 (1) of the statutes is amended to read:

8 70.13 (1) ~~All~~ For assessments made before January 1, 2024, all personal
9 property shall be assessed in the assessment district where the same is located or
10 customarily kept except as otherwise specifically provided. Personal property in
11 transit within the state on the first day of January shall be assessed in the district
12 in which the same is intended to be kept or located, and personal property having no
13 fixed location shall be assessed in the district where the owner or the person in charge
14 or possession thereof resides, except as provided in sub. (5).

15 **SECTION 1291.** 70.13 (2) of the statutes is amended to read:

16 70.13 (2) ~~Saw~~ For assessments made before January 1, 2024, saw logs or timber
17 in transit, which are to be sawed or manufactured in any mill in this state, shall be
18 deemed located and shall be assessed in the district in which such mill is located.
19 Saw logs or timber shall be deemed in transit when the same are being transported
20 either by water or rail, but when such logs or timber are banked, decked, piled or
21 otherwise temporarily stored for transportation in any district, they shall be deemed
22 located, and shall be assessed in such district.

23 **SECTION 1292.** 70.13 (3) of the statutes is amended to read:

24 70.13 (3) ~~On~~ For assessments made before January 1, 2024, on or before the
25 tenth day of January in each year the owner of logs or timber in transit shall furnish

ASSEMBLY BILL 43**SECTION 1292**

1 the assessor of the district in which the mill at which the logs or timber will be sawed
2 or manufactured is located a verified statement of the amount, character and value
3 of all the logs and timber in transit on the first day of January preceding, and the
4 owner of the logs or timber shall furnish to the assessor of the district in which the
5 logs and timber were located on the first day of January preceding, a like verified
6 statement of the amount, character and value thereof. Any assessment made in
7 accordance with the owner's statement shall be valid and binding on the owner
8 notwithstanding any subsequent change as to the place where the same may be
9 sawed or manufactured. If the owner of the logs or timber shall fail or refuse to
10 furnish the statement herein provided for, or shall intentionally make a false
11 statement, that owner shall be subject to the penalties prescribed by s. 70.36.

12 **SECTION 1293.** 70.13 (7) of the statutes is amended to read:

13 70.13 (7) ~~Saw~~ For assessments made before January 1, 2024, saw logs or timber
14 removed from public lands during the year next preceding the first day of January
15 or having been removed from such lands and in transit therefrom on the first day of
16 January, shall be deemed located and assessed in the assessment district wherein
17 such public lands are located and shall be assessed in no other assessment district.
18 Saw logs or timber shall be deemed in transit when the same are being transported.
19 On or before January 10 in each year the owner of such logs or timber shall furnish
20 the assessor of the assessment district wherein they are assessable a verified
21 statement of the amount, character and value of all such logs and timber. If the
22 owner of any such logs or timber shall fail or refuse to furnish such statement or shall
23 intentionally make a false statement, he or she is subject to the penalties prescribed
24 by s. 70.36. This subsection shall supersede any provision of law in conflict
25 therewith. The term "owner" as used in this subsection is deemed to mean the person

ASSEMBLY BILL 43**SECTION 1293**

1 owning the logs or timber at the time of severing. "Public lands" as used in this
2 subsection shall mean lands owned by the United States of America, the state of
3 Wisconsin or any political subdivision of this state.

4 **SECTION 1294.** 70.15 (2) of the statutes is amended to read:

5 70.15 (2) The owner of any steam vessel, barge, boat, or other water craft,
6 hailing from any port of this state, "and so employed regularly in interstate traffic,"
7 desiring to comply with the terms of this section, shall annually, on or before the first
8 day of January, file with the clerk of such town, village, or city a verified statement,
9 in writing, containing the name, port of hail, tonnage, and name of owner of such
10 steam vessel, barge, boat, or other water craft, and shall thereupon pay into the said
11 treasury of such town, village, or city a sum equal to one cent per net ton of the
12 registered tonnage of said vessel, and the treasurer shall thereupon issue a receipt.
13 All vessels, boats, or other water craft not regularly employed in interstate traffic
14 and all private yachts or pleasure boats belonging to inhabitants of this state,
15 whether at home or abroad, shall be taxed as personal property for taxes levied before
16 January 1, 2024.

17 **SECTION 1295.** 70.17 (1) of the statutes is amended to read:

18 70.17 (1) Real property shall be entered in the name of the owner, if known to
19 the assessor, otherwise to the occupant thereof if ascertainable, and otherwise
20 without any name. The person holding the contract or certificate of sale of any real
21 property contracted to be sold by the state, but not conveyed, shall be deemed the
22 owner for such purpose. The undivided real estate of any deceased person may be
23 entered to the heirs of such person without designating them by name. The real
24 estate of an incorporated company shall be entered in the same manner as that of an

ASSEMBLY BILL 43**SECTION 1295**

1 individual. ~~Improvements on leased lands may be assessed either as real property~~
2 ~~or personal property.~~

3 **SECTION 1296.** 70.17 (3) of the statutes is created to read:

4 70.17 (3) Beginning with the property tax assessments applicable to the
5 January 1, 2024, assessment year, the following shall be assessed as real property:

6 (a) Manufactured and mobile homes under s. 70.043 (1) or (2), not otherwise
7 exempt from taxation under this chapter.

8 (b) Advertising signs except those qualifying as personal property under s.
9 70.04 (3).

10 (c) Buildings, improvements, and fixtures on leased lands.

11 (d) Buildings, improvements, and fixtures on exempt lands, not otherwise
12 exempt from taxation under this chapter. The assessor may create an assessor's plat
13 under s. 70.27 for the assessment of taxable buildings, improvements, and fixtures
14 on land not subject to taxation.

15 (e) Buildings, improvements, and fixtures on forest croplands.

16 (f) Buildings, improvements, and fixtures on managed forest lands.

17 **SECTION 1297.** 70.17 (4) of the statutes is created to read:

18 70.17 (4) For purposes of sub. (3), buildings, improvements, and fixtures do not
19 include personal property defined under s. 70.04 (3).

20 **SECTION 1298.** 70.174 of the statutes is amended to read:

21 **70.174 Improvements on government-owned land.** Improvements made
22 by any person on land within this state owned by the United States ~~may~~ shall be
23 assessed ~~either as real or personal property to the person making the same, if~~
24 ~~ascertainable, and otherwise to the occupant thereof or the person receiving benefits~~
25 ~~therefrom~~ as provided under s. 70.17 (3).

ASSEMBLY BILL 43**SECTION 1299**

1 **SECTION 1299.** 70.18 of the statutes is amended to read:

2 **70.18 Personal property, to whom assessed. (1)** ~~Personal~~ For assessments
3 made before January 1, 2024, personal property shall be assessed to the owner
4 thereof, except that when it is in the charge or possession of some person other than
5 the owner it may be assessed to the person so in charge or possession of the same.
6 Telegraph and telephone poles, posts, railroad ties, lumber, and all other
7 manufactured forest products shall be deemed to be in the charge or possession of the
8 person in occupancy or possession of the premises upon which the same shall be
9 stored or piled, and the same shall be assessed to such person, unless the owner or
10 some other person residing in the same assessment district, shall be actually and
11 actively in charge and possession thereof, in which case it shall be assessed to such
12 resident owner or other person so in actual charge or possession; but nothing
13 contained in this subsection shall affect or change the rules prescribed in s. 70.13
14 respecting the district in which such property shall be assessed.

15 **(2)** ~~Goods~~ For assessments made before January 1, 2024, goods, wares, and
16 merchandise in storage in a commercial storage warehouse or on a public wharf shall
17 be assessed to the owner thereof and not to the warehouse or public wharf, if the
18 operator of the warehouse or public wharf furnishes to the assessor the names and
19 addresses of the owners of all goods, wares, and merchandise not exempt from
20 taxation.

21 **SECTION 1300.** 70.19 of the statutes is amended to read:

22 **70.19 Assessment, how made; liability and rights of representative. (1)**
23 ~~When~~ For assessments made before January 1, 2024, when personal property is
24 assessed under s. 70.18 (1) to a person in charge or possession of the personal
25 property other than the owner, the assessment of that personal property shall be

ASSEMBLY BILL 43**SECTION 1300**

1 entered upon the assessment roll separately from the assessment of that person's
2 own personal property, adding to the person's name upon the tax roll words briefly
3 indicating that the assessment is made to the person as the person in charge or
4 possession of the property. The failure to enter the assessment separately or to
5 indicate the representative capacity or other relationship of the person assessed
6 shall not affect the validity of the assessment.

7 (2) The For assessments made before January 1, 2024, the person assessed
8 under sub. (1) and s. 70.18 (1) is personally liable for the tax on the property. The
9 person assessed under sub. (1) and s. 70.18 (1) has a personal right of action against
10 the owner of the property for the amount of the taxes; has a lien for that amount upon
11 the property with the rights and remedies for the preservation and enforcement of
12 that lien as provided in ss. 779.45 and 779.48; and is entitled to retain possession of
13 the property until the owner of the property pays the tax on the property or
14 reimburses the person assessed for the tax. The lien and right of possession relate
15 back and exist from the time that the assessment is made, but may be released and
16 discharged by giving to the person assessed such undertaking or other indemnity as
17 the person accepts or by giving the person assessed a bond in the amount and with
18 the sureties as is directed and approved by the circuit court of the county in which
19 the property is assessed, upon 8 days' notice to the person assessed. The bond shall
20 be conditioned to hold the person assessed free and harmless from all costs, expense,
21 liability, or damage by reason of the assessment.

22 **SECTION 1301.** 70.20 of the statutes is amended to read:

23 **70.20 Owner's liability when personalty assessed to another; action to**
24 **collect.** (1) When For assessments made before January 1, 2024, when personal
25 property shall be assessed to some person in charge or possession thereof, other than

ASSEMBLY BILL 43**SECTION 1301**

1 the owner, such owner as well as the person so in charge or possession shall be liable
2 for the taxes levied pursuant to such assessment; and the liability of such owner may
3 be enforced in a personal action as for a debt. Such action may be brought in the name
4 of the town, city or village in which such assessment was made, if commenced before
5 the time fixed by law for the return of delinquent taxes, by direction of the treasurer
6 or tax collector of such town, city or village. If commenced after such a return, it shall
7 be brought in the name of the county or other municipality to the treasurer or other
8 officer of which such return shall be made, by direction of such treasurer or other
9 officer. Such action may be brought in any court of this state having jurisdiction of
10 the amount involved and in which jurisdiction may be obtained of the person of such
11 owner or by attachment of the property of such owner.

12 (2) The For assessments made before January 1, 2024, the remedy of
13 attachment may be allowed in such action upon filing an affidavit of the officer by
14 whose direction such action shall be brought, showing the assessment of such
15 property in the assessment district, the amount of tax levied pursuant thereto, that
16 the defendant was the owner of such property at the time as of which the assessment
17 thereof was made, and that such tax remains unpaid in whole or in part, and the
18 amount remaining unpaid. The proceedings in such actions and for enforcement of
19 the judgment obtained therein shall be the same as in ordinary actions for debt as
20 near as may be, but no property shall be exempt from attachment or execution issued
21 upon a judgment against the defendant in such action.

22 (3) The For assessments made before January 1, 2024, and taxes levied before
23 January 1, 2024, the assessment and tax rolls in which such assessment and tax
24 shall be entered shall be prima facie evidence of such assessment and tax and of the
25 justice and regularity thereof; and the same, with proof of the ownership of such

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1 property by the defendant at the time as of which the assessment was made and of
2 the nonpayment of such tax, shall be sufficient to establish the liability of the
3 defendant. Such liability shall not be affected and such action shall not be defeated
4 by any omission or irregularity in the assessment or tax proceedings not affecting the
5 substantial justice and equity of the tax. The provisions of this section shall not
6 impair or affect the remedies given by other provisions of law for the collection or
7 enforcement of such tax against the person to whom the property was assessed.

8 **SECTION 1302.** 70.21 (1) of the statutes is amended to read:

9 70.21 (1) ~~Except~~ For assessments made before January 1, 2024, except as
10 provided in sub. (2), the personal property of a partnership may be assessed in the
11 names of the persons composing the partnership, so far as known or in the firm name
12 or title under which the partnership business is conducted, and each partner shall
13 be liable for the taxes levied on the partnership's personal property.

14 **SECTION 1303.** 70.21 (1m) (intro.) of the statutes is amended to read:

15 70.21 (1m) (intro.) ~~Undistributed~~ For assessments made before January 1,
16 2024, undistributed personal property belonging to the estate of a decedent shall be
17 assessed as follows:

18 **SECTION 1304.** 70.21 (2) of the statutes is amended to read:

19 70.21 (2) ~~The~~ For assessments made before January 1, 2024, the personal
20 property of a limited liability partnership shall be assessed in the name of the
21 partnership, and each partner shall be liable for the taxes levied thereon only to the
22 extent permitted under s. 178.0306.

23 **SECTION 1305.** 70.22 (1) of the statutes is amended to read:

24 70.22 (1) ~~In~~ For assessments made before January 1, 2024, in case one or more
25 of 2 or more personal representatives or trustees of the estate of a decedent who died

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1 domiciled in this state are not residents of the state, the taxable personal property
2 belonging to the estate shall be assessed to the personal representatives or trustees
3 residing in this state. In case there are 2 or more personal representatives or trustees
4 of the same estate residing in this state, but in different taxation districts, the
5 assessment of the taxable personal property belonging to the estate shall be in the
6 names of all of the personal representatives or trustees of the estate residing in this
7 state. In case no personal representative or trustee resides in this state, the taxable
8 personal property belonging to the estate may be assessed in the name of the
9 personal representative or trustee, or in the names of all of the personal
10 representatives or trustees if there are more than one, or in the name of the estate.

11 **SECTION 1306.** 70.22 (2) (a) of the statutes is amended to read:

12 70.22 (2) (a) The For taxes levied before January 1, 2024, the taxes imposed
13 pursuant to an assessment under sub. (1) may be enforced as a claim against the
14 estate, upon presentation of a claim for the taxes by the treasurer of the taxation
15 district to the court in which the proceedings for the probate of the estate are
16 pending. Upon due proof, the court shall allow and order the claim to be paid.

17 **SECTION 1307.** 70.27 (1) of the statutes is amended to read:

18 70.27 (1) WHO MAY ORDER. Whenever any area of platted or unplatted land is
19 or land and the buildings, improvements, and fixtures on that land are owned by 2
20 or more persons in severalty, and when in the judgment of the governing body having
21 jurisdiction, the description of one or more of the different parcels thereof cannot be
22 made sufficiently certain and accurate for the purposes of assessment, taxation, or
23 tax title procedures without noting the correct metes and bounds of the same, or
24 when such gross errors exist in lot measurements or locations that difficulty is
25 encountered in locating new structures, public utilities, or streets, such governing

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1 body may cause a plat to be made for such purposes. Such plat shall be called
2 “assessor’s plat,” and shall plainly define the applicable boundary of each parcel,
3 building, improvement, and fixture, and each street, alley, lane, or roadway, or
4 dedication to public or special use, as such is evidenced by the records of the register
5 of deeds or a court of record. Such plats in cities may be ordered by the city council,
6 in villages by the village board, in towns by the town board, or the county board. A
7 plat or part of a plat included in an assessor’s plat shall be deemed vacated to the
8 extent it is included in or altered by an assessor’s plat. The actual and necessary
9 costs and expenses of making assessors’ plats shall be paid out of the treasury of the
10 city, village, town, or county whose governing body ordered the plat, and all or any
11 part of such cost may be charged to the land property, without inclusion of
12 improvements, so platted in the proportion that the last assessed valuation of each
13 parcel bears to the last assessed total valuation of all lands property included in the
14 assessor’s plat, and collected as a special assessment on such land property, as
15 provided by s. 66.0703.

16 **SECTION 1308.** 70.27 (3) (a) of the statutes is amended to read:

17 70.27 (3) (a) Reference to any land, or land and the buildings, improvements,
18 and fixtures on that land as it the reference appears on a recorded assessor’s plat is
19 deemed sufficient for purposes of assessment and taxation. Conveyance may be
20 made by reference to such plat and shall be as effective to pass title to the land so
21 described as it would be if the same premises had been described by metes and
22 bounds. Such plat or record thereof shall be received in evidence in all courts and
23 places as correctly describing the several parcels of land or land and the buildings,
24 improvements, and fixtures on that land therein designated. After an assessor’s plat
25 has been made and recorded with the register of deeds as provided by this section,

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1 all conveyances of lands or land and the buildings, improvements, and fixtures on
2 that land included in such assessor's plat shall be by reference to such plat. Any
3 instrument dated and acknowledged after September 1, 1955, purporting to convey,
4 mortgage, or otherwise give notice of an interest in land or land and the buildings,
5 improvements, and fixtures on that land that is within or part of an assessor's plat
6 shall describe the affected land by the name of the assessor's plat, lot, block, or outlot.

7 **SECTION 1309.** 70.27 (4) of the statutes is amended to read:

8 70.27 (4) AMENDMENTS. Amendments or corrections to an assessor's plat may
9 be made at any time by the governing body by recording with the register of deeds
10 a plat of the area affected by such amendment or correction, made and authenticated
11 as provided by this section. It shall not be necessary to refer to any amendment of
12 the plat, but all assessments or instruments wherein any parcel of land is or land and
13 the buildings, improvements, and fixtures on that land are described as being in an
14 assessor's plat, shall be construed to mean the assessor's plat of lands or land and
15 the buildings, improvements, and fixtures on that land with its amendments or
16 corrections as it stood on the date of making such assessment or instrument, or such
17 plats may be identified by number. This subsection does not prohibit the division of
18 lands or land and the buildings, improvements, and fixtures on that land that are
19 included in an assessor's plat by subdivision plat, as provided in s. 236.03, or by
20 certified survey map, as provided in s. 236.34.

21 **SECTION 1310.** 70.27 (5) of the statutes is amended to read:

22 70.27 (5) SURVEYS, RECONCILIATIONS. The surveyor making the plat shall be a
23 professional land surveyor licensed under ch. 443 and shall survey and lay out the
24 boundaries of each parcel, building, improvement, fixture, street, alley, lane,
25 roadway, or dedication to public or private use, according to the records of the register

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1 of deeds, and whatever evidence that may be available to show the intent of the buyer
2 and seller, in the chronological order of their conveyance or dedication, and set
3 temporary monuments to show the results of such survey which shall be made
4 permanent upon recording of the plat as provided for in this section. The map shall
5 be at a scale of not more than 100 feet per inch, unless waived in writing by the
6 department of administration under s. 236.20 (2) (L). The owners of record of lands
7 or the land and the buildings, improvements, and fixtures on that land in the plat
8 shall be notified by certified letter mailed to their last-known addresses, in order
9 that they shall have opportunity to examine the map, view the temporary
10 monuments, and make known any disagreement with the boundaries as shown by
11 the temporary monuments. It is the duty of the professional land surveyor making
12 the plat to reconcile any discrepancies that may be revealed so that the plat as
13 certified to the governing body is in conformity with the records of the register of
14 deeds as nearly as is practicable. When boundary lines between adjacent parcels, as
15 evidenced on the ground, are mutually agreed to in writing by the owners of record,
16 those lines shall be the true boundaries for all purposes thereafter, even though they
17 may vary from the metes and bounds descriptions previously of record. Such written
18 agreements shall be recorded in the office of the register of deeds. On every assessor's
19 plat, as certified to the governing body, shall appear the document number of the
20 record and, if given on the record, the volume and page where the record is recorded
21 for the record that contains the metes and bounds description of each parcel, as
22 recorded in the office of the register of deeds, which shall be identified with the
23 number by which such parcel is designated on the plat, except that a lot that has been
24 conveyed or otherwise acquired but upon which no deed is recorded in the office of

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1 register of deeds may be shown on an assessor's plat and when so shown shall contain
2 a full metes and bounds description.

3 **SECTION 1311.** 70.27 (7) (b) of the statutes is amended to read:

4 70.27 (7) (b) A clear and concise description of the land or the land and the
5 buildings, improvements, and fixtures on that land so surveyed and mapped, by
6 government lot, quarter quarter-section, township, range and county, or if located
7 in a city or village or platted area, then according to the plat; otherwise by metes and
8 bounds beginning with some corner marked and established in the United States
9 land survey.

10 **SECTION 1312.** 70.29 of the statutes is amended to read:

11 **70.29 Personalty, how entered.** ~~The~~ For assessments made before January
12 1, 2024, the assessor shall place in one distinct and continuous part of the assessment
13 roll all the names of persons assessed for personal property, with a statement of such
14 property in each village in the assessor's assessment district, and foot up the
15 valuation thereof separately; otherwise the assessor shall arrange all names of
16 persons assessed for personal property on the roll alphabetically so far as convenient.
17 The assessor shall also place upon the assessment roll, in a separate column and
18 opposite the name of each person assessed for personal property, the number of the
19 school district in which such personal property is subject to taxation.

20 **SECTION 1313.** 70.30 (intro.) of the statutes is amended to read:

21 **70.30 Aggregate values.** (intro.) ~~Every~~ For assessments made before
22 January 1, 2024, every assessor shall ascertain and set down in separate columns
23 prepared for that purpose on the assessment roll and opposite to the names of all
24 persons assessed for personal property the number and value of the following named

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1 items of personal property assessed to such person, which shall constitute the
2 assessed valuation of the several items of property therein described, to wit:

3 **SECTION 1314.** 70.32 (1) of the statutes is amended to read:

4 70.32 (1) Real property shall be valued by the assessor in the manner specified
5 in the Wisconsin property assessment manual provided under s. 73.03 (2a) at its
6 highest and best use from actual view or from the best information that the assessor
7 can practicably obtain, at the full value which could ordinarily be obtained therefor
8 at private sale. In determining the value, the assessor shall consider recent
9 arm's-length sales of the property to be assessed if according to professionally
10 acceptable appraisal practices those sales conform to recent arm's-length sales of
11 reasonably comparable property; recent arm's-length sales of reasonably
12 comparable property; and all factors that, according to professionally acceptable
13 appraisal practices, affect the value of the property to be assessed. In this subsection,
14 "arm's-length sale" means a sale between a willing buyer and willing seller, neither
15 being under compulsion to buy or sell and each being familiar with the attributes of
16 the property sold. In this subsection, "highest and best use" means the specific
17 current use of the property or a higher use for which the property may be used as of
18 the current assessment date, if the property is marketable for that use and the use
19 is legally permissible, physically possible, not highly speculative, and financially
20 feasible and provides the highest net return. When the current use of a property is
21 the highest and best use of that property, value in the current use equals full market
22 value. In this subsection, "legally permissible" does not include a conditional use
23 that has not been granted as of the assessment date.

24 **SECTION 1315.** 70.32 (1b) of the statutes is created to read:

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1 70.32 (1b) In determining the value of real property under sub. (1), the assessor
2 may consider, as part of the valuation under sub. (1), any lease provisions and actual
3 rent pertaining to a property and affecting its value, including the lease provisions
4 and rent associated with a sale and leaseback of the property, if all such lease
5 provisions and rent are the result of an arm's-length transaction involving persons
6 who are not related in any of the ways specified under section 267 (b) of the Internal
7 Revenue Code for the year of the transaction. The assessor shall reconcile the results
8 of such consideration with the professionally acceptable appraisal practices
9 regarding reasonably comparable sales, the cost approach, and other methods
10 specified in the Wisconsin property assessment manual provided under s. 73.03 (2a).
11 In this subsection, an "arm's-length transaction" means an agreement between
12 willing parties, neither being under compulsion to act and each being familiar with
13 the attributes of the property.

14 **SECTION 1316.** 70.32 (1d) of the statutes is created to read:

15 70.32 (1d) (a) To determine the value of property using generally accepted
16 appraisal methods, the assessor shall consider all of the following as comparable to
17 the property being assessed:

18 1. Sales or rentals of properties exhibiting the same or a similar highest and
19 best use with placement in the same real estate market segment.

20 2. Sales or rentals of properties that are similar to the property being assessed
21 with regard to age, condition, use, type of construction, location, design, physical
22 features, and economic characteristics, including similarities in occupancy and the
23 the potential to generate rental income. For purposes of this subdivision, such
24 properties may be found locally, regionally, or nationally.

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1 (b) For purposes of par. (a), a property is not comparable if any of the following
2 applies:

3 1. At or before the time of sale, the seller places any deed restriction on the
4 property that changes the highest and best use of the property, or prohibits
5 competition, so that it no longer qualifies as a comparable property under par. (a) 1.
6 or 2. and the property being assessed lacks such a restriction.

7 2. The property is dark property and the property being assessed is not dark
8 property. In this subdivision, "dark property" means property that is vacant or
9 unoccupied beyond the normal period for property in the same real estate market
10 segment. For purposes of this subdivision, what is considered vacant or unoccupied
11 beyond the normal period may vary depending on the property location.

12 (c) For purposes of par. (a), "highest and best use" has the meaning given in s.
13 70.32 (1).

14 (d) For purposes of par. (a), "real estate market segment" means a pool of
15 potential buyers and sellers that typically buy or sell properties similar to the
16 property being assessed, including potential buyers who are investors or
17 owner-occupants. For purposes of this paragraph, and depending on the type of
18 property being assessed, the pool of potential buyers and sellers may be found locally,
19 regionally, nationally, or internationally.

20 **SECTION 1317.** 70.34 of the statutes is amended to read:

21 **70.34 Personalty.** All For assessments made before January 1, 2024, all
22 articles of personal property shall, as far as practicable, be valued by the assessor
23 upon actual view at their true cash value; and after arriving at the total valuation
24 of all articles of personal property which the assessor shall be able to discover as
25 belonging to any person, if the assessor has reason to believe that such person has

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1 other personal property or any other thing of value liable to taxation, the assessor
2 shall add to such aggregate valuation of personal property an amount which, in the
3 assessor's judgment, will render such aggregate valuation a just and equitable
4 valuation of all the personal property liable to taxation belonging to such person. In
5 carrying out the duties imposed on the assessor by this section, the assessor shall act
6 in the manner specified in the Wisconsin property assessment manual provided
7 under s. 73.03 (2a).

8 **SECTION 1318.** 70.345 of the statutes is amended to read:

9 **70.345 Legislative intent; department of revenue to supply**
10 **information.** ~~The~~ For assessments made before January 1, 2024, the assessor shall
11 exercise particular care so that personal property as a class on the assessment rolls
12 bears the same relation to statutory value as real property as a class. To assist the
13 assessor in determining the true relationship between real estate and personal
14 property the department of revenue shall make available to local assessors
15 information including figures indicating the relationship between personal property
16 and real property on the last assessment rolls.

17 **SECTION 1319.** 70.35 (1) of the statutes is amended to read:

18 **70.35 (1)** ~~To~~ For assessments made before January 1, 2024, to determine the
19 amount and value of any personal property for which any person, firm, or corporation
20 should be assessed, any assessor may examine such person or the managing agent
21 or officer of any firm or corporation under oath as to all such items of personal
22 property, the taxable value thereof as defined in s. 70.34 if the property is taxable.
23 In the alternative the assessor may require such person, firm, or corporation to
24 submit a return of such personal property and of the taxable value thereof. There
25 shall be annexed to such return the declaration of such person or of the managing

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1 agent or officer of such firm or corporation that the statements therein contained are
2 true.

3 **SECTION 1320.** 70.35 (2) of the statutes is amended to read:

4 70.35 (2) The For assessments made before January 1, 2024, the return shall
5 be made and all the information therein requested given by such person on a form
6 prescribed by the assessor with the approval of the department of revenue which
7 shall provide suitable schedules for such information bearing on value as the
8 department deems necessary to enable the assessor to determine the true cash value
9 of the taxable personal property that is owned or in the possession of such person on
10 January 1 as provided in s. 70.10. The return may contain methods of deriving
11 assessable values from book values and for the conversion of book values to present
12 values, and a statement as to the accounting method used. No person shall be
13 required to take detailed physical inventory for the purpose of making the return
14 required by this section.

15 **SECTION 1321.** 70.35 (3) of the statutes is amended to read:

16 70.35 (3) ~~Each~~ For assessments made before January 1, 2024, each return shall
17 be filed with the assessor on or before March 1 of the year in which the assessment
18 provided by s. 70.10 is made. The assessor, for good cause, may allow a reasonable
19 extension of time for filing the return. All returns filed under this section shall be
20 the confidential records of the assessor's office, except that the returns shall be
21 available for use before the board of review as provided in this chapter. No return
22 required under this section is controlling on the assessor in any respect in the
23 assessment of any property.

24 **SECTION 1322.** 70.35 (4) of the statutes is amended to read:

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1 70.35 (4) ~~Any~~ For assessments made before January 1, 2024, any person, firm
2 or corporation who refuses to so testify or who fails, neglects or refuses to make and
3 file the return of personal property required by this section shall be denied any right
4 of abatement by the board of review on account of the assessment of such personal
5 property unless such person, firm, or corporation shall make such return to such
6 board of review together with a statement of the reasons for the failure to make and
7 file the return in the manner and form required by this section.

8 **SECTION 1323.** 70.35 (5) of the statutes is amended to read:

9 70.35 (5) ~~In~~ For assessments made before January 1, 2024, in the event that
10 the assessor or the board of review should desire further evidence they may call upon
11 other persons as witnesses to give evidence under oath as to the items and value of
12 the personal property of any such person, firm or corporation.

13 **SECTION 1324.** 70.36 (1) of the statutes is amended to read:

14 70.36 (1) ~~Any~~ For assessments made before January 1, 2024, any person in this
15 state owning or holding any personal property that is subject to assessment,
16 individually or as agent, trustee, guardian, personal representative, assignee, or
17 receiver or in some other representative capacity, who intentionally makes a false
18 statement to the assessor of that person's assessment district or to the board of
19 review of the assessment district with respect to the property, or who omits any
20 property from any return required to be made under s. 70.35, with the intent of
21 avoiding the payment of the just and proportionate taxes on the property, shall forfeit
22 the sum of \$10 for every \$100 or major fraction of \$100 so withheld from the
23 knowledge of the assessor or board of review.

24 **SECTION 1325.** 70.36 (2) of the statutes is amended to read:

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1 70.36 (2) ~~It~~ For assessments made before January 1, 2024, it is hereby made
2 the duty of the district attorney of any county, upon complaint made to the district
3 attorney by the assessor or by a member of the board of review of the assessment
4 district in which it is alleged that property has been so withheld from the knowledge
5 of such assessor or board of review, or not included in any return required by s. 70.35,
6 to investigate the case forthwith and bring an action in the name of the state against
7 the person, firm or corporation so complained of. All forfeitures collected under the
8 provisions of this section shall be paid into the treasury of the taxation district in
9 which such property had its situs for taxation.

10 **SECTION 1326.** 70.43 (2) of the statutes is amended to read:

11 70.43 (2) If the assessor discovers a palpable error in the assessment of a tract
12 of real estate or an item of personal property for personal property assessments made
13 before January 1, 2024, that results in the tract or property having an inaccurate
14 assessment for the preceding year, the assessor shall correct that error by adding to
15 or subtracting from the assessment for the preceding year. The result shall be the
16 true assessed value of the property for the preceding year. The assessor shall make
17 a marginal note of the correction on that year's assessment roll.

18 **SECTION 1327.** 70.44 (1) of the statutes is amended to read:

19 70.44 (1) Real ~~or personal~~ property omitted from assessment in any of the 2
20 next previous years or personal property assessments made before January 1, 2024,
21 and omitted from any of the 2 next previous years, unless previously reassessed for
22 the same year or years, shall be entered once additionally for each previous year of
23 such omission, designating each such additional entry as omitted for the year of
24 omission and affixing a just valuation to each entry for a former year as the same
25 should then have been assessed according to the assessor's best judgment, and taxes

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1 shall be apportioned, using the net tax rate as provided in s. 70.43, and collected on
2 the tax roll for such entry. This section shall not apply to manufacturing property
3 assessed by the department of revenue under s. 70.995.

4 **SECTION 1328.** 70.47 (7) (aa) of the statutes is amended to read:

5 70.47 (7) (aa) No person shall be allowed to appear before the board of review,
6 to testify to the board by telephone or to contest the amount of any assessment of real
7 or personal property if the person has refused a reasonable written request by
8 certified mail of the assessor to enter onto property to conduct an exterior view of the
9 real or personal property being assessed.

10 **SECTION 1329.** 70.47 (8) (intro.) of the statutes is amended to read:

11 70.47 (8) HEARING. (intro.) The board shall hear upon oath all persons who
12 appear before it in relation to the assessment. Instead of appearing in person at the
13 hearing, the board may allow the property owner, or the property owner's
14 representative, at the request of either person, to appear before the board, under
15 oath, by telephone or to submit written statements, under oath, to the board. The
16 board shall hear upon oath, by telephone, all ill or disabled persons who present to
17 the board a letter from a physician, physician assistant, or advanced practice
18 registered nurse prescriber certified under s. 441.16 (2) licensed under ch. 441 that
19 confirms their illness or disability. At the request of the property owner or the
20 property owner's representative, the board may postpone and reschedule a hearing
21 under this subsection, but may not postpone and reschedule a hearing more than
22 once during the same session for the same property. The board at such hearing shall
23 proceed as follows:

24 **SECTION 1330.** 70.49 (2) of the statutes is amended to read:

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1 70.49 (2) The value of all ~~real and personal~~ property entered into the
2 assessment roll to which such affidavit is attached by the assessor shall, in all actions
3 and proceedings involving such values, be presumptive evidence that all such
4 properties have been justly and equitably assessed in proper relationship to each
5 other.

6 **SECTION 1331.** 70.50 of the statutes is amended to read:

7 **70.50 Delivery of roll.** Except in counties that have a county assessment
8 system under s. 70.99 and in cities of the 1st class and in 2nd class cities that have
9 a board of assessors under s. 70.075 the assessor shall, on or before the first Monday
10 in May, deliver the completed assessment roll and all the sworn statements and
11 ~~valuations of personal property~~ to the clerk of the town, city, or village, who shall file
12 and preserve them in the clerk's office. On or before the first Monday in April, a
13 county assessor under s. 70.99 shall deliver the completed assessment roll and all
14 sworn statements and ~~valuations of personal property~~ to the clerks of the towns,
15 cities, and villages in the county, who shall file and preserve them in the clerk's office.

16 **SECTION 1332.** 70.52 of the statutes is amended to read:

17 **70.52 Clerks to examine and correct rolls.** Each city, village, and town
18 clerk upon receipt of the assessment roll shall carefully examine the roll. The clerk
19 shall correct all double assessments, imperfect descriptions, and other errors
20 apparent on the roll, and correct the value of parcels of real property not liable to
21 taxation. The clerk shall add to the roll any parcel of real property not listed on the
22 assessment roll ~~or item of personal property omitted from the roll~~ and immediately
23 notify the assessors of the additions and omissions. The assessors shall immediately
24 view and value the omitted property and certify the valuation to the clerk. The clerk
25 shall enter the valuation and property classification on the roll, and the valuation

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1 shall be final. To enable the clerk to properly correct defective descriptions, the clerk
2 may request aid, when necessary, from the county surveyor, whose fees for the
3 services rendered shall be paid by the city, village, or town.

4 **SECTION 1333.** 70.53 (1) (a) of the statutes is repealed.

5 **SECTION 1334.** 70.65 (2) (a) 2. of the statutes is amended to read:

6 70.65 (2) (a) 2. ~~Identify~~ For assessments made before January 1, 2024, identify
7 the name and address of the owners of all taxable personal property within the
8 taxation district and the assessed value of each owner's taxable personal property.

9 **SECTION 1335.** 70.65 (2) (b) (intro.) of the statutes is amended to read:

10 70.65 (2) (b) (intro.) With respect to each description of real property and each
11 owner of taxable personal property and the personal property assessments made
12 before January 1, 2024:

13 **SECTION 1336.** 70.68 (1) of the statutes is amended to read:

14 70.68 (1) COLLECTION IN CERTAIN CITIES. ~~In~~ For taxes levied before January 1,
15 2024, in cities authorized to act under s. 74.87, the chief of police shall collect all state,
16 county, city, school, and other taxes due on personal property as shall then remain
17 unpaid, and the chief of police shall possess all the powers given by law to town
18 treasurers for the collection of such taxes, and be subject to the liabilities and entitled
19 to the same fees as town treasurers in such cases, but such fees shall be turned over
20 to the city treasurer and become a part of the general fund.

21 **SECTION 1337.** 70.73 (1) (b) of the statutes is amended to read:

22 70.73 (1) (b) If a town, village, or city clerk or treasurer discovers that personal
23 property has been assessed to the wrong person for assessments made before
24 January 1, 2024, or 2 or more parcels of land belonging to different persons have been
25 erroneously assessed together on the tax roll, the clerk or treasurer shall notify the

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1 assessor and all parties interested, if the parties are residents of the county, by notice
2 in writing to appear at the clerk's office at some time, not less than 5 days thereafter,
3 to correct the assessment roll.

4 **SECTION 1338.** 70.73 (1) (c) of the statutes is amended to read:

5 70.73 (1) (c) At the time and place designated in the notice given under par. (b),
6 the assessment roll shall be corrected by entering the correct names of the persons
7 liable to assessment, ~~both as to real and personal property~~, describing each parcel of
8 land and giving the proper valuation to each parcel separately owned. The total
9 valuation given to the separate tracts of real estate shall be equal to the valuation
10 given to the same property when the several parcels were assessed together.

11 **SECTION 1339.** 70.84 of the statutes is amended to read:

12 **70.84 Inequalities may be corrected in subsequent year.** If any such
13 reassessment cannot be completed in time to take the place of the original
14 assessment made in such district for said year, the clerk of the district shall levy and
15 apportion the taxes for that year upon the basis of the original assessment roll, and
16 when the reassessment is completed the inequalities in the taxes levied under the
17 original assessment shall be remedied and compensated in the levy and
18 apportionment of taxes in such district next following the completion of said
19 reassessment in the following manner: Each tract of real estate, and, as to personal
20 property assessments made before January 1, 2024, each taxpayer, whose tax shall
21 be determined by such reassessment to have been relatively too high, shall be
22 credited a sum equal to the amount of taxes charged on the original assessment in
23 excess of the amount which would have been charged had such reassessment been
24 made in time; and each tract of real estate, and, as to personal property assessments
25 made before January 1, 2024, each taxpayer, whose tax shall be determined by such

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1 reassessment to have been relatively too low, shall be charged, in addition to all other
2 taxes, a sum equal to the difference between the amount of taxes charged upon such
3 unequal original assessment and the amount which would have been charged had
4 such reassessment been made in time. The department of revenue, or its authorized
5 agent, shall at any time have access to all assessment and tax rolls herein referred
6 to for the purpose of assisting the local clerk and in order that the results of the
7 reassessment may be carried into effect.

8 **SECTION 1340.** 70.855 (1) (intro.) of the statutes is amended to read:

9 70.855 (1) APPLICABILITY. (intro.) The department of revenue shall assess real
10 ~~and personal~~ property assessed as commercial property under s. 70.32 (2) (a) 2. if all
11 of the following apply:

12 **SECTION 1341.** 70.855 (1) (a) of the statutes is amended to read:

13 70.855 (1) (a) The property owner and the governing body of the municipality
14 where the property is located submit a written request to the department on or before
15 March 1 of the year of the assessment to have the department assess the property
16 owner's real ~~and personal~~ commercial property located in the municipality.

17 **SECTION 1342.** 70.855 (1) (b) of the statutes is amended to read:

18 70.855 (1) (b) The written request submitted under par. (a) specifies the items
19 ~~of personal property and~~ parcels of real property for the department's assessment.

20 **SECTION 1343.** 70.995 (1) (a) of the statutes is amended to read:

21 70.995 (1) (a) In this section "manufacturing property" includes all lands,
22 ~~buildings, structures and other~~ real property, as defined in s. 70.03, used in
23 manufacturing, assembling, processing, fabricating, making or milling tangible
24 personal property for profit. Manufacturing property also includes warehouses,
25 storage facilities, and office structures when the predominant use of the warehouses,

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1 storage facilities, or offices is in support of the manufacturing property, ~~and all~~
2 ~~personal property owned or used by any person engaged in this state in any of the~~
3 ~~activities mentioned, and used in the activity, including raw materials, supplies,~~
4 ~~machinery, equipment, work in process and finished inventory~~ when located at the
5 site of the activity production process, as defined in s. 70.11 (27) (a) 5.

6 Establishments engaged in assembling component parts of manufactured products
7 are considered manufacturing establishments if the new product is neither a
8 structure nor other fixed improvement. Materials processed by a manufacturing
9 establishment include products of agriculture, forestry, fishing, mining, and
10 quarrying. For the purposes of this section, establishments which engage in mining
11 metalliferous minerals are considered manufacturing establishments.

12 **SECTION 1344.** 70.995 (3) of the statutes is amended to read:

13 70.995 (3) For purposes of subs. (1) and (2) “manufacturing, assembling,
14 processing, fabricating, making or milling” includes the entire productive process
15 and includes such activities as the storage of raw materials, the movement thereof
16 to the first operation thereon, and the packaging, bottling, crating, or similar
17 preparation of products for shipment when located at the site of the production
18 process, as defined in s. 70.11 (27) (a) 5.

19 **SECTION 1345.** 70.995 (4) of the statutes is amended to read:

20 70.995 (4) Whenever real property ~~or tangible personal property~~ is used for
21 one, or some combination, of the processes mentioned in sub. (3) and also for other
22 purposes, the department of revenue, if satisfied that there is substantial use in one
23 or some combination of such processes, may assess the property under this section.
24 For all purposes of this section the department of revenue shall have sole discretion
25 for the determination of what is substantial use and what description of real property

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1 ~~or what unit of tangible personal property~~ shall constitute “the property” to be
2 included for assessment purposes, and, in connection herewith, the department may
3 include in a real property unit, real property owned by different persons. Vacant
4 property designed for use in manufacturing, assembling, processing, fabricating,
5 making, or milling tangible property for profit may be assessed under this section or
6 under s. 70.32 (1), and the period of vacancy may not be the sole ground for making
7 that determination. In those specific instances where a portion of a description of
8 real property includes manufacturing property rented or leased and operated by a
9 separate person which does not satisfy the substantial use qualification for the entire
10 property, the local assessor shall assess the entire real property description ~~and all~~
11 ~~personal property not exempt under s. 70.11 (27). The applicable portions of the~~
12 ~~standard manufacturing property report form under sub. (12) as they relate to~~
13 ~~manufacturing machinery and equipment shall be submitted by such person.~~

14 **SECTION 1346.** 70.995 (5) of the statutes is amended to read:

15 70.995 (5) The department of revenue shall assess all property of
16 manufacturing establishments included under subs. (1) and (2) as of the close of
17 January 1 of each year, if on or before March 1 of that year the department has
18 classified the property as manufacturing or the owner of the property has requested,
19 in writing, that the department make such a classification and the department later
20 does so. A change in ownership, ~~location,~~ or name of the manufacturing
21 establishment does not necessitate a new request. In assessing lands from which
22 metalliferous minerals are being extracted and valued for purposes of the tax under
23 s. 70.375, the value of the metalliferous mineral content of such lands shall be
24 excluded.

25 **SECTION 1347.** 70.995 (5n) of the statutes is created to read:

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1 70.995 (5n) (a) If the department of revenue determines that an establishment
2 is engaged in manufacturing, as defined in subs. (1), (2), and (3), the department may
3 classify the establishment as manufacturing. The establishment shall submit a
4 written request on or before July 1 of the year for which classification is desired, as
5 provided under s. 71.07 (5n) (a) 9. c. or 71.28 (5n) (a) 9. c.

6 (b) The department may at any time investigate or audit requests submitted
7 under par. (a) and may revoke a classification. An establishment that submits a
8 request under par. (a) shall notify the department within 60 days of any termination
9 of manufacturing activity.

10 (c) On or before December 31 of the year in which a request is timely submitted
11 under par. (a), the department shall issue a notice of determination responding to the
12 timely request. The department may, in its sole discretion, issue a notice of
13 determination by December 31 for requests received after July 1 of the year in which
14 classification is desired. The notice shall be in writing and shall be sent by 1st class
15 mail or electronic mail. In addition, the notice shall specify that objections to the
16 decision shall be filed with the state board of assessors no later than 60 days after
17 the date of the notice, that a fee of \$200 shall be paid when the objection is filed, and
18 that the objection is not filed until the fee is paid.

19 (d) For purposes of this subsection, an objection is considered timely filed if
20 received by the state board of assessors no later than 60 days after the date of the
21 notice or sent to the state board of assessors by U.S. postal service certified mail in
22 a properly addressed envelope, with postage paid, that is postmarked before
23 midnight of the last day for filing. Neither the board nor the tax appeals commission
24 may waive the requirement that objections be in writing.

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1 (e) The state board of assessors shall investigate any timely objection filed
2 under par. (d) if the fee specified under par. (c) is paid. The board shall notify the
3 person objecting or the person's agent of its determination by 1st class mail or
4 electronic mail.

5 (f) If a determination of the state board of assessors under par. (e) results in an
6 establishment not being classified as manufacturing, the person having been
7 notified of the determination shall be deemed to have accepted the determination
8 unless the person files a petition for review with the clerk of the tax appeals
9 commission, as provided under s. 73.01 (5) and the rules of practice of the tax appeals
10 commission.

11 **SECTION 1348.** 70.995 (7) (b) of the statutes is amended to read:

12 70.995 (7) (b) Each 5 years, or more frequently if the department of revenue's
13 workload permits and if in the department's judgment it is desirable, the department
14 of revenue shall complete a field investigation or on-site appraisal at full value under
15 ss. s. 70.32 (1) and 70.34 of all manufacturing real property in this state.

16 **SECTION 1349.** 70.995 (8) (b) 1. of the statutes is amended to read:

17 70.995 (8) (b) 1. The department of revenue shall annually notify each
18 manufacturer assessed under this section and the municipality in which the
19 manufacturing property is located of the full value of all real ~~and personal~~ property
20 owned by the manufacturer. The notice shall be in writing and shall be sent by 1st
21 class mail or electronic mail. In addition, the notice shall specify that objections to
22 valuation, amount, or taxability must be filed with the state board of assessors no
23 later than 60 days after the date of the notice of assessment, that objections to a
24 change from assessment under this section to assessment under s. 70.32 (1) must be
25 filed no later than 60 days after the date of the notice, that the fee under par. (c) 1.

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1 or (d) must be paid, and that the objection is not filed until the fee is paid. For
2 purposes of this subdivision, an objection is considered timely filed if received by the
3 state board of assessors no later than 60 days after the date of the notice or sent to
4 the state board of assessors by U.S. postal service certified mail in a properly
5 addressed envelope, with postage paid, that is postmarked before midnight of the
6 last day for filing. A statement shall be attached to the assessment roll indicating
7 that the notices required by this section have been mailed and failure to receive the
8 notice does not affect the validity of the assessments, the resulting tax on real ~~or~~
9 ~~personal~~ property, the procedures of the tax appeals commission or of the state board
10 of assessors, or the enforcement of delinquent taxes by statutory means.

11 **SECTION 1350.** 70.995 (12) (a) of the statutes is amended to read:

12 70.995 (12) (a) The department of revenue shall prescribe a standard
13 manufacturing property report form that shall be submitted annually for each real
14 estate parcel and ~~each personal property account~~ on or before March 1 by all
15 manufacturers whose property is assessed under this section. The report form shall
16 contain all information considered necessary by the department and shall include,
17 without limitation, income and operating statements, fixed asset schedules and a
18 report of new construction or demolition. Failure to submit the report shall result
19 in denial of any right of redetermination by the state board of assessors or the tax
20 appeals commission. If any property is omitted or understated in the manufacturing
21 real estate assessment roll in any of the next 5 previous years, or in a manufacturing
22 personal property assessment roll made before January 1, 2024, the assessor shall
23 enter the value of the omitted or understated property once for each previous year
24 of the omission or understatement. The assessor shall affix a just valuation to each
25 entry for a former year as it should have been assessed according to the assessor's

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1 best judgment. Taxes shall be apportioned and collected on the tax roll for each entry,
2 on the basis of the net tax rate for the year of the omission, taking into account credits
3 under s. 79.10. In the case of omitted property, interest shall be added at the rate of
4 0.0267 percent per day for the period of time between the date when the form is
5 required to be submitted and the date when the assessor affixes the just valuation.
6 In the case of underpayments determined after an objection under sub. (8) (d),
7 interest shall be added at the average annual discount interest rate determined by
8 the last auction of 6-month U.S. treasury bills before the objection per day for the
9 period of time between the date when the tax was due and the date when it is paid.

10 **SECTION 1351.** 70.995 (12r) of the statutes is repealed.

11 **SECTION 1352.** 70.995 (14) (b) of the statutes is amended to read:

12 70.995 (14) (b) If the department of revenue ~~does not receive the fee imposed~~
13 ~~on a municipality~~ imposes a fee under par. (a) ~~by March 31 of each year on a~~
14 municipality, the department shall reduce ~~the~~ a distribution made to the
15 municipality under s. 79.02 (1) in the following year by the amount of the fee. Any
16 amount that is not able to be deducted from a distribution under s. 79.02 (1) shall be
17 directly imposed upon the municipality.

18 **SECTION 1353.** 71.01 (6) of the statutes is repealed and recreated to read:

19 71.01 (6) For individuals and fiduciaries, except fiduciaries of nuclear
20 decommissioning trust or reserve funds, "Internal Revenue Code" has the meaning
21 given in s. 71.99.

22 **SECTION 1354.** 71.01 (7) of the statutes is repealed.

23 **SECTION 1355.** 71.01 (7g) of the statutes is repealed.

24 **SECTION 1356.** 71.01 (7m) of the statutes is repealed.

25 **SECTION 1357.** 71.01 (7n) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 1358**

1 **SECTION 1358.** 71.01 (7r) of the statutes is repealed.

2 **SECTION 1359.** 71.03 (2) (d) (title) of the statutes is amended to read:

3 71.03 (2) (d) (title) ~~*Husband and wife*~~ *Spouses joint filing.*

4 **SECTION 1360.** 71.03 (2) (d) 1. of the statutes is amended to read:

5 71.03 (2) (d) 1. Except as provided in subds. 2. and 3. and par. (e), ~~a husband~~
6 ~~and a wife~~ spouses may file a joint return for income tax purposes even though one
7 of the spouses has no gross income or no deductions.

8 **SECTION 1361.** 71.03 (2) (d) 2. of the statutes is amended to read:

9 71.03 (2) (d) 2. No joint return may be filed if either ~~the husband or wife~~ spouse
10 at any time during the taxable year is a nonresident alien, unless an election is in
11 effect for the taxable year under section 6013 (g) or (h) of the ~~internal revenue code~~
12 Internal Revenue Code.

13 **SECTION 1362.** 71.03 (2) (d) 3. of the statutes is amended to read:

14 71.03 (2) (d) 3. No joint return may be filed if the ~~husband and wife~~ spouses
15 have different taxable years, except that if their taxable years begin on the same day
16 and end on different days because of the death of either or both the joint return may
17 be filed with respect to the taxable year of each unless the surviving spouse remarries
18 before the close of his or her taxable year or unless the taxable year of either spouse
19 is a fractional part of a year under section 443 (a) (1) of the ~~internal revenue code~~
20 Internal Revenue Code.

21 **SECTION 1363.** 71.03 (2) (g) of the statutes is amended to read:

22 71.03 (2) (g) *Joint return following separate return.* Except as provided in par.
23 (i), if an individual has filed a separate return for a taxable year for which a joint
24 return could have been filed by the individual and the individual's spouse under par.
25 (d) or (e) and the time prescribed by law for timely filing the return for that taxable

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1 year has expired, the individual and the individual's spouse may file a joint return
2 for that taxable year. A joint return filed by the ~~husband and wife~~ spouses under this
3 paragraph is their return for that taxable year, and all payments, credits, refunds
4 or other repayments made or allowed with respect to the separate return of each
5 spouse for that taxable year shall be taken into account in determining the extent
6 to which the tax based upon the joint return has been paid. If a joint return is filed
7 under this paragraph, any election, other than the election to file a separate return,
8 made by either spouse in that spouse's separate return for that taxable year with
9 respect to the treatment of any income, deduction or credit of that spouse may not
10 be changed in the filing of the joint return if that election would have been irrevocable
11 if the joint return had not been filed.

12 **SECTION 1364.** 71.03 (2) (m) 2. of the statutes is amended to read:

13 71.03 (2) (m) 2. If ~~a husband and wife~~ spouses change from a joint return to
14 separate returns within the time prescribed in subd. 1., the tax paid on the joint
15 return shall be allocated between them in proportion to the tax liability shown on
16 each separate return.

17 **SECTION 1365.** 71.03 (4) (a) of the statutes is amended to read:

18 71.03 (4) (a) Natural persons whose total income is not in excess of \$10,000 and
19 consists entirely of wages subject to withholding for Wisconsin tax purposes and not
20 more than \$200 total of dividends, interest and other wages not subject to Wisconsin
21 withholding, and who have elected the Wisconsin standard deduction and have not
22 claimed either the credit for homestead property tax relief or deductions for expenses
23 incurred in earning such income, shall, at their election, not be required to record on
24 their income tax returns the amount of the tax imposed on their Wisconsin taxable
25 income. Married persons shall be permitted this election only if the joint income of

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1 the ~~husband and wife~~ spouses does not exceed \$10,000, if both report their incomes
2 on the same joint income tax return form, and if both make this election.

3 **SECTION 1366.** 71.03 (9) of the statutes is created to read:

4 71.03 (9) MEDICAL ASSISTANCE COVERAGE. (a) The department shall include the
5 following questions and explanatory information on each individual income tax
6 return under this section and a method for the taxpayer to respond to each question:

7 1. "Are you, your spouse, your dependent children, or any eligible adult child
8 dependent not covered under a health insurance policy, health plan, or other health
9 care coverage? 'Eligible adult child dependent' means a child who is under the age
10 of 26 who is a full-time student or a child who is under the age of 27 who is called
11 to active duty in the national guard or armed forces reserve while enrolled as a
12 full-time student."

13 2. "If you responded 'yes' to question 1, do you want to have evaluated your
14 eligibility for Medical Assistance under subch. IV of ch. 49 or your eligibility for
15 subsidized health insurance coverage?"

16 (b) For each person who responded "yes" to the question under par. (a) 2., the
17 department shall provide that person's contact information and other relevant
18 information from that person's individual income tax return to the department of
19 health services to perform an evaluation of that person's eligibility under the Medical
20 Assistance program or an evaluation of that person's eligibility for subsidized health
21 insurance coverage through an exchange, as defined under 45 CFR 155.20. The
22 information provided to the department of health services may not be used to
23 determine that the individual is ineligible to enroll in the Medical Assistance
24 program.

25 **SECTION 1367.** 71.05 (1) (am) of the statutes is amended to read:

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1 71.05 (1) (am) *Military retirement systems*. All retirement payments received
2 from the U.S. military employee retirement system, to the extent that such payments
3 are not exempt under par. (a) or sub. (6) (b) 54. or 54m.

4 **SECTION 1368.** 71.05 (1) (an) of the statutes is amended to read:

5 71.05 (1) (an) *Uniformed services retirement benefits*. All retirement payments
6 received from the U.S. government that relate to service with the coast guard, the
7 commissioned corps of the national oceanic and atmospheric administration, or the
8 commissioned corps of the public health service, to the extent that such payments are
9 not exempt under par. (a) or (am) or sub. (6) (b) 54. or 54m.

10 **SECTION 1369.** 71.05 (6) (a) 15. of the statutes is amended to read:

11 71.05 (6) (a) 15. The amount of the credits computed under s. 71.07 (2dm),
12 (2dx), (2dy), (3g), (3h), (3n), (3q), (3s), (3t), (3w), (3wm), (3y), (4k), (4n), (5e), (5i), (5j),
13 (5k), (5r), (5rm), (6n), (8m), and (10) and not passed through by a partnership, limited
14 liability company, or tax-option corporation that has added that amount to the
15 partnership's, company's, or tax-option corporation's income under s. 71.21 (4) or
16 71.34 (1k) (g).

17 **SECTION 1370.** 71.05 (6) (a) 28. of the statutes is amended to read:

18 71.05 (6) (a) 28. Upon the termination of an account as described under s.
19 16.643 or 224.55, any amount in the account that is returned to an account owner's
20 estate.

21 **SECTION 1371.** 71.05 (6) (a) 30. of the statutes is created to read:

22 71.05 (6) (a) 30. For an account holder, as defined in s. 71.10 (10) (a) 1., or an
23 account holder's estate:

24 a. Any amount distributed under s. 71.10 (10) (d) 2. or 3.

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1 b. Any amount withdrawn from the account created under s. 71.10 (10) (b) 1.
2 for any reason other than payment or reimbursement of eligible costs, as defined in
3 s. 71.10 (10) (a) 4., except that this subd. 30. b. does not apply to the transfer of funds
4 to another account as described in s. 71.10 (10) (c) 4. or to the disbursement of funds
5 pursuant to a filing for bankruptcy protection under 11 USC 101 et seq.

6 **SECTION 1372.** 71.05 (6) (b) 4. (intro.) of the statutes is amended to read:

7 71.05 (6) (b) 4. (intro.) Disability For taxable years beginning before January
8 1, 2023, disability payments other than disability payments that are paid from a
9 retirement plan, the payments from which are exempt under subd. subds. 54. and
10 54m. and sub. (1) (am) and (an), if the individual either is single or is married and
11 files a joint return and is under 65 years of age before the close of the taxable year
12 to which the subtraction relates, retired on disability, and, when the individual
13 retired, was permanently and totally disabled. In this subdivision, “permanently
14 and totally disabled” means an individual who is unable to engage in any substantial
15 gainful activity by reason of any medically determinable physical or mental
16 impairment that can be expected to result in death or which has lasted or can be
17 expected to last for a continuous period of not less than 12 months. An individual
18 shall not be considered permanently and totally disabled for purposes of this
19 subdivision unless proof is furnished in such form and manner, and at such times,
20 as prescribed by the department. The exclusion under this subdivision shall be
21 determined as follows:

22 **SECTION 1373.** 71.05 (6) (b) 4m. of the statutes is created to read:

23 71.05 (6) (b) 4m. For taxable years beginning after December 31, 2022,
24 disability payments other than disability payments that are paid from a retirement
25 plan, the payments from which are exempt under subds. 54. and 54m. and sub. (1)

ASSEMBLY BILL 43**SECTION 1373**

1 (am) and (an), if the individual is under 65 years of age before the close of the taxable
2 year 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 a. If the individual is single or files as a head of household and the individual’s
13 federal adjusted gross income in the year to which the subtraction relates is less than
14 \$30,000, the maximum subtraction is \$5,500 or the amount of disability pay reported
15 as income, whichever is less.

16 b. If the individual is married and is a joint filer and the couple’s federal
17 adjusted gross income in the year to which the subtraction relates is less than
18 \$60,000, the maximum subtraction is \$5,500 per spouse that is disabled or the
19 amount of disability pay reported as income, whichever is less.

20 c. If the individual is married and files a separate return and the sum of both
21 spouses’ federal adjusted gross income in the year to which the subtraction relates
22 is less than \$60,000, the maximum subtraction is \$5,500 or the amount of disability
23 pay reported as income, whichever is less.

24 **SECTION 1374.** 71.05 (6) (b) 9. of the statutes is renumbered 71.05 (6) (b) 9.
25 (intro.) and amended to read:

ASSEMBLY BILL 43**SECTION 1374**

1 71.05 (6) (b) 9. (intro.) On assets held more than one year and on all assets
2 acquired from a decedent, 30 percent of the capital gain as computed under the
3 ~~internal revenue code~~ Internal Revenue Code, not including capital gains for which
4 the federal tax treatment is determined under section 406 of P.L. 99-514; not
5 including amounts treated as ordinary income for federal income tax purposes
6 because of the recapture of depreciation or any other reason; and not including
7 amounts treated as capital gain for federal income tax purposes from the sale or
8 exchange of a lottery prize. For purposes of this subdivision, the capital gains and
9 capital losses for all assets shall be netted before application of the percentage. For
10 taxable years beginning after December 31, 2022, no subtraction may be made under
11 this subdivision by an individual whose federal adjusted gross income in the taxable
12 year exceeds the applicable threshold amount, except that an individual whose
13 federal adjusted gross income, less 30 percent of the capital gains otherwise eligible
14 for subtraction under this subdivision, is below the applicable threshold amount may
15 make the subtraction reduced by the amount that the individual's federal adjusted
16 gross income exceeds the applicable threshold amount. In this subdivision,
17 “applicable threshold amount” means:

18 **SECTION 1375.** 71.05 (6) (b) 9. a. of the statutes is created to read:

19 71.05 (6) (b) 9. a. For an estate, a trust, a single individual, or an individual who
20 files as a head of household, \$400,000.

21 **SECTION 1376.** 71.05 (6) (b) 9. b. of the statutes is created to read:

22 71.05 (6) (b) 9. b. For a married couple who files a joint return, \$533,000.

23 **SECTION 1377.** 71.05 (6) (b) 9. c. of the statutes is created to read:

24 71.05 (6) (b) 9. c. For a married individual who files a separate return,
25 \$266,500.

ASSEMBLY BILL 43**SECTION 1378**

1 **SECTION 1378.** 71.05 (6) (b) 49. a. of the statutes is amended to read:

2 71.05 (6) (b) 49. a. Subject to the definitions provided in subd. 49. b. to g. and
3 the limitations specified in subd. 49. h. to j. for taxable years beginning after
4 December 31, 2013, and subject to the limitation in subd. 49. k. for taxable years
5 beginning after December 31, 2017, and subject to the limitation in subd. 49. m. for
6 taxable years beginning after December 31, 2022, tuition expenses that are paid by
7 a claimant for tuition for a pupil to attend an eligible institution.

8 **SECTION 1379.** 71.05 (6) (b) 49. m. of the statutes is created to read:

9 71.05 (6) (b) 49. m. For taxable years beginning after December 31, 2022, no
10 modification may be made under this subdivision unless the adjusted gross income
11 of the claimant is less than \$100,000 if the claimant is filing as single or head of
12 household, \$150,000 if the claimant is married and filing jointly, or \$75,000 if the
13 claimant is married and filing separately.

14 **SECTION 1380.** 71.05 (6) (b) 54. (intro.) of the statutes is amended to read:

15 71.05 (6) (b) 54. (intro.) Except for a payment that is exempt under sub. (1) (a),
16 (am), or (an), or that is exempt as a railroad retirement benefit, for taxable years
17 beginning after December 31, 2020, and before January 1, 2023, up to \$5,000 of
18 payments or distributions received each year by an individual from a qualified
19 retirement plan under the Internal Revenue Code or from an individual retirement
20 account established under 26 USC 408, if all of the following conditions apply:

21 **SECTION 1381.** 71.05 (6) (b) 54m. of the statutes is created to read:

22 71.05 (6) (b) 54m. Except for a payment that is exempt under sub. (1) (a), (am),
23 or (an), or that is exempt as a railroad retirement benefit, for taxable years beginning
24 after December 31, 2022, up to \$5,500 of payments or distributions received each
25 year by an individual from a qualified retirement plan under the Internal Revenue

ASSEMBLY BILL 43**SECTION 1381**

1 Code or from an individual retirement account established under 26 USC 408, if all
2 of the following conditions apply:

3 a. The individual is at least 65 years of age before the close of the taxable year
4 to which the exemption claim relates.

5 b. If the individual is single or files as head of household, his or her federal
6 adjusted gross income in the year to which the exemption claim relates is less than
7 \$30,000.

8 c. If the individual is married and is a joint filer, the couple's federal adjusted
9 gross income in the year to which the exemption claim relates is less than \$60,000.

10 d. If the individual is married and files a separate return, the sum of both
11 spouses' federal adjusted gross income in the year to which the exemption claim
12 relates is less than \$60,000.

13 **SECTION 1382.** 71.05 (6) (b) 57. of the statutes is created to read:

14 71.05 (6) (b) 57. For each account an account holder, as defined in s. 71.10 (10)
15 (a) 1., creates under s. 71.10 (10) (b) 1., and subject to s. 71.10 (10) (d), the amount
16 deposited, limited to \$5,000, by the account holder into the account during the
17 taxable year and any interest, dividends, and other gains that accrue in the account
18 and are redeposited into it. If the account holder is married and files a joint return,
19 the \$5,000 limitation shall be increased to \$10,000. The subtraction under this
20 subdivision does not apply to the transfer of funds from another account as described
21 in s. 71.10 (10) (c) 4.

22 **SECTION 1383.** 71.05 (8) (a) of the statutes is amended to read:

23 71.05 (8) (a) ~~The carry back of losses to reduce income of prior years may be~~
24 ~~permitted for 2 taxable years.~~ There shall be added any amount deducted as a federal
25 net operating loss ~~carry-back or~~ carry-over and there shall be subtracted for the first

ASSEMBLY BILL 43**SECTION 1383**

1 taxable year for which the subtraction may be made any Wisconsin net operating loss
2 ~~carry-back or carry-forward~~ allowable under par. (b) in an amount not in excess of
3 the Wisconsin taxable income computed before the deduction of the Wisconsin net
4 operating loss ~~carry-back or carry-forward~~.

5 **SECTION 1384.** 71.05 (8) (b) 1. of the statutes is renumbered 71.05 (8) (b) and
6 amended to read:

7 71.05 (8) (b) Except as provided in s. 71.80 (25), a Wisconsin net operating loss
8 may be ~~carried back against Wisconsin taxable income of the previous 2 years and~~
9 ~~then~~ carried forward against Wisconsin taxable incomes of the next 20 taxable years,
10 if the taxpayer was subject to taxation under this chapter in the taxable year in which
11 the loss was incurred, to the extent not offset against other income of the year of loss
12 and to the extent not offset against Wisconsin modified taxable income ~~of the 2 years~~
13 ~~preceding the loss and~~ of any year between the loss year and the taxable year for
14 which the loss carry-forward is claimed. In this paragraph, "Wisconsin modified
15 taxable income" means Wisconsin taxable income with the following exceptions: a
16 net operating loss deduction or offset for the loss year or any taxable year ~~before or~~
17 thereafter is not allowed, the deduction for long-term capital gains under subs. (6)
18 (b) 9. and 9m., (25), and (25m) is not allowed, the amount deductible for losses from
19 sales or exchanges of capital assets may not exceed the amount includable in income
20 for gains from sales or exchanges of capital assets and "Wisconsin modified taxable
21 income" may not be less than zero.

22 **SECTION 1385.** 71.05 (8) (b) 2. of the statutes is repealed.

23 **SECTION 1386.** 71.05 (8) (c) of the statutes is repealed.

24 **SECTION 1387.** 71.05 (22) (a) (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1387**

1 71.05 (22) (a) (title) *Election of deductions; ~~husband and wife~~ spousal*
2 *deductions.*

3 **SECTION 1388.** 71.07 (3w) (a) 2m. of the statutes is created to read:

4 71.07 (3w) (a) 2m. “Contract” means the contract between the claimant and the
5 Wisconsin Economic Development Corporation under s. 238.399.

6 **SECTION 1389.** 71.07 (3w) (a) 6. of the statutes is renumbered 71.07 (3w) (a) 6.
7 a. and amended to read:

8 71.07 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is
9 attributable to wages paid to full-time employees for services that are performed in
10 an enterprise zone. ~~“Zone~~ Except as provided in subd. 6. b., “zone payroll” does not
11 include the amount of wages paid to any full-time employees that exceeds \$100,000.

12 **SECTION 1390.** 71.07 (3w) (a) 6. b. of the statutes is created to read:

13 71.07 (3w) (a) 6. b. For a claimant whose contract is executed after December
14 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time
15 employees that exceeds \$141,300.

16 **SECTION 1391.** 71.07 (3w) (b) (intro.) of the statutes is amended to read:

17 71.07 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject
18 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,
19 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit
20 against the tax imposed under s. 71.02 or 71.08 an amount calculated as follows:

21 **SECTION 1392.** 71.07 (3w) (bd) of the statutes is created to read:

22 71.07 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the
23 limitations provided in this subsection and s. 238.399, a claimant whose contract is
24 executed after December 31, 2023, may claim as a credit against the tax imposed
25 under s. 71.02 an amount calculated as follows:

ASSEMBLY BILL 43**SECTION 1392**

- 1 1. Determine the amount that is the lesser of:
 - 2 a. The number of full-time employees whose annual wages are greater than
3 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
4 or municipality and who the claimant employed in the enterprise zone in the taxable
5 year, minus the number of full-time employees whose annual wages were greater
6 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II
7 county or municipality and who the claimant employed in the area that comprises
8 the enterprise zone in the base year.
 - 9 b. The number of full-time employees whose annual wages are 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 taxable year,
12 minus the number of full-time employees whose annual wages were greater than
13 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
14 or municipality and who the claimant employed in the state in the base year.
- 15 2. Determine the claimant's average zone payroll by dividing total wages for
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 by the number of
19 full-time employees whose annual wages are greater than \$32,000 in a tier I county
20 or municipality or greater than \$42,390 in a tier II county or municipality and who
21 the claimant employed in the enterprise zone in the taxable year.
- 22 3. For employees in a tier I county or municipality, subtract \$32,000 from the
23 amount determined under subd. 2. and for employees in a tier II county or
24 municipality, subtract \$42,390 from the amount determined under subd. 2.

ASSEMBLY BILL 43**SECTION 1392**

1 4. Multiply the amount determined under subd. 3. by the amount determined
2 under subd. 1.

3 5. Multiply the amount determined under subd. 4. by the percentage
4 determined by under s. 238.399, not to exceed 7 percent.

5 **SECTION 1393.** 71.07 (3w) (bm) 1. of the statutes is amended to read:

6 71.07 (**3w**) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
7 subds. ~~2., 3., and 4. to 5.~~, and subject to the limitations provided in this subsection
8 and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the
9 tax imposed under s. 71.02 or 71.08 an amount equal to a percentage, as determined
10 under s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount
11 the claimant paid in the taxable year to upgrade or improve the job-related skills of
12 any of the claimant's full-time employees, to train any of the claimant's full-time
13 employees on the use of job-related new technologies, or to provide job-related
14 training to any full-time employee whose employment with the claimant represents
15 the employee's first full-time job. This subdivision does not apply to employees who
16 do not work in an enterprise zone.

17 **SECTION 1394.** 71.07 (3w) (bm) 2. of the statutes is renumbered 71.07 (3w) (bm)
18 2. (intro.) and amended to read:

19 71.07 (**3w**) (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)
20 and subds. 1., 3., ~~and 4., and 5.~~, and subject to the limitations provided in this
21 subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit
22 against the tax imposed under s. 71.02 or 71.08 one of the following amounts:

23 a. For a claimant whose contract is executed prior to January 1, 2024, an
24 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009
25 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year

ASSEMBLY BILL 43**SECTION 1394**

1 to all of the claimant's full-time employees whose annual wages are greater than the
2 amount determined by multiplying 2,080 by 150 percent of the federal minimum
3 wage in a tier I county or municipality, not including the wages paid to the employees
4 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
5 municipality, not including the wages paid to the employees determined under par.
6 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
7 the total number of such employees is equal to or greater than the total number of
8 such employees in the base year. ~~A claimant may claim a credit under this~~
9 ~~subdivision for no more than 5 consecutive taxable years.~~

10 **SECTION 1395.** 71.07 (3w) (bm) 2. b. of the statutes is created to read:

11 71.07 (3w) (bm) 2. b. For a claimant whose contract is executed after December
12 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to
13 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the
14 claimant's full-time employees whose annual wages are greater than \$32,000 in a
15 tier I county or municipality, not including the wages paid to the employees
16 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or
17 municipality, not including the wages paid to the employees determined under par.
18 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if
19 the total number of such employees is equal to or greater than the total number of
20 such employees in the base year.

21 **SECTION 1396.** 71.07 (3w) (bm) 3. of the statutes is amended to read:

22 71.07 (3w) (bm) 3. In addition to the credits under ~~par. pars.~~ par. (b) and (bd) and
23 subds. 1., 2., and 4., and 5., and subject to the limitations provided in this subsection
24 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
25 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.02 or

ASSEMBLY BILL 43**SECTION 1396**

1 71.08 up to 10 percent of the claimant's significant capital expenditures, as
2 determined under s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

3 **SECTION 1397.** 71.07 (3w) (bm) 4. of the statutes is amended to read:

4 71.07 (3w) (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
5 subds. 1., 2., ~~and 3.,~~ and 5., and subject to the limitations provided in this subsection
6 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
7 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.02 or
8 71.08, up to 1 percent of the amount that the claimant paid in the taxable year to
9 purchase tangible personal property, items, property, or goods under s. 77.52 (1) (b),
10 (c), or (d), or services from Wisconsin vendors, as determined under s. 238.399 (5) (e)
11 or s. 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit
12 under this subdivision and subd. 3. for the same expenditures.

13 **SECTION 1398.** 71.07 (3w) (bm) 5. of the statutes is renumbered 71.07 (3w) (bm)
14 5. (intro.) and amended to read:

15 71.07 (3w) (bm) 5. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)
16 and subds. 1. to 4., and subject to the limitations provided in this subsection and s.
17 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number
18 of full-time employees determined under s. 238.399 (5) (f) and maintained average
19 zone payroll for the taxable year equal to or greater than the base year may claim
20 as a credit against the tax imposed under s. 71.02 or 71.08 one of the following
21 amounts:

22 a. For a claimant whose contract is executed prior to January 1, 2024, an
23 amount equal to the percentage, as determined by the Wisconsin Economic
24 Development Corporation, of the claimant's zone payroll paid in the 12 months prior
25 to the certification date to the claimant's full-time employees in the enterprise zone

ASSEMBLY BILL 43**SECTION 1398**

1 whose annual wages are greater than the amount determined by multiplying 2,080
2 by 150 percent of the federal minimum wage in a tier I county or municipality or
3 greater than \$30,000 in a tier II county or municipality. ~~The amount that the~~
4 ~~claimant may claim as credit under this subdivision for a taxable year shall not~~
5 ~~exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more~~
6 ~~than 5 consecutive taxable years.~~

7 **SECTION 1399.** 71.07 (3w) (bm) 5. b. of the statutes is created to read:

8 71.07 (3w) (bm) 5. b. For a claimant whose contract is executed after December
9 31, 2023, an amount equal to the percentage, as determined by the Wisconsin
10 Economic Development Corporation, of the claimant's zone payroll paid in the 12
11 months prior to the certification date to the claimant's full-time employees in the
12 enterprise zone whose annual wages are greater than \$32,000 in a tier I county or
13 municipality or greater than \$42,390 in a tier II county or municipality.

14 **SECTION 1400.** 71.07 (3w) (c) 5. of the statutes is created to read:

15 71.07 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more
16 than 5 consecutive taxable years.

17 **SECTION 1401.** 71.07 (3w) (c) 6. of the statutes is created to read:

18 71.07 (3w) (c) 6. The amount that a claimant may claim as credit under par.
19 (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit
20 under par. (bm) 5. for no more than 5 consecutive taxable years.

21 **SECTION 1402.** 71.07 (3w) (cm) of the statutes is created to read:

22 71.07 (3w) (cm) *Inflation adjustments.* For taxable years beginning after
23 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,
24 and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the
25 percentage change between the U.S. consumer price index for all urban consumers,

ASSEMBLY BILL 43**SECTION 1402**

1 U.S. city average, for the month of August of the previous year and the U.S. consumer
2 price index for all urban consumers, U.S. city average, for the month of August of the
3 year before the previous year, as determined by the federal department of labor.
4 Each amount that is revised under this paragraph shall be rounded to the nearest
5 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount
6 is a multiple of \$5, such an amount shall be increased to the next higher multiple of
7 \$10.

8 **SECTION 1403.** 71.07 (3y) (b) 5. of the statutes is amended to read:

9 71.07 (3y) (b) 5. ~~An~~ For taxable years beginning before January 1, 2023, an
10 amount, as determined by the Wisconsin Economic Development Corporation under
11 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
12 paid to an eligible employee in the taxable year if the position in which the eligible
13 employee was employed was created or retained in connection with the claimant's
14 location or retention of the claimant's corporate headquarters in Wisconsin and the
15 job duties associated with the eligible employee's position involve the performance
16 of corporate headquarters functions.

17 **SECTION 1404.** 71.07 (3y) (b) 5m. of the statutes is created to read:

18 71.07 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an
19 amount, as determined by the Wisconsin Economic Development Corporation under
20 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
21 paid to an eligible employee in the taxable year if the position in which the eligible
22 employee was employed was created or retained in connection with the claimant's
23 location or retention of the claimant's corporate headquarters in Wisconsin.

24 **SECTION 1405.** 71.07 (3y) (b) 6. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1405**

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 1406.** 71.07 (4k) (e) 2. a. of the statutes is amended to read:

7 71.07 (4k) (e) 2. a. For taxable years beginning before January 1, 2021, the
8 amount of the claim not used to offset the tax due, not to exceed 10 percent of the
9 allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the
10 department of revenue to the department of administration for payment by check,
11 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
12 (d). For subsequent taxable years beginning after December 31, 2020 and before
13 January 1, 2024, the amount of the claim not used to offset the tax due, up to 15
14 percent of the allowable amount of the claim under par. (b) 4., 5., or 6., shall be
15 certified by the department of revenue to the department of administration for
16 payment by check, share draft, or other draft drawn from the appropriation account
17 under s. 20.835 (2) (d).

18 **SECTION 1407.** 71.07 (4k) (e) 2. ad. of the statutes is created to read:

19 71.07 (4k) (e) 2. ad. For taxable years beginning after December 31, 2023, the
20 amount of the claim not used to offset the tax due, not to exceed 50 percent of the
21 allowable amount of the claim under par. (b) 4., 5., or 6., shall be certified by the
22 department of revenue to the department of administration for payment by check,
23 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
24 (d).

25 **SECTION 1408.** 71.07 (4k) (e) 2. b. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1408**

1 71.07 (4k) (e) 2. b. The amount of the claim not used to offset the tax due and
2 not certified for payment under subd. 2. a. or 2. ad. may be carried forward and
3 credited against Wisconsin income taxes otherwise due for the following 15 taxable
4 years to the extent not offset by these taxes otherwise due in all intervening years
5 between the year in which the expense was incurred and the year in which the
6 carry-forward credit is claimed.

7 **SECTION 1409.** 71.07 (5m) (a) 3. of the statutes is amended to read:

8 71.07 (5m) (a) 3. “Household” means a claimant and an individual related to
9 the claimant as ~~husband or wife~~ his or her spouse.

10 **SECTION 1410.** 71.07 (5m) (e) of the statutes is created to read:

11 71.07 (5m) (e) *Sunset.* No credit may be claimed under this subsection for
12 taxable years beginning after December 31, 2022.

13 **SECTION 1411.** 71.07 (5me) of the statutes is created to read:

14 71.07 (5me) FAMILY AND INDIVIDUAL REINVESTMENT CREDIT. (a) *Definitions.* In
15 this subsection:

16 1. “Claimant” means an individual who is eligible to claim the credit under this
17 subsection.

18 2. “Household” means a claimant and an individual related to the claimant as
19 husband or wife.

20 3. “Net tax liability” means a claimant’s income tax liability after he or she
21 completes the computations for nonrefundable credits listed in s. 71.10 (4) (a) to (gy).

22 (b) *Filing claims.* For taxable years beginning after December 31, 2022, and
23 subject to the limitations provided in this subsection, a claimant may claim as a
24 credit against the tax imposed under s. 71.02, up to the amount of those taxes, one
25 of the following amounts:

ASSEMBLY BILL 43**SECTION 1411**

1 1. If the claimant is single or files as a head of household and his or her adjusted
2 gross income is less than \$100,000 in the year to which the claim relates, the greater
3 of \$100 or an amount equal to 10 percent of his or her net tax liability.

4 2. If the claimant is single or files as a head of household and his or her adjusted
5 gross income is at least \$100,000 but less than \$120,000 in the year to which the
6 claim relates, an amount that is calculated as follows:

7 a. Calculate the value of a fraction, the denominator of which is \$20,000 and
8 the numerator of which is the difference between the claimant's adjusted gross
9 income and \$100,000.

10 b. Subtract from 1.0 the amount that is calculated under subd. 2. a.

11 c. Multiply the amount that is calculated under subd. 2. b. by 10 percent.

12 d. Multiply the amount of the claimant's net income tax liability by the amount
13 that is calculated under subd. 2. c.

14 3. If the claimant is married and filing jointly and the sum of the claimant's
15 adjusted gross income and his or her spouse's adjusted gross income is less than
16 \$150,000 in the year to which the claim relates, the greater of \$100 or an amount
17 equal to 10 percent of the married couple's net tax liability.

18 4. If the claimant is married and filing jointly and the sum of the claimant's
19 adjusted gross income and his or her spouse's adjusted gross income is at least
20 \$150,000 but less than \$175,000 in the year to which the claim relates, an amount
21 that is calculated as follows:

22 a. Calculate the value of a fraction, the denominator of which is \$25,000 and
23 the numerator of which is the difference between the married couple's adjusted gross
24 income and \$150,000.

25 b. Subtract from 1.0 the amount that is calculated under subd. 4. a.

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1 c. Multiply the amount that is calculated under subd. 4. b. by 10 percent.

2 d. Multiply the amount of the married couple's net income tax liability by the
3 amount that is calculated under subd. 4. c.

4 5. If the claimant is married and filing separately and his or her adjusted gross
5 income is less than \$75,000 in the year to which the claim relates, the greater of \$50
6 or an amount equal to 10 percent of his or her net tax liability.

7 6. If the claimant is married and filing separately and his or her adjusted gross
8 income is at least \$75,000 but less than \$87,500 in the year to which the claim relates,
9 an amount that is calculated as follows:

10 a. Calculate the value of a fraction, the denominator of which is \$12,500 and
11 the numerator of which is the difference between the claimant's adjusted gross
12 income and \$75,000.

13 b. Subtract from 1.0 the amount that is calculated under subd. 6. a.

14 c. Multiply the amount that is calculated under subd. 6. b. by 10 percent.

15 d. Multiply the amount of the claimant's net income tax liability by the amount
16 that is calculated under subd. 6. c.

17 (c) *Limitations.* 1. No credit may be allowed under this subsection unless it
18 is claimed within the period under s. 71.75 (2).

19 2. Part-year residents and nonresidents of this state are not eligible for the
20 credit under this subsection.

21 3. Except as provided in subd. 4., only one credit per household is allowed each
22 year.

23 4. If a married couple files separately, each spouse may claim the credit
24 calculated under par. (b) 5. or 6., except a married person living apart from the other

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1 spouse and treated as single under section 7703 (b) of the Internal Revenue Code may
2 claim the credit under par. (b) 1. or 2.

3 5. The credit under this subsection may not be claimed by a person who may
4 be claimed as a dependent on the individual income tax return of another taxpayer.

5 (d) *Administration.* The department of revenue may enforce the credit under
6 this subsection and may take any action, conduct any proceeding, and proceed as it
7 is authorized in respect to taxes under this chapter. The income tax provisions in this
8 chapter relating to assessments, refunds, appeals, collection, interest, and penalties
9 apply to the credit under this subsection.

10 **SECTION 1412.** 71.07 (5n) (a) 5. a. of the statutes is amended to read:

11 71.07 (5n) (a) 5. a. “Manufacturing property factor” means a fraction, the
12 numerator of which is the average value of the claimant’s real and personal land and
13 depreciable property assessed under s. 70.995, owned or rented and used in this state
14 by the claimant during the taxable year to manufacture qualified production
15 property, and the denominator of which is the average value of all the claimant’s real
16 and personal land and depreciable property owned or rented during the taxable year
17 and used by the claimant to manufacture qualified production property.

18 **SECTION 1413.** 71.07 (5n) (a) 5. d. of the statutes is repealed.

19 **SECTION 1414.** 71.07 (5n) (a) 9. (intro.) of the statutes is amended to read:

20 71.07 (5n) (a) 9. (intro.) “Qualified production property” means either any of
21 the following:

22 **SECTION 1415.** 71.07 (5n) (a) 9. a. of the statutes is amended to read:

23 71.07 (5n) (a) 9. a. Tangible personal property manufactured in whole or in part
24 by the claimant on property that is located in this state and assessed as
25 manufacturing property under s. 70.995. Tangible personal property manufactured

ASSEMBLY BILL 43**SECTION 1415**

1 in this state may only be qualified production property if it is manufactured on
2 property approved to be classified as manufacturing real property for purposes of s.
3 70.995, even if it is not eligible to be listed on the department's manufacturing roll
4 until January 1 of the following year.

5 **SECTION 1416.** 71.07 (5n) (a) 9. c. of the statutes is created to read:

6 71.07 **(5n)** (a) 9. c. Tangible personal property manufactured in whole or in part
7 by the claimant at an establishment that is located in this state and classified as
8 manufacturing under s. 70.995 (5n). A person wishing to classify the person's
9 establishment as manufacturing under this subd. 9. c. shall file an application in the
10 form and manner prescribed by the department no later than July 1 of the taxable
11 year for which the person wishes to claim the credit under this subsection, pursuant
12 to s. 70.995 (5n). The department shall make a determination and provide written
13 notice by December 31 of the year in which the application is filed. A determination
14 on the classification under this subd. 9. c. may be appealed as provided under s.
15 70.995 (5n).

16 **SECTION 1417.** 71.07 (5n) (d) 2. of the statutes is amended to read:

17 71.07 **(5n)** (d) 2. ~~For~~ Except as provided in subd. 2m., for purposes of
18 determining a claimant's eligible qualified production activities income under this
19 subsection, the claimant shall multiply the claimant's qualified production activities
20 income from property manufactured by the claimant by the manufacturing property
21 factor and qualified production activities income from property produced, grown, or
22 extracted by the claimant by the agriculture property factor. This subdivision does
23 not apply if the claimant's entire qualified production activities income results from
24 the sale of tangible personal property that was manufactured, produced, grown, or
25 extracted wholly in this state by the claimant.

ASSEMBLY BILL 43**SECTION 1418**

1 **SECTION 1418.** 71.07 (5n) (d) 2m. of the statutes is created to read:

2 71.07 **(5n)** (d) 2m. For taxable years beginning after December 31, 2022, for
3 purposes of determining a claimant's eligible qualified production activities income
4 from manufacturing under this subsection, the claimant shall multiply the
5 claimant's qualified production activities income, not exceeding \$300,000, from
6 property manufactured by the claimant by the manufacturing property factor. This
7 subdivision does not apply if the claimant's entire qualified production activities
8 income results from the sale of tangible personal property that was manufactured,
9 produced, grown, or extracted wholly in this state by the claimant.

10 **SECTION 1419.** 71.07 (6e) (a) 2. b. of the statutes is amended to read:

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

19 **SECTION 1420.** 71.07 (6e) (a) 3. d. of the statutes is amended to read:

20 71.07 **(6e)** (a) 3. d. Has either a service-connected disability rating of 100 at
21 least 70 percent under 38 USC 1114 or 1134 or a 100 percent disability rating based
22 on individual unemployability.

23 **SECTION 1421.** 71.07 (6e) (a) 5. of the statutes is amended to read:

24 71.07 **(6e)** (a) 5. "Property taxes" means real ~~and personal~~ property taxes,
25 exclusive of special assessments, delinquent interest, and charges for service, paid

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1 by a claimant, and the claimant's spouse if filing a joint return, on the eligible
2 veteran's or unremarried surviving spouse's principal dwelling in this state during
3 the taxable year for which credit under this subsection is claimed, less any property
4 taxes paid which are properly includable as a trade or business expense under
5 section 162 of the Internal Revenue Code. If the principal dwelling on which the
6 taxes were paid is owned by 2 or more persons or entities as joint tenants or tenants
7 in common or is owned by spouses as marital property, "property taxes" is that part
8 of property taxes paid that reflects the ownership percentage of the claimant, except
9 that this limitation does not apply to spouses who file a joint return. If the principal
10 dwelling is sold during the taxable year, the "property taxes" for the seller and buyer
11 shall be the amount of the tax prorated to each in the closing agreement pertaining
12 to the sale or, if not so provided for in the closing agreement, the tax shall be prorated
13 between the seller and buyer in proportion to months of their respective ownership.
14 "Property taxes" includes monthly municipal permit fees in respect to a principal
15 dwelling collected under s. 66.0435 (3) (c).

16 **SECTION 1422.** 71.07 (6e) (a) 6. of the statutes is created to read:

17 71.07 (6e) (a) 6. "Rent constituting property taxes" has the meaning given in
18 sub. (9) (a) 4.

19 **SECTION 1423.** 71.07 (6e) (b) of the statutes is amended to read:

20 71.07 (6e) (b) *Filing claims.* Subject to the limitations provided in this
21 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02
22 the amount of the claimant's property taxes or rent constituting property taxes. If
23 the allowable amount of the claim exceeds the income taxes otherwise due on the
24 claimant's income, the amount of the claim not used as an offset against those taxes
25 shall be certified by the department of revenue to the department of administration

ASSEMBLY BILL 43**SECTION 1423**

1 for payment to the claimant by check, share draft, or other draft from the
2 appropriation under s. 20.835 (2) (em).

3 **SECTION 1424.** 71.07 (6e) (c) 3. of the statutes is amended to read:

4 71.07 **(6e)** (c) 3. If an eligible veteran and an eligible spouse file separate
5 returns, each spouse may claim a credit under this subsection for property taxes
6 based on their respective ownership interest in the eligible veteran's principal
7 dwelling or for rent constituting property taxes based on 50 percent of the total rent
8 constituting property taxes paid during the taxable year for the eligible veteran's
9 principal dwelling.

10 **SECTION 1425.** 71.07 (6e) (c) 4. of the statutes is created to read:

11 71.07 **(6e)** (c) 4. If a service-connected disability rating is less than 100 percent,
12 the amount that the claimant may claim under this subsection shall be multiplied
13 by a percentage that equals that service-connected disability rating.

14 **SECTION 1426.** 71.07 (8b) (a) 5. of the statutes is amended to read:

15 71.07 **(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 1427.** 71.07 (8b) (a) 7. of the statutes is amended to read:

21 71.07 **(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

ASSEMBLY BILL 43**SECTION 1427**

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 1428.** 71.07 (8m) of the statutes is created to read:

7 71.07 **(8m)** UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions.* In this
8 subsection:

9 1. "Claimant" means a sole proprietor, a partner of a partnership, a member
10 of a limited liability company, or a shareholder of a tax-option corporation who files
11 a claim under this subsection and meets either of the following conditions during the
12 preceding taxable year:

13 a. Had gross receipts that did not exceed \$1,000,000.

14 b. Employed no more than 30 full-time employees.

15 2. "Full-time employee" means an individual who is employed for at least 30
16 hours per week for 20 or more calendar weeks during a taxable year.

17 3. "Universal changing station" means a powered and height-adjustable adult
18 changing table that is either floor mounted or wall mounted with a safety rail and
19 can be used by an individual with a disability of either sex and the individual's care
20 provider for personal hygiene and that satisfies all of the following:

21 a. The changing table can lower to a height of 8 inches and raise to a height of
22 34 inches.

23 b. The changing table is at least 31 inches wide by 72 inches long.

24 c. The changing table supports at least 350 pounds.

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1 (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject
2 to the limitations provided in this subsection, a claimant may claim as a credit
3 against the tax imposed under s. 71.02, up to the amount of those taxes, an amount
4 equal to 50 percent of the amount the claimant paid during the taxable year to install
5 a universal changing station.

6 (c) *Limitations.* 1. No credit may be claimed under this subsection unless the
7 universal changing station is installed in a single-occupant restroom that measures
8 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider
9 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap
10 dispenser, and a paper towel dispenser; and that complies with accessibility
11 standards under the federal Americans with Disabilities Act.

12 2. The credit claimed under this subsection may not exceed \$5,125.

13 3. Partnerships, limited liability companies, and tax-option corporations may
14 not claim the credit under this subsection, but the eligibility for, and the amount of,
15 the credit are based on the amounts paid by the entity. A partnership, limited
16 liability company, or tax-option corporation shall compute the amount of credit that
17 each of its partners, members, or shareholders may claim and shall provide that
18 information to each of them. Partners, members, and shareholders may claim the
19 credit in proportion to their ownership interests.

20 (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under
21 s. 71.28 (4), applies to the credit under this subsection.

22 **SECTION 1429.** 71.07 (8p) of the statutes is created to read:

23 71.07 (8p) FAMILY CAREGIVER TAX CREDIT. (a) *Definitions.* In this subsection:

24 1. "Claimant" means an individual who files a claim under this subsection for
25 amounts paid for qualified expenses to benefit a qualified family member.

ASSEMBLY BILL 43**SECTION 1429**

1 2. “Physician” has the meaning given in s. 36.60 (1) (b).

2 3. “Qualified expenses” means amounts paid by a claimant in the year to which
3 the claim relates for items that relate directly to the care or support of a qualified
4 family member, including the following:

5 a. The improvement or alteration of the claimant’s primary residence to enable
6 or assist the qualified family member to be mobile, safe, or independent.

7 b. The purchase or lease of equipment to enable or assist the qualified family
8 member to carry out one or more activities of daily living.

9 c. The acquisition of goods or services, or support, to assist the claimant in
10 caring for the qualified family member, including employing a home care aide or
11 personal care attendant, adult day care, specialized transportation, legal or financial
12 services, or assistive care technology.

13 4. “Qualified family member” means an individual to whom all of the following
14 apply:

15 a. The individual is at least 18 years of age during the taxable year to which
16 the claim relates.

17 b. The individual requires assistance with one or more daily living activities,
18 as certified in writing by a physician.

19 c. The individual is the claimant’s family member, as defined in s. 46.2805 (6m).

20 (b) *Filing claims.* For taxable years beginning after December 31, 2022, and
21 subject to the limitations provided in this subsection, a claimant may claim as a
22 credit against the tax imposed under s. 71.02, up to the amount of those taxes, 50
23 percent of the claimant’s qualified expenses.

24 (c) *Limitations.* 1. Subject to subds. 2. and 3., the maximum credit that may
25 be claimed under this subsection each taxable year with regard to a particular

ASSEMBLY BILL 43**SECTION 1429**

1 qualified family member is \$500 or, if a claimant is married and filing a separate
2 return, \$250. If more than one individual may file a claim under this subsection for
3 a particular qualified family member, the maximum credit specified in this
4 subdivision shall be apportioned among all eligible claimants based on the ratio of
5 their qualified expenses to the total amount of all qualified expenses incurred on
6 behalf of that particular qualified family member, as determined by the department.

7 2. If the claimant is married and filing jointly and the couple's federal adjusted
8 gross income in the taxable year exceeds \$170,000, no credit may be claimed under
9 this subsection. If the claimant is married and filing jointly and the couple's federal
10 adjusted gross income in the taxable year exceeds \$150,000, but does not exceed
11 \$170,000, the credit claimed under this subsection may not exceed the amount
12 determined as follows:

13 a. Determine the amount allowed under par. (b) without regard to this
14 subdivision but with regard to subd. 1.

15 b. Subtract \$150,000 from the couple's federal adjusted gross income.

16 c. Divide the amount determined under subd. 2. b. by \$20,000.

17 d. Multiple the amount determined under subd. 2. a. by the amount determined
18 under subd. 2. c.

19 e. Subtract the amount determined under subd. 2. d. from the amount
20 determined under subd. 2. a.

21 3. If the claimant files as a single individual or head of household, or is married
22 and files separately, and the claimant's federal adjusted gross income in the taxable
23 year exceeds \$85,000, no credit may be claimed under this subsection. If the claimant
24 files as a single individual or head of household, or is married and files separately,
25 and the claimant's federal adjusted gross income in the taxable year exceeds \$75,000,

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1 but does not exceed \$85,000, the credit claimed under this subsection may not exceed
2 the amount determined as follows:

3 a. Determine the amount allowed under par. (b) without regard to this
4 subdivision but with regard to subd. 1.

5 b. Subtract \$75,000 from the claimant's federal adjusted gross income.

6 c. Divide the amount determined under subd. 3. b. by \$10,000.

7 d. Multiple the amount determined under subd. 3. a. by the amount determined
8 under subd. 3. c.

9 e. Subtract the amount determined under subd. 3. d. from the amount
10 determined under subd. 3. a.

11 4. No credit may be allowed under this subsection unless it is claimed within
12 the period specified under s. 71.75 (2).

13 5. No credit may be claimed under this subsection by nonresidents or part-year
14 residents of this state.

15 6. Qualified expenses may not include any of the following:

16 a. General food, clothing, or transportation expenses.

17 b. Ordinary household maintenance or repair expenses that are not directly
18 related or necessary for the care of the qualified family member.

19 c. Any amount that is paid or reimbursed by insurance or other means.

20 7. 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.

25 **SECTION 1430.** 71.07 (8s) of the statutes is created to read:

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1 71.07 (8s) FLOOD INSURANCE PREMIUMS CREDIT. (a) *Definitions.* In this
2 subsection:

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

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

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

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

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

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

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

21 **SECTION 1431.** 71.07 (9) (a) 3. of the statutes is amended to read:

22 71.07 (9) (a) 3. “Property taxes” means real ~~and personal~~ property taxes,
23 exclusive of special assessments, delinquent interest and charges for service, paid by
24 a claimant on the claimant’s principal dwelling during the taxable year for which
25 credit under this subsection is claimed, less any property taxes paid which are

ASSEMBLY BILL 43**SECTION 1431**

1 properly includable as a trade or business expense under section 162 of the Internal
2 Revenue Code. If the principal dwelling on which the taxes were paid is owned by
3 2 or more persons or entities as joint tenants or tenants in common or is owned by
4 spouses as marital property, “property taxes” is that part of property taxes paid that
5 reflects the ownership percentage of the claimant. If the principal dwelling is sold
6 during the taxable year the “property taxes” for the seller and buyer shall be the
7 amount of the tax prorated to each in the closing agreement pertaining to the sale
8 or, if not so provided for in the closing agreement, the tax shall be prorated between
9 the seller and buyer in proportion to months of their respective ownership. “Property
10 taxes” includes monthly municipal permit fees in respect to a principal dwelling
11 collected under s. 66.0435 (3) (c).

12 **SECTION 1432.** 71.07 (9e) (aj) (intro.) of the statutes is amended to read:

13 71.07 (9e) (aj) (intro.) For taxable years beginning after December 31, 2010,
14 and before January 1, 2023, an individual may credit against the tax imposed under
15 s. 71.02 an amount equal to one of the following percentages of the federal basic
16 earned income credit for which the person is eligible for the taxable year under
17 section 32 of the Internal Revenue Code:

18 **SECTION 1433.** 71.07 (9e) (ak) of the statutes is created to read:

19 71.07 (9e) (ak) For taxable years beginning after December 31, 2022, an
20 individual may credit against the tax imposed under s. 71.02 an amount equal to one
21 of the following percentages of the federal basic earned income credit for which the
22 individual is eligible for the taxable year under section 32 of the Internal Revenue
23 Code:

24 1. If the individual has one qualifying child who has the same principal place
25 of abode as the individual, 16 percent.

ASSEMBLY BILL 43**SECTION 1433**

1 2. If the individual has 2 qualifying children who have the same principal place
2 of abode as the individual, 25 percent.

3 3. If the individual has 3 or more qualifying children who have the same
4 principal place of abode as the individual, 34 percent.

5 **SECTION 1434.** 71.07 (9e) (b) of the statutes is amended to read:

6 71.07 **(9e)** (b) No credit may be allowed under this subsection to married
7 persons, except married persons living apart who are treated as single under section
8 7703 (b) of the ~~internal revenue code~~ Internal Revenue Code, if the ~~husband and wife~~
9 spouses report their income on separate income tax returns for the taxable year.

10 **SECTION 1435.** 71.07 (9g) (b) of the statutes is renumbered 71.07 (9g) (b) 1. and
11 amended to read:

12 71.07 **(9g)** (b) 1. For taxable years beginning after December 31, 2021, and
13 before January 1, 2023, and subject to the limitations provided in this subsection, a
14 claimant may claim as a credit against the tax imposed under s. 71.02, up to the
15 amount of those taxes, an amount equal to 50 percent of the federal child and
16 dependent care tax credit claimed by the claimant on his or her federal income tax
17 return for the taxable year to which the claim under this subsection relates.

18 **SECTION 1436.** 71.07 (9g) (b) 2. of the statutes is created to read:

19 71.07 **(9g)** (b) 2. For taxable years beginning after December 31, 2022, and
20 subject to the limitations provided in this subsection, a claimant may claim as a
21 credit against the tax imposed under s. 71.02, up to the amount of those taxes, an
22 amount equal to the federal child and dependent care tax credit claimed by the
23 claimant on his or her federal income tax return for the taxable year to which the
24 claim under this subsection relates.

25 **SECTION 1437.** 71.09 (13) (a) 2. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1437**

1 71.09 (13) (a) 2. The tax shown on the return for the preceding year. If ~~a~~
2 ~~husband and wife spouses~~ who filed separate returns for the preceding taxable year
3 file a joint return, the tax shown on the return for the preceding year is the sum of
4 the taxes shown on the separate returns of the ~~husband and wife spouses~~. If ~~a~~
5 ~~husband and wife spouses~~ who filed a joint return for the preceding taxable year file
6 separate returns, the tax shown on the return for the preceding year is ~~the husband's~~
7 ~~or wife's~~ each spouse's proportion of that tax based on what their respective tax
8 liabilities for that year would have been had they filed separately.

9 **SECTION 1438.** 71.10 (4) (gye) of the statutes is created to read:

10 71.10 (4) (gye) Family and individual reinvestment credit under s. 71.07 (5me).

11 **SECTION 1439.** 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 1440.** 71.10 (4) (hd) of the statutes is created to read:

14 71.10 (4) (hd) Family caregiver tax credit under s. 71.07 (8p).

15 **SECTION 1441.** 71.10 (4) (hg) of the statutes is created to read:

16 71.10 (4) (hg) Flood insurance premiums credit under s. 71.07 (8s).

17 **SECTION 1442.** 71.10 (4) (k) of the statutes is created to read:

18 71.10 (4) (k) Any amount computed under s. 71.83 (1) (ch).

19 **SECTION 1443.** 71.10 (10) of the statutes is created to read:

20 71.10 (10) FIRST-TIME HOME BUYER SAVINGS ACCOUNTS. (a) *Definitions.* In this
21 subsection:

22 1. "Account holder" means an individual who creates, individually or jointly
23 with his or her spouse, an account under par. (b) 1.

24 2. "Allowable closing costs" means disbursements listed in a settlement
25 statement for the purchase of a single-family residence by a beneficiary.

ASSEMBLY BILL 43**SECTION 1443**

1 3. “Beneficiary” means a first-time home buyer who is designated by an
2 account holder as the beneficiary of an account created under par. (b) 1.

3 4. “Eligible costs” means the down payment and allowable closing costs for the
4 purchase of a single-family residence in this state by a beneficiary.

5 5. “Financial institution” means a bank, trust company, savings institution,
6 savings bank, savings and loan association, industrial loan association, consumer
7 finance company, credit union, benefit association, insurance company, safe deposit
8 company, money market mutual fund, or similar entity authorized to do business in
9 this state.

10 6. “First-time home buyer” means an individual who resides in this state and
11 did not have, either individually or jointly, a present ownership interest in a
12 single-family residence during the 36 months before the month in which the
13 individual purchases a single-family residence in this state.

14 7. “Single-family residence” means a residence intended for occupation by a
15 single family unit that is purchased by a beneficiary for use as his or her principal
16 residence.

17 (b) *Creation of account.* 1. An individual may create an account and become
18 the account holder by opening an account at a financial institution for the purpose
19 of paying or reimbursing the eligible costs of a first-time home buyer. The account
20 holder shall designate a beneficiary when the account is created and may designate
21 himself or herself as the beneficiary. An account may have only one beneficiary at
22 any one time. An individual may be the beneficiary of more than one account, and
23 an individual may be the account holder of more than one account, but an account
24 holder may not have more than one account that designates the same beneficiary.
25 The account holder may change the beneficiary at any time.

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1 2. An individual may jointly own an account created under subd. 1 with his or
2 her spouse.

3 3. Only cash and marketable securities may be contributed to an account
4 created under subd. 1.

5 4. Persons other than an account holder may contribute to an account created
6 under subd. 1, but the subtraction under s. 71.05 (6) (b) 57. may be made only by the
7 account holder.

8 (c) *Account holder rights and responsibilities.* 1. An account holder may
9 withdraw funds from an account created under par. (b) 1. to pay eligible costs for the
10 benefit of the beneficiary or to reimburse the beneficiary for eligible costs the
11 beneficiary incurs and has paid.

12 2. An account holder may not use funds in an account created under par. (b) 1.
13 to pay any expenses he or she incurs in administering the account, although a
14 financial institution may deduct a service fee from the account.

15 3. Annually, an account holder shall submit to the department with his or her
16 income tax return, on forms prepared by the department, information regarding the
17 account created under par. (b) 1. The information submitted shall include all of the
18 following:

19 a. A list of transactions in the account during the taxable year to which the
20 return relates, including the beginning and ending balances of the account.

21 b. The 1099 form issued by the financial institution that relates to the account.

22 c. A list of eligible costs, and other costs, for which funds from the account were
23 withdrawn during the taxable year to which the return relates.

24 4. An account holder may withdraw funds from an account created under par.
25 (b) 1. with no penalty due under s. 71.83 (1) (ch) and no responsibility to make an

ASSEMBLY BILL 43**SECTION 1443**

1 addition under s. 71.05 (6) (a) 30. if he or she immediately transfers the funds to a
2 different financial institution and deposits the funds into an account created under
3 par. (b) 1. at that financial institution.

4 (d) *Limitations on accounts, dissolution.* 1. An account holder may not claim
5 a subtraction under s. 71.05 (6) (b) 57. for more than a total of \$50,000 of deposits into
6 any account created under par. (b) 1. for each beneficiary.

7 2. An account holder shall dissolve an account created under par. (b) 1. no later
8 than 120 months after it is created. The financial institution shall distribute any
9 funds in the account at dissolution to the account holder.

10 3. If an account holder dies while funds remain in an account created under par.
11 (b) 1., the account shall be dissolved and the financial institution shall distribute the
12 funds to the account holder's estate.

13 (e) *Department responsibilities.* The department shall:

14 1. Prepare and distribute any forms that an account holder is required to
15 submit under par. (c) 3. and any other forms necessary to administer this subsection
16 and the adjustments to income under s. 71.05 (6) (a) 30. and (b) 57.

17 2. Prepare and distribute to financial institutions and potential home buyers
18 informational materials about the accounts described in this subsection.

19 **SECTION 1444.** 71.17 (2) of the statutes is amended to read:

20 **71.17 (2) LIEN ON TRUST ESTATE; INCOME TAXES LEVIED AGAINST BENEFICIARY.** All
21 income taxes levied against the income of beneficiaries shall be a lien on that portion
22 of the trust estate or interest therein from which the income taxed is derived, and
23 such taxes shall be paid by the fiduciary, if not paid by the distributee, before the
24 same become delinquent. Every person who, as a fiduciary under the provisions of
25 this subchapter, pays an income tax shall have all the rights and remedies of

ASSEMBLY BILL 43**SECTION 1444**

1 reimbursement for any taxes assessed against him or her or paid by him or her in
2 such capacity, as provided in s. 70.19 (1) and (2), 2021 stats.

3 **SECTION 1445.** 71.21 (4) (a) of the statutes is amended to read:

4 71.21 (4) (a) The amount of the credits computed by a partnership under s.
5 71.07 (2dm), (2dx), (2dy), (3g), (3h), (3n), (3q), (3s), (3t), (3w), (3wm), (3y), (4k), (4n),
6 (5e), (5g), (5i), (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and passed through to
7 partners shall be added to the partnership's income.

8 **SECTION 1446.** 71.22 (4) of the statutes is repealed and recreated to read:

9 71.22 (4) "Internal Revenue Code" has the meaning given in s. 71.99.

10 **SECTION 1447.** 71.22 (4m) of the statutes is repealed and recreated to read:

11 71.22 (4m) For corporations that are subject to a tax on unrelated business
12 income under s. 71.26 (1) (a), "Internal Revenue Code" has the meaning given in s.
13 71.99.

14 **SECTION 1448.** 71.22 (5) of the statutes is repealed.

15 **SECTION 1449.** 71.22 (5g) of the statutes is repealed.

16 **SECTION 1450.** 71.22 (5m) of the statutes is repealed.

17 **SECTION 1451.** 71.26 (1) (b) of the statutes is amended to read:

18 71.26 (1) (b) *Political units.* Income received by the United States, the state
19 and all counties, cities, villages, towns, school districts, technical college districts,
20 joint local water authorities created under s. 66.0823, transit authorities created
21 under s. 66.1039, long-term care districts under s. 46.2895 or other political units
22 of this state.

23 **SECTION 1452.** 71.26 (2) (a) 4. of the statutes is amended to read:

24 71.26 (2) (a) 4. Plus the amount of the credit computed under s. 71.28 (1dm),
25 (1dx), (1dy), (3g), (3h), (3n), (3q), (3t), (3w), (3wm), (3y), (5e), (5g), (5i), (5j), (5k), (5r),

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1 (5rm), (6n), (8m), and (10) and not passed through by a partnership, limited liability
2 company, or tax-option corporation that has added that amount to the partnership's,
3 limited liability company's, or tax-option corporation's income under s. 71.21 (4) or
4 71.34 (1k) (g).

5 **SECTION 1453.** 71.26 (2) (b) of the statutes is repealed and recreated to read:

6 71.26 (2) (b) *Regulated investment companies, real estate mortgage investment*
7 *conduits, real estate investment trusts, and financial asset securitization investment*
8 *trusts.* For a corporation, conduit, or common law trust that qualifies as a regulated
9 investment company, real estate mortgage investment conduit, real estate
10 investment trust, or financial asset securitization investment trust under the
11 Internal Revenue Code, "net income" means the federal regulated investment
12 company taxable income, federal real estate mortgage investment conduit taxable
13 income, federal real estate investment trust taxable income, or financial asset
14 securitization investment trust taxable income of the corporation, conduit, or trust
15 as determined under the Internal Revenue Code.

16 **SECTION 1454.** 71.26 (3) (j) of the statutes is amended to read:

17 71.26 (3) (j) Sections 243, 244, 245, 245A, 246 and 246A are excluded and
18 replaced by the rule that corporations may deduct from income dividends received
19 from a corporation with respect to its common stock if the corporation receiving the
20 dividends owns, directly or indirectly, during the entire taxable year at least 70
21 percent of the total combined voting stock of the payor corporation. In this
22 paragraph, "dividends received" means gross dividends minus taxes on those
23 dividends paid to a foreign nation and claimed as a deduction under this chapter. The
24 same dividends may not be deducted more than once and may not be used in the
25 determination of a net business loss under ss. 71.26 (4) and 71.45 (4).

ASSEMBLY BILL 43**SECTION 1455**

1 **SECTION 1455.** 71.26 (4) (a) of the statutes is amended to read:

2 71.26 (4) (a) Except as provided in par. (b) and s. 71.80 (25), a corporation,
3 except a tax-option corporation or an insurer to which s. 71.45 (4) applies, may offset
4 against its Wisconsin net business income any Wisconsin net business loss incurred
5 in any of the 20 immediately preceding taxable years, if the corporation was subject
6 to taxation under this chapter in the taxable year in which the loss was incurred, to
7 the extent not offset by other items of Wisconsin income in the loss year and by
8 Wisconsin net business income of any year between the loss year and the taxable year
9 for which an offset is claimed. For purposes of this subsection, Wisconsin net
10 business income or loss shall consist of all the income attributable to the operation
11 of a trade or business in this state, less the business expenses allowed as deductions
12 in computing net income, except that the dividends received deduction under sub. (3)
13 (j) may not be used in the determination of a net business loss. The Wisconsin net
14 business income or loss of corporations engaged in business within and without the
15 state shall be determined under s. 71.25 (6) and (10) to (12). Nonapportionable losses
16 having a Wisconsin situs under s. 71.25 (5) (b) shall be included in Wisconsin net
17 business loss; and nonapportionable income having a Wisconsin situs under s. 71.25
18 (5) (b), whether taxable or exempt, shall be included in other items of Wisconsin
19 income and Wisconsin net business income for purposes of this subsection.

20 **SECTION 1456.** 71.28 (3w) (a) 2m. of the statutes is created to read:

21 71.28 (3w) (a) 2m. “Contract” means a contract between the claimant and the
22 Wisconsin Economic Development Corporation under s. 238.399.

23 **SECTION 1457.** 71.28 (3w) (a) 6. of the statutes is renumbered 71.28 (3w) (a) 6.

24 a. and amended to read:

ASSEMBLY BILL 43**SECTION 1457**

1 71.28 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is
2 attributable to wages paid to full-time employees for services that are performed in
3 an enterprise zone. ~~“Zone~~ Except as provided in subd. 6. b., “zone payroll” does not
4 include the amount of wages paid to any full-time employees that exceeds \$100,000.

5 **SECTION 1458.** 71.28 (3w) (a) 6. b. of the statutes is created to read:

6 71.28 (3w) (a) 6. b. For a claimant whose contract is executed after December
7 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time
8 employees that exceeds \$141,300.

9 **SECTION 1459.** 71.28 (3w) (b) (intro.) of the statutes is amended to read:

10 71.28 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject
11 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,
12 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit
13 against the tax imposed under s. 71.23 an amount calculated as follows:

14 **SECTION 1460.** 71.28 (3w) (bd) of the statutes is created to read:

15 71.28 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the
16 limitations provided in this subsection and s. 238.399, a claimant whose contract is
17 executed after December 31, 2023, may claim as a credit against the tax imposed
18 under s. 71.23 an amount calculated as follows:

19 1. Determine the amount that is the lesser of:

20 a. The number of full-time employees whose annual wages are greater than
21 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
22 or municipality and who the claimant employed in the enterprise zone in the taxable
23 year, minus the number of full-time employees whose annual wages were greater
24 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II

ASSEMBLY BILL 43**SECTION 1460**

1 county or municipality and who the claimant employed in the area that comprises
2 the enterprise zone in the base year.

3 b. The number of full-time employees whose annual wages are greater than
4 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
5 or municipality and who the claimant employed in the state in the taxable year,
6 minus the number of full-time employees whose annual wages were 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 base year.

9 2. Determine the claimant's average zone payroll by dividing total wages for
10 full-time employees whose annual wages are greater than \$32,000 in a tier I county
11 or municipality or greater than \$42,390 in a tier II county or municipality and who
12 the claimant employed in the enterprise zone in the taxable year by the number of
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.

16 3. For employees in a tier I county or municipality, subtract \$32,000 from the
17 amount determined under subd. 2. and for employees in a tier II county or
18 municipality, subtract \$42,390 from the amount determined under subd. 2.

19 4. Multiply the amount determined under subd. 3. by the amount determined
20 under subd. 1.

21 5. Multiply the amount determined under subd. 4. by the percentage
22 determined under s. 238.399, not to exceed 7 percent.

23 **SECTION 1461.** 71.28 (3w) (bm) 1. of the statutes is amended to read:

24 71.28 (3w) (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
25 subds. 2., 3., and 4. to 5., and subject to the limitations provided in this subsection

ASSEMBLY BILL 43**SECTION 1461**

1 and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the
2 tax imposed under s. 71.23 an amount equal to a percentage, as determined under
3 s. 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the
4 claimant paid in the taxable year to upgrade or improve the job-related skills of any
5 of the claimant's full-time employees, to train any of the claimant's full-time
6 employees on the use of job-related new technologies, or to provide job-related
7 training to any full-time employee whose employment with the claimant represents
8 the employee's first full-time job. This subdivision does not apply to employees who
9 do not work in an enterprise zone.

10 **SECTION 1462.** 71.28 (3w) (bm) 2. of the statutes is renumbered 71.28 (3w) (bm)
11 2. (intro.) and amended to read:

12 71.28 (3w) (bm) 2. (intro.) In addition to the credits under ~~par. pars.~~ par. (b) and (bd)
13 and subs. 1., 3., ~~and 4., and 5.,~~ and subject to the limitations provided in this
14 subsection and s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit
15 against the tax imposed under s. 71.23 one of the following amounts:

16 a. For a claimant whose contract is executed prior to January 1, 2024, an
17 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009
18 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year
19 to all of the claimant's full-time employees whose annual wages are greater than the
20 amount determined by multiplying 2,080 by 150 percent of the federal minimum
21 wage in a tier I county or municipality, not including the wages paid to the employees
22 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
23 municipality, not including the wages paid to the employees determined under par.
24 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
25 the total number of such employees is equal to or greater than the total number of

ASSEMBLY BILL 43**SECTION 1462**

1 such employees in the base year. ~~A claimant may claim a credit under this~~
2 ~~subdivision for no more than 5 consecutive taxable years.~~

3 **SECTION 1463.** 71.28 (3w) (bm) 2. b. of the statutes is created to read:

4 71.28 (3w) (bm) 2. b. For a claimant whose contract is executed after December
5 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to
6 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the
7 claimant's full-time employees whose annual wages are greater than \$32,000 in a
8 tier I county or municipality, not including the wages paid to the employees
9 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or
10 municipality, not including the wages paid to the employees determined under par.
11 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if
12 the total number of such employees is equal to or greater than the total number of
13 such employees in the base year.

14 **SECTION 1464.** 71.28 (3w) (bm) 3. of the statutes is amended to read:

15 71.28 (3w) (bm) 3. In addition to the credits under ~~par. pars.~~ (b) and (bd) and
16 subds. 1., 2., ~~and 4.,~~ and 5., and subject to the limitations provided in this subsection
17 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
18 31, 2008, a claimant may claim as a credit against the tax imposed under s. 71.23 up
19 to 10 percent of the claimant's significant capital expenditures, as determined under
20 s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

21 **SECTION 1465.** 71.28 (3w) (bm) 4. of the statutes is amended to read:

22 71.28 (3w) (bm) 4. In addition to the credits under ~~par. pars.~~ (b) and (bd) and
23 subds. 1., 2., ~~and 3.,~~ and 5., and subject to the limitations provided in this subsection
24 and s. 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December
25 31, 2009, a claimant may claim as a credit against the tax imposed under s. 71.23,

ASSEMBLY BILL 43**SECTION 1465**

1 up to 1 percent of the amount that the claimant paid in the taxable year to purchase
2 tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d),
3 or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s.
4 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under
5 this subdivision and subd. 3. for the same expenditures.

6 **SECTION 1466.** 71.28 (3w) (bm) 5. of the statutes is renumbered 71.28 (3w) (bm)
7 5. (intro.) and amended to read:

8 71.28 **(3w)** (bm) 5. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)
9 and subds. 1. to 4., and subject to the limitations provided in this subsection and s.
10 238.399 or s. 560.799, 2009 stats., a claimant that has retained the minimum number
11 of full-time employees determined under s. 238.399 (5) (f) and maintained average
12 zone payroll for the taxable year equal to or greater than the base year may claim
13 as a credit against the tax imposed under s. 71.23 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 by the Wisconsin Economic
16 Development Corporation, of the claimant's zone payroll paid in the 12 months prior
17 to the certification date to the claimant's full-time employees in the enterprise zone
18 whose annual wages are greater than the amount determined by multiplying 2,080
19 by 150 percent of the federal minimum wage in a tier I county or municipality or
20 greater than \$30,000 in a tier II county or municipality. ~~The amount that the~~
21 ~~claimant may claim as credit under this subdivision for a taxable year shall not~~
22 ~~exceed \$2,000,000. A claimant may claim a credit under this subdivision for no more~~
23 ~~than 5 consecutive taxable years.~~

24 **SECTION 1467.** 71.28 (3w) (bm) 5. b. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1467**

1 71.28 (3w) (bm) 5. b. For a claimant whose contract is executed after December
2 31, 2023, an amount equal to the percentage, as determined by the Wisconsin
3 Economic Development Corporation, of the claimant's zone payroll paid in the 12
4 months prior to the certification date to the claimant's full-time employees in the
5 enterprise zone whose annual wages are greater than \$32,000 in a tier I county or
6 municipality or greater than \$42,390 in a tier II county or municipality.

7 **SECTION 1468.** 71.28 (3w) (c) 5. of the statutes is created to read:

8 71.28 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more
9 than 5 consecutive taxable years.

10 **SECTION 1469.** 71.28 (3w) (c) 6. of the statutes is created to read:

11 71.28 (3w) (c) 6. The amount that a claimant may claim as credit under par.
12 (bm) 5. for a taxable year may not exceed \$2,000,000. A claimant may claim a credit
13 under par. (bm) 5. for no more than 5 consecutive taxable years.

14 **SECTION 1470.** 71.28 (3w) (cm) of the statutes is created to read:

15 71.28 (3w) (cm) *Inflation adjustments.* For taxable years beginning after
16 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,
17 and (bm) 2. b. and 5. b. shall be increased each year by a percentage equal to the
18 percentage change between the U.S. consumer price index for all urban consumers,
19 U.S. city average, for the month of August of the previous year and the U.S. consumer
20 price index for all urban consumers, U.S. city average, for the month of August of the
21 year before the previous year, as determined by the federal department of labor.
22 Each amount that is revised under this paragraph shall be rounded to the nearest
23 multiple of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount
24 is a multiple of \$5, such an amount shall be increased to the next higher multiple of
25 \$10.

ASSEMBLY BILL 43**SECTION 1471**

1 **SECTION 1471.** 71.28 (3y) (b) 5. of the statutes is amended to read:

2 71.28 (3y) (b) 5. ~~An~~ For taxable years beginning before January 1, 2023, an
3 amount, as determined by the Wisconsin Economic Development Corporation under
4 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
5 paid to an eligible employee in the taxable year if the position in which the eligible
6 employee was employed was created or retained in connection with the claimant's
7 location or retention of the claimant's corporate headquarters in Wisconsin and the
8 job duties associated with the eligible employee's position involve the performance
9 of corporate headquarters functions.

10 **SECTION 1472.** 71.28 (3y) (b) 5m. of the statutes is created to read:

11 71.28 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an
12 amount, as determined by the Wisconsin Economic Development Corporation under
13 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
14 paid to an eligible employee in the taxable year if the position in which the eligible
15 employee was employed was created or retained in connection with the claimant's
16 location or retention of the claimant's corporate headquarters in Wisconsin.

17 **SECTION 1473.** 71.28 (3y) (b) 6. of the statutes is created to read:

18 71.28 (3y) (b) 6. For taxable years beginning after December 31, 2023, an
19 amount, as determined by the Wisconsin Economic Development Corporation under
20 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's
21 energy efficiency or renewable energy project expenditures on real or personal
22 property located in this state.

23 **SECTION 1474.** 71.28 (4) (k) 1. b. of the statutes is amended to read:

24 71.28 (4) (k) 1. b. For taxable years beginning after December 31, 2020 and
25 before January 1, 2024, the amount of the claim not used to offset the tax due, up to

ASSEMBLY BILL 43**SECTION 1474**

1 15 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be
2 certified by the department of revenue to the department of administration for
3 payment by check, share draft, or other draft drawn from the appropriation account
4 under s. 20.835 (2) (d).

5 **SECTION 1475.** 71.28 (4) (k) 1. c. of the statutes is created to read:

6 71.28 (4) (k) 1. c. For taxable years beginning after December 31, 2023, the
7 amount of the claim not used to offset the tax due, not to exceed 50 percent of the
8 allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the
9 department of revenue to the department of administration for payment by check,
10 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
11 (d).

12 **SECTION 1476.** 71.28 (5n) (a) 5. a. of the statutes is amended to read:

13 71.28 (5n) (a) 5. a. “Manufacturing property factor” means a fraction, the
14 numerator of which is the average value of the claimant’s ~~real and personal~~ land and
15 depreciable property assessed under s. 70.995, owned or rented and used in this state
16 by the claimant during the taxable year to manufacture qualified production
17 property, and the denominator of which is the average value of all the claimant’s ~~real~~
18 ~~and personal~~ land and depreciable property owned or rented during the taxable year
19 and used by the claimant to manufacture qualified production property.

20 **SECTION 1477.** 71.28 (5n) (a) 5. d. of the statutes is repealed.

21 **SECTION 1478.** 71.28 (5n) (a) 9. (intro.) of the statutes is amended to read:

22 71.28 (5n) (a) 9. (intro.) “Qualified production property” means either any of
23 the following:

24 **SECTION 1479.** 71.28 (5n) (a) 9. a. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1479**

1 71.28 (5n) (a) 9. a. Tangible personal property manufactured in whole or in part
2 by the claimant on property that is located in this state and assessed as
3 manufacturing property under s. 70.995. Tangible personal property manufactured
4 in this state may only be qualified production property if it is manufactured on
5 property approved to be classified as manufacturing real property for purposes of s.
6 70.995, even if it is not eligible to be listed on the department's manufacturing roll
7 until January 1 of the following year.

8 **SECTION 1480.** 71.28 (5n) (a) 9. c. of the statutes is created to read:

9 71.28 (5n) (a) 9. c. Tangible personal property manufactured in whole or in part
10 by the claimant with an establishment that is located in this state and classified as
11 manufacturing under s. 70.995 (5n). A person wishing to classify the person's
12 establishment as manufacturing under this subd. 9. c. shall file an application in the
13 form and manner prescribed by the department no later than July 1 of the taxable
14 year for which the person wishes to claim the credit under this subsection, pursuant
15 to s. 70.995 (5n). The department shall make a determination and provide written
16 notice by December 31 of the year in which the application is filed. A determination
17 on the classification under this subd. 9. c. may be appealed as provided under s.
18 70.995 (5n).

19 **SECTION 1481.** 71.28 (5n) (d) 2. of the statutes is amended to read:

20 71.28 (5n) (d) 2. Except as provided in ~~subd.~~ subds. 2m. and 3., for purposes of
21 determining a claimant's eligible qualified production activities income under this
22 subsection, the claimant shall multiply the claimant's qualified production activities
23 income from property manufactured by the claimant by the manufacturing property
24 factor and qualified production activities income from property produced, grown, or
25 extracted by the claimant by the agriculture property factor. This subdivision does

ASSEMBLY BILL 43**SECTION 1481**

1 not apply if the claimant's entire qualified production activities income results from
2 the sale of tangible personal property that was manufactured, produced, grown, or
3 extracted wholly in this state by the claimant.

4 **SECTION 1482.** 71.28 (5n) (d) 2m. of the statutes is created to read:

5 71.28 **(5n)** (d) 2m. Except as provided in subd. 3., for taxable years beginning
6 after December 31, 2022, for purposes of determining a claimant's eligible qualified
7 production activities income from manufacturing under this subsection, the
8 claimant shall multiply the claimant's qualified production activities income, not
9 exceeding \$300,000, from property manufactured by the claimant by the
10 manufacturing property factor. This subdivision does not apply if the claimant's
11 entire qualified production activities income results from the sale of tangible
12 personal property that was manufactured, produced, grown, or extracted wholly in
13 this state by the claimant.

14 **SECTION 1483.** 71.28 (5n) (d) 3. a. of the statutes is amended to read:

15 71.28 **(5n)** (d) 3. a. The eligible qualified production activities income
16 determined under subd. 2. or 2m.

17 **SECTION 1484.** 71.28 (8b) (a) 5. of the statutes is amended to read:

18 71.28 **(8b)** (a) 5. "Credit period" means the period of ~~6~~ 10 taxable years
19 beginning with the taxable year in which a qualified development is placed in
20 service. For purposes of this subdivision, if a qualified development consists of more
21 than one building, the qualified development is placed in service in the taxable year
22 in which the last building of the qualified development is placed in service.

23 **SECTION 1485.** 71.28 (8b) (a) 7. of the statutes is amended to read:

24 71.28 **(8b)** (a) 7. "Qualified development" means a qualified low-income
25 housing project under section 42 (g) of the Internal Revenue Code that is financed

ASSEMBLY BILL 43**SECTION 1485**

1 with tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4)~~
2 ~~(A) of the Internal Revenue Code, allocated the credit under section 42 of the Internal~~
3 ~~Revenue Code, and located in this state; except that the authority may waive, in the~~
4 ~~qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,~~
5 ~~the requirements of tax-exempt bond financing and federal credit allocation to the~~
6 ~~extent the authority anticipates that sufficient volume cap under section 146 of the~~
7 ~~Internal Revenue Code will not be available to finance low-income housing projects~~
8 ~~in any year.~~

9 **SECTION 1486.** 71.28 (8m) of the statutes is created to read:

10 71.28 **(8m)** UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions.* In this
11 subsection:

12 1. "Claimant" means a person who files a claim under this subsection and meets
13 either of the following conditions during the preceding taxable year:

14 a. Had gross receipts that did not exceed \$1,000,000.

15 b. Employed no more than 30 full-time employees.

16 2. "Full-time employee" means an individual who is employed for at least 30
17 hours per week for 20 or more calendar weeks during a taxable year.

18 3. "Universal changing station" has the meaning given in s. 71.07 (8m) (a) 3.

19 (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject
20 to the limitations provided in this subsection, a claimant may claim as a credit
21 against the tax imposed under s. 71.23, up to the amount of those taxes, an amount
22 equal to 50 percent of the amount the claimant paid during the taxable year to install
23 a universal changing station.

24 (c) *Limitations.* 1. No credit may be claimed under this subsection unless the
25 universal changing station is installed in a single-occupant restroom that measures

ASSEMBLY BILL 43**SECTION 1486**

1 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider
2 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap
3 dispenser, and a paper towel dispenser; and that complies with accessibility
4 standards under the federal Americans with Disabilities Act.

5 2. The credit claimed under this subsection may not exceed \$5,125.

6 3. Partnerships, limited liability companies, and tax-option corporations may
7 not claim the credit under this subsection, but the eligibility for, and the amount of,
8 the credit are based on the amounts paid by the entity. A partnership, limited
9 liability company, or tax-option corporation shall compute the amount of credit that
10 each of its partners, members, or shareholders may claim and shall provide that
11 information to each of them. Partners, members, and shareholders may claim the
12 credit in proportion to their ownership interests.

13 (d) *Administration.* Sub. (4) (e) to (h), as it applies to the credit under sub. (4),
14 applies to the credit under this subsection.

15 **SECTION 1487.** 71.30 (3) (cu) of the statutes is created to read:

16 71.30 (3) (cu) Universal changing station credit under s. 71.28 (8m).

17 **SECTION 1488.** 71.34 (1g) of the statutes is repealed and recreated to read:

18 71.34 (1g) For tax option corporations, “Internal Revenue Code” has the
19 meaning given in s. 71.99.

20 **SECTION 1489.** 71.34 (1k) (g) of the statutes is amended to read:

21 71.34 (1k) (g) An addition shall be made for credits computed by a tax-option
22 corporation under s. 71.28 (1dm), (1dx), (1dy), (3), (3g), (3h), (3n), (3q), (3t), (3w),
23 (3wm), (3y), (4), (5), (5e), (5g), (5i), (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and
24 passed through to shareholders.

25 **SECTION 1490.** 71.34 (1m) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 1491**

1 **SECTION 1491.** 71.34 (1u) of the statutes is repealed.

2 **SECTION 1492.** 71.42 (2) of the statutes is repealed and recreated to read:

3 71.42 (2) “Internal Revenue Code” has the meaning given in s. 71.99.

4 **SECTION 1493.** 71.42 (2m) of the statutes is repealed.

5 **SECTION 1494.** 71.42 (2p) of the statutes is repealed.

6 **SECTION 1495.** 71.45 (2) (a) 10. of the statutes is amended to read:

7 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
8 computed under s. 71.47 (1dm) to (1dy), (3g), (3h), (3n), (3q), (3w), (3y), (5e), (5g), (5i),
9 (5j), (5k), (5r), (5rm), (6n), (8m), and (10) and not passed through by a partnership,
10 limited liability company, or tax-option corporation that has added that amount to
11 the partnership’s, limited liability company’s, or tax-option corporation’s income
12 under s. 71.21 (4) or 71.34 (1k) (g) and the amount of credit computed under s. 71.47
13 (3), (3t), (4), (4m), and (5).

14 **SECTION 1496.** 71.45 (4) (a) of the statutes is amended to read:

15 71.45 (4) (a) Except as provided in par. (b) and s. 71.80 (25), insurers computing
16 tax under this subchapter may subtract from Wisconsin net income any Wisconsin
17 net business loss incurred in any of the 20 immediately preceding taxable years, if
18 the insurer was subject to taxation under this chapter in the taxable year in which
19 the loss was incurred, to the extent not offset by Wisconsin net business income of
20 any year between the loss year and the taxable year for which an offset is claimed
21 and computed without regard to sub. (2) (a) 8. and 9. and this subsection and limited
22 to the amount of net income, but no loss incurred for a taxable year before taxable
23 year 1987 by a nonprofit service plan of sickness care under ch. 148, or dental care
24 under s. 447.13 may be treated as a net business loss of the successor service insurer
25 under ch. 613 operating by virtue of s. 148.03 or 447.13. For purposes of this

ASSEMBLY BILL 43**SECTION 1496**

1 paragraph, the dividends received deduction under s. 71.26 (3) (j) may not be used
2 in the determination of a net business loss.

3 **SECTION 1497.** 71.47 (3w) (a) 2m. of the statutes is created to read:

4 71.47 (3w) (a) 2m. “Contract” means a contract between the claimant and the
5 Wisconsin Economic Development Corporation under s. 238.399.

6 **SECTION 1498.** 71.47 (3w) (a) 6. of the statutes is renumbered 71.47 (3w) (a) 6.
7 a. and amended to read:

8 71.47 (3w) (a) 6. a. “Zone payroll” means the amount of state payroll that is
9 attributable to wages paid to full-time employees for services that are performed in
10 an enterprise zone. ~~“Zone~~ Except as provided in subd. 6. b., “zone payroll” does not
11 include the amount of wages paid to any full-time employees that exceeds \$100,000.

12 **SECTION 1499.** 71.47 (3w) (a) 6. b. of the statutes is created to read:

13 71.47 (3w) (a) 6. b. For a claimant whose contract is executed after December
14 31, 2023, “zone payroll” does not include the amount of wages paid to any full-time
15 employees that exceeds \$141,300.

16 **SECTION 1500.** 71.47 (3w) (b) (intro.) of the statutes is amended to read:

17 71.47 (3w) (b) *Filing claims under pre-2024 contracts; payroll.* (intro.) Subject
18 to the limitations provided in this subsection and s. 238.399 or s. 560.799, 2009 stats.,
19 a claimant whose contract is executed prior to January 1, 2024, may claim as a credit
20 against the tax imposed under s. 71.43 an amount calculated as follows:

21 **SECTION 1501.** 71.47 (3w) (bd) of the statutes is created to read:

22 71.47 (3w) (bd) *Filing claims under post-2023 contracts; payroll.* Subject to the
23 limitations provided in this subsection and s. 238.399, a claimant whose contract is
24 executed after December 31, 2023, may claim as a credit against the tax imposed
25 under s. 71.43 an amount calculated as follows:

ASSEMBLY BILL 43**SECTION 1501**

- 1 1. Determine the amount that is the lesser of:
 - 2 a. The number of full-time employees whose annual wages are greater than
3 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
4 or municipality and who the claimant employed in the enterprise zone in the taxable
5 year, minus the number of full-time employees whose annual wages were greater
6 than \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II
7 county or municipality and who the claimant employed in the area that comprises
8 the enterprise zone in the base year.
9 b. The number of full-time employees whose annual wages are 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 taxable year,
12 minus the number of full-time employees whose annual wages were greater than
13 \$32,000 in a tier I county or municipality or greater than \$42,390 in a tier II county
14 or municipality and who the claimant employed in the state in the base year.
- 15 2. Determine the claimant's average zone payroll by dividing total wages for
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 by the number of
19 full-time employees whose annual wages are greater than \$32,000 or greater than
20 \$42,390 in a tier II county or municipality and who the claimant employed in the
21 enterprise zone in the taxable year.
- 22 3. For employees in a tier I county or municipality, subtract \$32,000 from the
23 amount determined under subd. 2. and for employees in a tier II county or
24 municipality, subtract \$42,390 from the amount determined under subd. 2.

ASSEMBLY BILL 43**SECTION 1501**

1 4. Multiply the amount determined under subd. 3. by the amount determined
2 under subd. 1.

3 5. Multiply the amount determined under subd. 4. by the percentage
4 determined under s. 238.399, not to exceed 7 percent.

5 **SECTION 1502.** 71.47 (3w) (bm) 1. of the statutes is amended to read:

6 71.47 **(3w)** (bm) 1. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
7 subds. 2., 3., and 4., and subject to the limitations provided in this subsection and s.
8 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax
9 imposed under s. 71.43 an amount equal to a percentage, as determined under s.
10 238.399 or s. 560.799, 2009 stats., not to exceed 100 percent, of the amount the
11 claimant paid in the taxable year to upgrade or improve the job-related skills of any
12 of the claimant's full-time employees, to train any of the claimant's full-time
13 employees on the use of job-related new technologies, or to provide job-related
14 training to any full-time employee whose employment with the claimant represents
15 the employee's first full-time job. This subdivision does not apply to employees who
16 do not work in an enterprise zone.

17 **SECTION 1503.** 71.47 (3w) (bm) 2. of the statutes is renumbered 71.47 (3w) (bm)
18 2. (intro.) and amended to read:

19 71.47 **(3w)** (bm) 2. (intro.) In addition to the credits under ~~par.~~ pars. (b) and (bd)
20 and subds. 1., 3., and 4., and subject to the limitations provided in this subsection and
21 s. 238.399 or s. 560.799, 2009 stats., a claimant may claim as a credit against the tax
22 imposed under s. 71.43 one of the following amounts:

23 a. For a claimant whose contract is executed prior to January 1, 2024, an
24 amount equal to the percentage, as determined under s. 238.399 or s. 560.799, 2009
25 stats., not to exceed 7 percent, of the claimant's zone payroll paid in the taxable year

ASSEMBLY BILL 43**SECTION 1503**

1 to all of the claimant's full-time employees whose annual wages are greater than the
2 amount determined by multiplying 2,080 by 150 percent of the federal minimum
3 wage in a tier I county or municipality, not including the wages paid to the employees
4 determined under par. (b) 1., or greater than \$30,000 in a tier II county or
5 municipality, not including the wages paid to the employees determined under par.
6 (b) 1., and who the claimant employed in the enterprise zone in the taxable year, if
7 the total number of such employees is equal to or greater than the total number of
8 such employees in the base year. ~~A claimant may claim a credit under this~~
9 ~~subdivision for no more than 5 consecutive taxable years.~~

10 **SECTION 1504.** 71.47 (3w) (bm) 2. b. of the statutes is created to read:

11 71.47 (3w) (bm) 2. b. For a claimant whose contract is executed after December
12 31, 2023, an amount equal to the percentage, as determined under s. 238.399, not to
13 exceed 7 percent, of the claimant's zone payroll paid in the taxable year to all of the
14 claimant's full-time employees whose annual wages are greater than \$32,000 in a
15 tier I county or municipality, not including the wages paid to the employees
16 determined under par. (bd) 1., or greater than \$42,390 in a tier II county or
17 municipality, not including the wages paid to the employees determined under par.
18 (bd) 1., and who the claimant employed in the enterprise zone in the taxable year, if
19 the total number of such employees is equal to or greater than the total number of
20 such employees in the base year.

21 **SECTION 1505.** 71.47 (3w) (bm) 3. of the statutes is amended to read:

22 71.47 (3w) (bm) 3. In addition to the credits under ~~par. (b)~~ par. (b) and (bd) and
23 subs. 1., 2., and 4., and subject to the limitations provided in this subsection and s.
24 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31,
25 2008, a claimant may claim as a credit against the tax imposed under s. 71.43 up to

ASSEMBLY BILL 43**SECTION 1505**

1 10 percent of the claimant's significant capital expenditures, as determined under
2 s. 238.399 (5m) or s. 560.799 (5m), 2009 stats.

3 **SECTION 1506.** 71.47 (3w) (bm) 4. of the statutes is amended to read:

4 71.47 (3w) (bm) 4. In addition to the credits under ~~par.~~ pars. (b) and (bd) and
5 subds. 1., 2., and 3., and subject to the limitations provided in this subsection and s.
6 238.399 or s. 560.799, 2009 stats., for taxable years beginning after December 31,
7 2009, a claimant may claim as a credit against the tax imposed under s. 71.43, up to
8 1 percent of the amount that the claimant paid in the taxable year to purchase
9 tangible personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d),
10 or services from Wisconsin vendors, as determined under s. 238.399 (5) (e) or s.
11 560.799 (5) (e), 2009 stats., except that the claimant may not claim the credit under
12 this subdivision and subd. 3. for the same expenditures.

13 **SECTION 1507.** 71.47 (3w) (c) 5. of the statutes is created to read:

14 71.47 (3w) (c) 5. A claimant may claim a credit under par. (bm) 2. for no more
15 than 5 consecutive taxable years.

16 **SECTION 1508.** 71.47 (3w) (cm) of the statutes is created to read:

17 71.47 (3w) (cm) *Inflation adjustments.* For taxable years beginning after
18 December 31, 2024, the dollar amounts in pars. (a) 6. b., (bd) 1. a. and b., 2., and 3.,
19 and (bm) 2. b. shall be increased each year by a percentage equal to the percentage
20 change between the U.S. consumer price index for all urban consumers, U.S. city
21 average, for the month of August of the previous year and the U.S. consumer price
22 index for all urban consumers, U.S. city average, for the month of August of the year
23 before the previous year, as determined by the federal department of labor. Each
24 amount that is revised under this paragraph shall be rounded to the nearest multiple

ASSEMBLY BILL 43**SECTION 1508**

1 of \$10 if the revised amount is not a multiple of \$10 or, if the revised amount is a
2 multiple of \$5, such an amount shall be increased to the next higher multiple of \$10.

3 **SECTION 1509.** 71.47 (3y) (b) 5. of the statutes is amended to read:

4 71.47 (3y) (b) 5. ~~An~~ For taxable years beginning before January 1, 2023, an
5 amount, as determined by the Wisconsin Economic Development Corporation under
6 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
7 paid to an eligible employee in the taxable year if the position in which the eligible
8 employee was employed was created or retained in connection with the claimant's
9 location or retention of the claimant's corporate headquarters in Wisconsin and the
10 job duties associated with the eligible employee's position involve the performance
11 of corporate headquarters functions.

12 **SECTION 1510.** 71.47 (3y) (b) 5m. of the statutes is created to read:

13 71.47 (3y) (b) 5m. For taxable years beginning after December 31, 2022, an
14 amount, as determined by the Wisconsin Economic Development Corporation under
15 s. 238.308 (4) (a) 5., equal to a percentage of the amount of wages that the claimant
16 paid to an eligible employee in the taxable year if the position in which the eligible
17 employee was employed was created or retained in connection with the claimant's
18 location or retention of the claimant's corporate headquarters in Wisconsin.

19 **SECTION 1511.** 71.47 (3y) (b) 6. of the statutes is created to read:

20 71.47 (3y) (b) 6. For taxable years beginning after December 31, 2023, an
21 amount, as determined by the Wisconsin Economic Development Corporation under
22 s. 238.308 (4) (a) 6., equal to a percentage, not to exceed 25 percent, of the claimant's
23 energy efficiency or renewable energy project expenditures on real or personal
24 property located in this state.

25 **SECTION 1512.** 71.47 (4) (k) 1. b. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1512**

1 71.47 (4) (k) 1. b. For taxable years beginning after December 31, 2020 and
2 before January 1, 2024, the amount of the claim not used to offset the tax due, up to
3 15 percent of the allowable amount of the claim under par. (ad) 4., 5., or 6., shall be
4 certified by the department of revenue to the department of administration for
5 payment by check, share draft, or other draft drawn from the appropriation account
6 under s. 20.835 (2) (d).

7 **SECTION 1513.** 71.47 (4) (k) 1. c. of the statutes is created to read:

8 71.47 (4) (k) 1. c. For taxable years beginning after December 31, 2023, the
9 amount of the claim not used to offset the tax due, not to exceed 50 percent of the
10 allowable amount of the claim under par. (ad) 4., 5., or 6., shall be certified by the
11 department of revenue to the department of administration for payment by check,
12 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
13 (d).

14 **SECTION 1514.** 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 1515.** 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

ASSEMBLY BILL 43**SECTION 1515**

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 1516.** 71.47 (8m) of the statutes is created to read:

7 71.47 **(8m)** UNIVERSAL CHANGING STATION CREDIT. (a) *Definitions.* In this
8 subsection:

9 1. “Claimant” means a person who files a claim under this subsection and meets
10 either of the following conditions during the preceding taxable year:

11 a. Had gross receipts that did not exceed \$1,000,000.

12 b. Employed no more than 30 full-time employees.

13 2. “Full-time employee” means an individual who is employed for at least 30
14 hours per week for 20 or more calendar weeks during a taxable year.

15 3. “Universal changing station” has the meaning given in s. 71.07 (8m) (a) 3.

16 (b) *Filing claims.* For taxable years beginning after December 31, 2022, subject
17 to the limitations provided in this subsection, a claimant may claim as a credit
18 against the tax imposed under s. 71.43, up to the amount of those taxes, an amount
19 equal to 50 percent of the amount the claimant paid during the taxable year to install
20 a universal changing station.

21 (c) *Limitations.* 1. No credit may be claimed under this subsection unless the
22 universal changing station is installed in a single-occupant restroom that measures
23 at least 8 feet by 10 feet, with adequate space for a wheelchair and a care provider
24 to maneuver; that is equipped with a waste receptacle, a toilet, a lavatory, a soap

ASSEMBLY BILL 43**SECTION 1516**

1 dispenser, and a paper towel dispenser; and that complies with accessibility
2 standards under the federal Americans with Disabilities Act.

3 2. The credit claimed under this subsection may not exceed \$5,125.

4 3. Partnerships, limited liability companies, and tax-option corporations may
5 not claim the credit under this subsection, but the eligibility for, and the amount of,
6 the credit are based on the amounts paid by the entity. A partnership, limited
7 liability company, or tax-option corporation shall compute the amount of credit that
8 each of its partners, members, or shareholders may claim and shall provide that
9 information to each of them. Partners, members, and shareholders may claim the
10 credit in proportion to their ownership interests.

11 (d) *Administration.* Section 71.28 (4) (e) to (h), as it applies to the credit under
12 s. 71.28 (4), applies to the credit under this subsection.

13 **SECTION 1517.** 71.49 (1) (cu) of the statutes is created to read:

14 71.49 (1) (cu) Universal changing station credit under s. 71.47 (8m).

15 **SECTION 1518.** 71.52 (4) of the statutes is amended to read:

16 71.52 (4) "Household" means a claimant and an individual related to the
17 claimant as ~~husband or wife~~ his or her spouse.

18 **SECTION 1519.** 71.52 (7) of the statutes is amended to read:

19 71.52 (7) "Property taxes accrued" means real ~~or personal~~ property taxes or
20 monthly municipal permit fees under s. 66.0435 (3) (c), exclusive of special
21 assessments, delinquent interest and charges for service, levied on a homestead
22 owned by the claimant or a member of the claimant's household. "Real ~~or personal~~
23 property taxes" means those levied under ch. 70, less the tax credit, if any, afforded
24 in respect of such property by s. 79.10. If a homestead is owned by 2 or more persons
25 or entities as joint tenants or tenants in common or is owned as marital property or

ASSEMBLY BILL 43**SECTION 1519**

1 survivorship marital property and one or more such persons, entities or owners is not
2 a member of the claimant's household, property taxes accrued is that part of property
3 taxes accrued levied on such homestead, reduced by the tax credit under s. 79.10,
4 that reflects the ownership percentage of the claimant and the claimant's household,
5 except that if a homestead is owned by 2 or more natural persons or if 2 or more
6 natural persons have an interest in a homestead, one or more of whom is not a
7 member of the claimant's household, and the claimant has a present interest, as that
8 term is used in s. 700.03 (1), in the homestead and is required by the terms of a will
9 that transferred the homestead or interest in the homestead to the claimant to pay
10 the entire amount of property taxes levied on the homestead, property taxes accrued
11 is property taxes accrued levied on such homestead, reduced by the tax credit under
12 s. 79.10. A marital property agreement or unilateral statement under ch. 766 has
13 no effect in computing property taxes accrued for a person whose homestead is not
14 the same as the homestead of that person's spouse. For purposes of this subsection,
15 property taxes are "levied" when the tax roll is delivered to the local treasurer for
16 collection. If a homestead is sold or purchased during the calendar year of the levy,
17 the property taxes accrued for the seller and the buyer are the amount of the tax levy
18 prorated to each in proportion to the periods of time each both owned and occupied
19 the homestead during the year to which the claim relates. The seller may use the
20 closing agreement pertaining to the sale of the homestead, the property tax bill for
21 the year before the year to which the claim relates or the property tax bill for the year
22 to which the claim relates as the basis for computing property taxes accrued, but
23 those taxes are allowable only for the portion of the year during which the seller
24 owned and occupied the sold homestead. If a household owns and occupies 2 or more
25 homesteads in the same calendar year, property taxes accrued is the sum of the

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1 prorated property taxes accrued attributable to the household for each of such
2 homesteads. If the household owns and occupies the homestead for part of the
3 calendar year and rents a homestead for part of the calendar year, it may include both
4 the proration of taxes on the homestead owned and rent constituting property taxes
5 accrued with respect to the months the homestead is rented in computing the amount
6 of the claim under s. 71.54 (1). If a homestead is an integral part of a multipurpose
7 or multidwelling building, property taxes accrued are the percentage of the property
8 taxes accrued on that part of the multipurpose or multidwelling building occupied
9 by the household as a principal residence plus that same percentage of the property
10 taxes accrued on the land surrounding it, not exceeding one acre, that is reasonably
11 necessary for use of the multipurpose or multidwelling building as a principal
12 residence, except as the limitations of s. 71.54 (2) (b) apply. If the homestead is part
13 of a farm, property taxes accrued are the property taxes accrued on up to 120 acres
14 of the land contiguous to the claimant's principal residence and include the property
15 taxes accrued on all improvements to real property located on such land, except as
16 the limitations of s. 71.54 (2) (b) apply.

17 **SECTION 1520.** 71.54 (1) (g) (intro.) of the statutes is amended to read:

18 71.54 (1) (g) *2012 and thereafter to 2023.* (intro.) The amount of any claim filed
19 in 2012 ~~and thereafter~~ to 2023 and based on property taxes accrued or rent
20 constituting property taxes accrued during the previous year is limited as follows:

21 **SECTION 1521.** 71.54 (1) (g) 4. of the statutes is amended to read:

22 71.54 (1) (g) 4. ~~Except as provided in subds. 5. and 7., for~~ For claims filed in 2018
23 and thereafter and based on property taxes accrued or rent constituting property
24 taxes accrued during the previous year, no credit may be allowed under this
25 paragraph if the claimant has no earned income in the taxable year to which the

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1 claim relates unless the claimant is disabled and provides the proof required under
2 subd. 6. or the claimant or the claimant's spouse is over the age of 61 at the close of
3 the year to which the claim relates.

4 **SECTION 1522.** 71.54 (1) (g) 5. of the statutes is repealed.

5 **SECTION 1523.** 71.54 (1) (g) 6. (intro.) of the statutes is amended to read:

6 71.54 (1) (g) 6. (intro.) ~~With regard to a claimant who is disabled, the~~ A claimant
7 who is disabled shall provide with his or her return proof that his or her disability
8 is in effect for the taxable year to which the claim relates. Proof of disability may be
9 demonstrated by any of the following:

10 **SECTION 1524.** 71.54 (1) (g) 7. of the statutes is repealed.

11 **SECTION 1525.** 71.54 (1) (h) of the statutes is created to read:

12 71.54 (1) (h) *2024 and thereafter.* Subject to sub. (2m), the amount of any claim
13 filed in 2024 and thereafter and based on property taxes accrued or rent constituting
14 property taxes accrued during the previous year is limited as follows:

15 1. If the household income was \$8,060 or less in the year to which the claim
16 relates, the claim is limited to 80 percent of the property taxes accrued or rent
17 constituting property taxes accrued or both in that year on the claimant's homestead.

18 2. If the household income was more than \$8,060 in the year to which the claim
19 relates, the claim is limited to 80 percent of the amount by which the property taxes
20 accrued or rent constituting property taxes accrued or both in that year on the
21 claimant's homestead exceeds 5.614 percent of the household income exceeding
22 \$8,060.

23 3. No credit may be allowed if the household income exceeds \$35,000.

24 4. Notwithstanding the time limitations described in par. (g) (intro.), the
25 provisions of par. (g) 4. apply to claims filed under this paragraph.

ASSEMBLY BILL 43**SECTION 1526**

1 **SECTION 1526.** 71.54 (2) (b) 4. of the statutes is amended to read:

2 71.54 (2) (b) 4. In calendar years 2011 ~~or any subsequent calendar year to 2022,~~
3 \$1,460.

4 **SECTION 1527.** 71.54 (2) (b) 5. of the statutes is created to read:

5 71.54 (2) (b) 5. Subject to sub. (2m), in calendar year 2023 or any subsequent
6 calendar year, \$1,460.

7 **SECTION 1528.** 71.54 (2m) of the statutes is amended to read:

8 71.54 (2m) INDEXING FOR INFLATION; ~~2010 2024 AND THEREAFTER.~~ (a) For calendar
9 years beginning after December 31, 2009, ~~and before January 1, 2011~~ 2023, the dollar
10 amounts of the threshold income under sub. (1) (~~f~~) (h) 1. and 2., the maximum
11 household income under sub. (1) (~~f~~) (h) 3., and the maximum property taxes under
12 sub. (2) (b) ~~3.~~ 5. shall be increased each year by a percentage equal to the percentage
13 change between the U.S. consumer price index for all urban consumers, U.S. city
14 average, for the 12-month average of the U.S. consumer price index for the month
15 of August of the year before the previous year through the month of July of the
16 previous year and the U.S. consumer price index for all urban consumers, U.S. city
17 average, for the 12-month average of the U.S. consumer price index for August ~~2007~~
18 2021 through July ~~2008~~ 2022, as determined by the federal department of labor,
19 except that the adjustment may occur only if the percentage is a positive number.
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. The department of revenue shall annually adjust the changes in dollar amounts
24 required under this paragraph and incorporate the changes into the income tax
25 forms and instructions.

ASSEMBLY BILL 43**SECTION 1528**

1 (b) The department of revenue shall annually adjust the slope under sub. (1)
2 (f) ~~(h)~~ 2. ~~such so~~ that, as a claimant's income increases from the threshold income as
3 calculated adjusted under par. (a), to an amount that exceeds the maximum
4 household income as calculated adjusted under par. (a), the credit that may be
5 claimed is reduced to \$0, and the department of revenue shall incorporate the
6 changes into the income tax forms and instructions.

7 **SECTION 1529.** 71.78 (4) (m) of the statutes is amended to read:

8 71.78 (4) (m) The chief executive officer of the Wisconsin Economic
9 Development Corporation and employees of the corporation to the extent necessary
10 to administer ~~the development zone program~~ economic development programs under
11 ~~subch. II~~ of ch. 238.

12 **SECTION 1530.** 71.78 (4) (v) of the statutes is created to read:

13 71.78 (4) (v) The secretary of health services and employees of that department
14 for the purpose of performing an evaluation under s. 71.03 (9).

15 **SECTION 1531.** 71.78 (5) of the statutes is amended to read:

16 71.78 (5) AGREEMENT WITH DEPARTMENT. Copies of returns and claims specified
17 in sub. (1) and related schedules, exhibits, writings or audit reports shall not be
18 furnished to the persons listed under sub. (4), except persons under sub. (4) (e), (k),
19 (n), (o) and (q) or under an agreement between the department of revenue and
20 another agency of government or the Wisconsin Economic Development Corporation.

21 **SECTION 1532.** 71.80 (25) (a) of the statutes is renumbered 71.80 (25) and
22 amended to read:

23 71.80 (25) NET OPERATING AND BUSINESS LOSS CARRY-FORWARD ~~AND CARRY-BACK.~~
24 No offset of Wisconsin income may be made under s. 71.05 (8) (b) ~~1-~~, 71.26 (4) (a), or
25 71.45 (4) (a) unless the incurred loss was computed on a return that was filed within

ASSEMBLY BILL 43**SECTION 1532**

1 4 years of the unextended due date for filing the original return for the taxable year
2 in which the loss was incurred.

3 **SECTION 1533.** 71.80 (25) (b) of the statutes is repealed.

4 **SECTION 1534.** 71.83 (1) (a) 6. of the statutes is amended to read:

5 71.83 (1) (a) 6. 'Retirement plans.' Any natural person who is liable for a
6 penalty for federal income tax purposes under section 72 (m) (5), (q), (t), and (v), 4973,
7 4974, 4975, or 4980A of the Internal Revenue Code is liable for 33 percent of the
8 federal penalty unless the income received is exempt from taxation under s. 71.05
9 (1) (a) or (6) (b) 54. or 54m. The penalties provided under this subdivision shall be
10 assessed, levied, and collected in the same manner as income or franchise taxes.

11 **SECTION 1535.** 71.83 (1) (a) 8. of the statutes is amended to read:

12 71.83 (1) (a) 8. 'Joint return replacing separate returns.' If the amount shown
13 as the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2)
14 (g) to (L) exceeds the sum of the amounts shown as the tax upon the separate return
15 of each spouse and if any part of that excess is attributable to negligence or
16 intentional disregard of this chapter, but without intent to defraud, at the time of the
17 filing of that separate return, then 25 percent of the total amount of that excess shall
18 be added to the tax.

19 **SECTION 1536.** 71.83 (1) (b) 5. of the statutes is amended to read:

20 71.83 (1) (b) 5. 'Joint return after separate returns.' If the amount shown as
21 the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2) (g)
22 to (L) exceeds the sum of the amounts shown as the tax on the separate return of each
23 spouse and if any part of that excess is attributable to fraud with intent to evade tax
24 at the time of the filing of that separate return, then 50 percent of the total amount
25 of that excess shall be added to the tax.

ASSEMBLY BILL 43

SECTION 1537

1 **SECTION 1537.** 71.83 (1) (ch) of the statutes is created to read:

2 71.83 (1) (ch) *First-time home buyer savings account withdrawals.* If an
3 account holder, as defined under s. 71.10 (10) (a) 1., or an account holder's estate is
4 required to add any amount to federal adjusted gross income under s. 71.05 (6) (a)
5 30., the account holder or the account holder's estate shall also pay an amount equal
6 to 10 percent of the amount that is added to income under s. 71.05 (6) (a) 30. The
7 department of revenue shall assess, levy, and collect the penalty under this
8 paragraph as it assesses, levies, and collects taxes under this chapter.

9 **SECTION 1538.** Subchapter XVI (title) of chapter 71 [precedes 71.98] of the
10 statutes is amended to read:

11 **CHAPTER 71**

12 **SUBCHAPTER XVI**

13 **INTERNAL REVENUE CODE UPDATE**

14 **SECTION 1539.** 71.98 of the statutes is repealed and recreated to read:

15 **71.98 Internal Revenue Code conformity.** The following federal laws, to
16 the extent that they apply to the federal Internal Revenue Code in effect for federal
17 purposes, apply to this chapter:

18 **(1) STATIC CONFORMITY.** (a) *Depreciation and amortization.* For taxable years
19 beginning after December 31, 2013, and for purposes of computing depreciation and
20 amortization, the Internal Revenue Code means the Internal Revenue Code in effect
21 for federal purposes on January 1, 2014, except that sections 13201 (f), 13203, 13204,
22 and 13205 of P.L. 115-97, section 2307 of division A of P.L. 116-136, and section 202
23 of division EE of P.L. 116-260 apply at the same time as for federal purposes.

ASSEMBLY BILL 43**SECTION 1539**

1 (b) *Gain from small business stock.* For stock acquired after December 31,
2 2013, section 1202 of the Internal Revenue Code in effect for federal purposes on
3 December 31, 2012.

4 **(2) CONTINUOUS CONFORMITY.** (a) *Depletion.* For taxable years beginning after
5 December 31, 2013, sections 611 to 617 of the Internal Revenue Code in effect for
6 federal purposes for the year in which the property is placed in service.

7 (b) *Expensing of depreciable business assets.* For taxable years beginning after
8 December 31, 2013, sections 179, 179A, 179B, 179C, 179D, and 179E of the Internal
9 Revenue Code in effect for federal purposes for the year in which property is placed
10 in service.

11 (c) *Trade or business income limitation.* For taxable years beginning after
12 December 31, 2013, the section 179 (b) (3) (A) trade or business income limitation is
13 calculated using the Internal Revenue Code defined in s. 71.99.

14 (d) *College savings accounts.* For taxable years beginning after December 31,
15 2021, section 529 of the Internal Revenue Code in effect for federal purposes.

16 (e) *Milk production termination program.* Notwithstanding ss. 71.26 (2) and
17 (3) and 71.99, for natural persons, fiduciaries, trusts, estates, and corporations, at
18 the taxpayer's option, "Internal Revenue Code," for taxable year 1986 and
19 subsequent taxable years, includes any revisions to the Internal Revenue Code in
20 effect for federal purposes adopted after January 1, 1986, that relate to the taxation
21 of income derived from any source as a direct consequence of participation in the milk
22 production termination program created by section 101 of P.L. 99-198.

23 (f) *Regulated investment companies.* Notwithstanding s. 71.99, for natural
24 persons, fiduciaries, trusts, and estates, at the taxpayer's option, "Internal Revenue
25 Code" for taxable years beginning after December 31, 1987, includes any revisions

ASSEMBLY BILL 43**SECTION 1539**

1 to section 67 (c) of the Internal Revenue Code in effect for federal purposes adopted
2 after January 1, 1988, that relate to the indirect expenses of regulated investment
3 companies.

4 (g) *Qualified retirement fund.* Notwithstanding s. 71.99, a qualified retirement
5 fund for a taxable year for federal income tax purposes is a qualified retirement fund
6 for the taxable year for purposes of this chapter.

7 (h) *Federal Tax Cuts and Jobs Act.* For taxable years beginning after December
8 31, 2022, sections 11012, 13221, 13301, 13304 (a), (b), and (d), 13531, and 13601 of
9 P.L. 115-97.

10 **SECTION 1540.** 71.99 of the statutes is created to read:

11 **71.99 Internal Revenue Code definition.** (1) TAXABLE YEARS; 2017. (a) For
12 taxable years beginning after December 31, 2016, and before January 1, 2018,
13 “Internal Revenue Code” means the federal Internal Revenue Code as amended to
14 December 31, 2016, except as provided in pars. (b) and (c) and ss. 71.26 (3) and 71.98,
15 and subject to par. (d).

16 (b) For purposes of this subsection, “Internal Revenue Code” does not include
17 the following provisions of federal public laws for taxable years beginning after
18 December 31, 2016: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
19 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
20 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
21 P.L. 109-222; section 104 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28;
22 section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; section 15351 of P.L.
23 110-246; section 302 of division A, section 401 of division B, and sections 312, 322,
24 502 (c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501,
25 and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L.

ASSEMBLY BILL 43**SECTION 1540**

1 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L.
2 111-312; sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240; P.L.
3 114-7; section 1101 of P.L. 114-74; section 305 of division P of P.L. 114-113; and
4 sections 112, 123, 125 to 128, 143, 144, 151 to 153, 165 to 167, 169 to 171, 189, 191,
5 326, and 411 of division Q of P.L. 114-113.

6 (c) For purposes of this subsection, “Internal Revenue Code” does not include
7 amendments to the federal Internal Revenue Code, including provisions of federal
8 public laws that directly or indirectly affect the Internal Revenue Code, enacted after
9 December 31, 2016, except that “Internal Revenue Code” includes sections 11024,
10 11025, and 13543 of P.L. 115-97; sections 40307 and 40413 of P.L. 115-123; sections
11 101 (m), (n), (o), (p), and (q), 104 (a), and 109 of division U of P.L. 115-141; section
12 102 of division M and sections 110, 111, and 116 (b) of division O of P.L. 116-94; and
13 section 9707 of P.L. 117-2.

14 (d) For purposes of this subsection, the provisions of federal public laws that
15 directly or indirectly affect the Internal Revenue Code, as defined in this subsection,
16 apply for Wisconsin purposes at the same time as for federal purposes, except as
17 follows:

18 1. Changes made by section 4007 (b) of P.L. 114-41, section 1102 of P.L. 114-74,
19 sections 105, 111, 113 to 115, 133, 301, 302, 304, 305, 308, 311, 313 to 323, 325, 331,
20 and 343 to 345 of division Q of P.L. 114-113 first apply for taxable years beginning
21 after December 31, 2016.

22 2. Changes made by section 1201 of P.L. 108-173 and section 307 of P.L.
23 109-432 first apply for taxable years beginning after December 31, 2010.

24 **(2) TAXABLE YEARS, 2018 TO 2020.** (a) For taxable years beginning after December
25 31, 2017, and before January 1, 2021, “Internal Revenue Code” means the federal

ASSEMBLY BILL 43**SECTION 1540**

1 Internal Revenue Code as amended to December 31, 2017, except as provided in pars.
2 (b) and (c) and ss. 71.26 (3) and 71.98, and subject to par. (d).

3 (b) For purposes of this subsection, "Internal Revenue Code" does not include
4 the following provisions of federal public laws for taxable years beginning after
5 December 31, 2017: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
6 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
7 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
8 P.L. 109-222; section 104 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28;
9 section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; section 15351 of P.L.
10 110-246; section 302 of division A, section 401 of division B, and sections 312, 322,
11 502 (c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501,
12 and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L.
13 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L.
14 111-312; sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240; P.L.
15 114-7; section 1101 of P.L. 114-74; section 305 of division P of P.L. 114-113; sections
16 123, 125 to 128, 143, 144, 151 to 153, 165 to 167, 169 to 171, 189, 191, 326, and 411
17 of division Q of P.L. 114-113; and sections 11011, 11012, 13201 (a) to (e) and (g),
18 13206, 13221, 13301, 13304 (a), (b), and (d), 13531, 13601, 13801, 14101, 14102,
19 14103, 14201, 14202, 14211, 14212, 14213, 14214, 14215, 14221, 14222, 14301,
20 14302, 14304, and 14401 of P.L. 115-97.

21 (c) For purposes of this subsection, "Internal Revenue Code" does not include
22 amendments to the federal Internal Revenue Code, including provisions of federal
23 public laws that directly or indirectly affect the Internal Revenue Code, enacted after
24 December 31, 2017, except that "Internal Revenue Code" includes sections 40307,
25 40413, and 41113 of P.L. 115-123; sections 101 (m), (n), (o), (p), and (q), 104 (a), 109,

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1 401 (a) (54) and (b) (15) (A), (B), and (C), 19, 20, 23, 26, 27, and 28 of division U of P.L.
2 115-141; sections 102 and 104 of division M, sections 102, 103, 106, 107, 108, 109,
3 110, 111, 113, 114, 115, 116, 201, 204, 205, 206, 302, 401, and 601 of division O, section
4 1302 of division P, and sections 131, 202 (d), and 205 of division Q of P.L. 116-94;
5 sections 1106, 2202, 2203, 2204, 2205, 2206, 2307, 3608, 3609, 3701, and 3702 of
6 division A of P.L. 116-136; sections 202, 208, 209, 211, and 214 of division EE and
7 sections 276 (a) and (b), 277, 278 (a), (b), (c), and (d), 280, and 285 of division N of P.L.
8 116-260; and sections 9701, 9702, 9703, 9704, 9705, 9706, and 9707 of P.L. 117-2.

9 (d) For purposes of this subsection, the provisions of federal public laws that
10 directly or indirectly affect the Internal Revenue Code, as defined in this subsection,
11 apply for Wisconsin purposes at the same time as for federal purposes, except as
12 follows:

13 1. Changes made by P.L. 115-63 and sections 11026, 11027, 11028, 13207,
14 13306, 13307, 13308, 13311, 13312, 13501, 13705, 13821, and 13823 of P.L. 115-97
15 first apply for taxable years beginning after December 31, 2017.

16 2. Changes made by section 1201 of P.L. 108-173 and section 307 of P.L.
17 109-432 first apply for taxable years beginning after December 31, 2010.

18 **(3) TAXABLE YEARS, 2021 TO 2022.** (a) For taxable years beginning after December
19 31, 2020, and before January 1, 2023, "Internal Revenue Code" means the federal
20 Internal Revenue Code as amended to December 31, 2020, except as provided in pars.
21 (b) and (c) and ss. 71.26 (3) and 71.98, and subject to par. (d).

22 (b) For purposes of this subsection, "Internal Revenue Code" does not include
23 the following provisions of federal public laws for taxable years beginning after
24 December 31, 2020: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
25 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.

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1 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of
2 P.L. 109-222; section 104 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28;
3 section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; section 15351 of P.L.
4 110-246; section 302 of division A, section 401 of division B, and sections 312, 322,
5 502 (c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501,
6 and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L.
7 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L.
8 111-312; sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240; P.L.
9 114-7; section 1101 of P.L. 114-74; section 305 of division P of P.L. 114-113; sections
10 123, 125 to 128, 143, 144, 151 to 153, 165 to 167, 169 to 171, 189, 191, 326, and 411
11 of division Q of P.L. 114-113; sections 11011, 11012, 13201 (a) to (e) and (g), 13206,
12 13221, 13301, 13304 (a), (b), and (d), 13531, 13601, 13801, 14101, 14102, 14103,
13 14201, 14202, 14211, 14212, 14213, 14214, 14215, 14221, 14222, 14301, 14302,
14 14304, and 14401 of P.L. 115-97; sections 40304, 40305, 40306, and 40412 of P.L.
15 115-123; section 101 (c) of division T of P.L. 115-141; sections 101 (d) and (e), 102,
16 201 to 207, 301, 302, and 401 (a) (47) and (195), (b) (13), (17), (22) and (30), and (d)
17 (1) (D) (v), (vi), and (xiii) and (xvii) (II) of division U of P.L. 115-141; sections 104, 114,
18 115, 116, 130, and 145 of division Q of P.L. 116-94; sections 2304 and 2306 of P.L.
19 116-136; and sections 111, 114, 115, 116, 118 (a) and (d), 133, 137, 138, and 210 of
20 division EE of P.L. 116-260.

21 (c) For purposes of this subsection, “Internal Revenue Code” does not include
22 amendments to the federal Internal Revenue Code, including provisions of federal
23 public laws that directly or indirectly affect the Internal Revenue Code, enacted after
24 December 31, 2020, except that “Internal Revenue Code” includes sections 9671,
25 9675, 9701, 9702, 9703, 9704, 9705, 9706, and 9707 of P.L. 117-2; sections 80501,

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1 80504, and 80602 of division H of P.L. 117-58; and section 307 of division P of P.L.
2 117-103.

3 (d) For purposes of this subsection, the provisions of federal public laws that
4 directly or indirectly affect the Internal Revenue Code, as defined in this subsection,
5 apply for Wisconsin purposes at the same time as for federal purposes, except as
6 follows:

7 1. Changes made by sections 20101, 20102, 20104, 20201, 40201, 40202, 40203,
8 40308, 40309, 40311, 40414, 41101, 41107, 41114, 41115, and 41116 of P.L. 115-123;
9 section 101 (a), (b), and (h) of division U of P.L. 115-141; section 1203 of P.L. 116-25;
10 section 1122 of P.L. 116-92; section 301 of division O, section 1302 of division P, and
11 sections 101, 102, 103, 117, 118, 132, 201, 202 (a), (b), and (c), 204 (a), (b), and (c), 301,
12 and 302 of division Q of P.L. 116-94; section 2 of P.L. 116-98; and sections 301, 302,
13 and 304 of division EE of P.L. 116-260 apply for taxable years beginning after
14 December 31, 2020.

15 2. Changes made by section 1201 of P.L. 108-173 and section 307 of P.L.
16 109-432 first apply for taxable years beginning after December 31, 2010.

17 **(4) TAXABLE YEARS, 2023 AND THEREAFTER.** (a) For taxable years beginning after
18 December 31, 2022, "Internal Revenue Code" means the federal Internal Revenue
19 Code as amended to August 16, 2022, except as provided in pars. (b) and (c) and ss.
20 71.26 (3) and 71.98, and subject to par. (d).

21 (b) For purposes of this subsection, "Internal Revenue Code" does not include
22 the following provisions of federal public laws for taxable years beginning after
23 December 31, 2022: section 13113 of P.L. 103-66; sections 1, 3, 4, and 5 of P.L.
24 106-519; sections 101, 102, and 422 of P.L. 108-357; sections 1310 and 1351 of P.L.
25 109-58; section 11146 of P.L. 109-59; section 403 (q) of P.L. 109-135; section 513 of

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1 P.L. 109-222; section 104 of P.L. 109-432; sections 8233 and 8235 of P.L. 110-28;
2 section 11 (e) and (g) of P.L. 110-172; section 301 of P.L. 110-245; section 15351 of P.L.
3 110-246; section 302 of division A, section 401 of division B, and sections 312, 322,
4 502 (c), 707, and 801 of division C of P.L. 110-343; sections 1232, 1241, 1251, 1501,
5 and 1502 of division B of P.L. 111-5; sections 211, 212, 213, 214, and 216 of P.L.
6 111-226; sections 2011 and 2122 of P.L. 111-240; sections 753, 754, and 760 of P.L.
7 111-312; sections 104, 318, 322, 323, 324, 326, 327, and 411 of P.L. 112-240; P.L.
8 114-7; section 1101 of P.L. 114-74; section 305 of division P of P.L. 114-113; sections
9 123, 125 to 128, 143, 144, 151 to 153, 165 to 167, 169 to 171, 189, 191, 326, and 411
10 of division Q of P.L. 114-113; sections 11011, 11012, 13201 (a) to (e) and (g), 13206,
11 13221, 13301, 13304 (a), (b), and (d), 13531, 13801, 14101, 14102, 14103, 14201,
12 14202, 14211, 14212, 14213, 14214, 14215, 14221, 14222, 14301, 14302, 14304, and
13 14401 of P.L. 115-97; sections 40304, 40305, 40306, and 40412 of P.L. 115-123;
14 section 101 (c) of division T of P.L. 115-141; sections 101 (d) and (e), 102, 201 to 207,
15 301, 302, and 401 (a) (47) and (195), (b) (13), (17), (22) and (30), and (d) (1) (D) (v),
16 (vi), and (xiii) and (xvii) (II) of division U of P.L. 115-141; sections 104, 114, 115, 116,
17 130, and 145 of division Q of P.L. 116-94; sections 2304 and 2306 of P.L. 116-136;
18 sections 111, 114, 115, 116, 118 (a) and (d), 133, 137, 138, and 210 of division EE of
19 P.L. 116-260; sections 5003, 9041, and 9673 of P.L. 117-2; and section 13903 (b) of
20 P.L. 117-169.

21 (c) For purposes of this subsection, “Internal Revenue Code” does not include
22 amendments to the federal Internal Revenue Code, including provisions of federal
23 public laws that directly or indirectly affect the Internal Revenue Code, enacted after
24 August 16, 2022.

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1 (d) For purposes of this subsection, the provisions of federal public laws that
2 directly or indirectly affect the Internal Revenue Code, as defined in this subsection,
3 apply for Wisconsin purposes at the same time as for federal purposes, except as
4 follows:

5 1. Changes made by section 13601 of P.L. 115-97; sections 5001, 5002, 5005,
6 9623, 9624, and 9672 of P.L. 117-2; section 2 of P.L. 117-6; and sections 80401, 80402,
7 and 80601 of division H of P.L. 117-58 apply for taxable years beginning after
8 December 31, 2022.

9 2. Changes made by section 9675 of P.L. 117-2 apply for taxable years
10 beginning after December 31, 2021.

11 3. Changes made by section 1201 of P.L. 108-173 and section 307 of P.L.
12 109-432 apply for taxable years beginning after December 31, 2010.

13 **SECTION 1541.** 73.01 (5) (a) of the statutes is amended to read:

14 73.01 (5) (a) Any person who is aggrieved by a determination of the state board
15 of assessors under s. 70.995 (5n) or (8) or who has filed a petition for redetermination
16 with the department of revenue and who is aggrieved by the redetermination of the
17 department of revenue may, within 60 days of the determination of the state board
18 of assessors or of the department of revenue or, in all other cases, within 60 days after
19 the redetermination but not thereafter, file with the clerk of the commission a
20 petition for review of the action of the department of revenue and the number of
21 copies of the petition required by rule adopted by the commission. Any person who
22 is aggrieved by a determination of the department of transportation under s. 341.405
23 or 341.45 may, within 30 days after the determination of the department of
24 transportation, file with the clerk of the commission a petition for review of the action
25 of the department of transportation and the number of copies of the petition required

ASSEMBLY BILL 43**SECTION 1541**

1 by rule adopted by the commission. If a municipality appeals, its appeal shall set
2 forth that the appeal has been authorized by an order or resolution of its governing
3 body and the appeal shall be verified by a member of that governing body as
4 pleadings in courts of record are verified. The clerk of the commission shall transmit
5 one copy to the department of revenue, or to the department of transportation, and
6 to each party. In the case of appeals from manufacturing property assessments, the
7 person assessed shall be a party to a proceeding initiated by a municipality. At the
8 time of filing the petition, the petitioner shall pay to the commission a \$25 filing fee.
9 The commission shall deposit the fee in the general fund. Within 30 days after such
10 transmission the department of revenue, except for petitions objecting to
11 manufacturing property assessments, or the department of transportation, shall file
12 with the clerk of the commission an original and the number of copies of an answer
13 to the petition required by rule adopted by the commission and shall serve one copy
14 on the petitioner or the petitioner's attorney or agent. Within 30 days after service
15 of the answer, the petitioner may file and serve a reply in the same manner as the
16 petition is filed. Any person entitled to be heard by the commission under s. 76.38
17 (12) (a), 1993 stats., or s. 76.39 (4) (c) or 76.48 may file a petition with the commission
18 within the time and in the manner provided for the filing of petitions in income or
19 franchise tax cases. Such papers may be served as a circuit court summons is served
20 or by certified mail. For the purposes of this subsection, a petition for review is
21 considered timely filed if mailed by certified mail in a properly addressed envelope,
22 with postage duly prepaid, which envelope is postmarked before midnight of the last
23 day for filing.

24 **SECTION 1542.** 73.03 (73) (f) 1. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1542**

1 73.03 (73) (f) 1. Subject to subd. 2., for taxable years beginning after December
2 31, 2020, the department shall make the pilot program described under par. (b)
3 permanent and applicable to all eligible claimants of the earned income tax credit
4 under s. 71.07 (9e) (aj), based on the specifications described under pars. (b) and (c)
5 2.

6 **SECTION 1543.** 73.06 (3) of the statutes is amended to read:

7 73.06 (3) The department of revenue, through its supervisors of equalization,
8 shall examine and test the work of assessors during the progress of their assessments
9 and ascertain whether any of them is assessing property at other than full value or
10 is omitting property subject to taxation from the roll. The department and such
11 supervisors shall have the rights and powers of a local assessor for the examination
12 of persons and property and for the discovery of property subject to taxation. If any
13 property has been omitted or not assessed according to law, they shall bring the same
14 to the attention of the local assessor of the proper district and if such local assessor
15 shall neglect or refuse to correct the assessment they shall report the fact to the board
16 of review. All disputes between the department, municipalities, and property owners
17 about the taxability or value of the property under s. 70.995 (12r) shall be resolved
18 by using the procedures under s. 70.995 (8).

19 **SECTION 1544.** 73.17 of the statutes is created to read:

20 **73.17 Medical marijuana registry program. (1) DEFINITIONS.** In this
21 section:

22 (a) “Debilitating medical condition or treatment” means any of the following:

23 1. Cancer; glaucoma; acquired immunodeficiency syndrome; a positive test for
24 the presence of HIV, antigen or nonantigenic products of HIV, or an antibody to HIV;
25 inflammatory bowel disease, including ulcerative colitis or Crohn’s disease; a

ASSEMBLY BILL 43**SECTION 1544**

1 hepatitis C virus infection; Alzheimer’s disease; amyotrophic lateral sclerosis; nail
2 patella syndrome; Ehlers-Danlos Syndrome; post-traumatic stress disorder; or the
3 treatment of these conditions.

4 2. A chronic or debilitating disease or medical condition or the treatment of
5 such a disease or condition that causes cachexia, severe pain, severe nausea,
6 seizures, including those characteristic of epilepsy, or severe and persistent muscle
7 spasms, including those characteristic of multiple sclerosis.

8 (b) “Department” means the department of revenue.

9 (c) “Physician” means a person licensed under s. 448.04 (1) (a).

10 (d) “Qualifying patient” means a person who has been diagnosed by a physician
11 as having or undergoing a debilitating medical condition or treatment but does not
12 include a person under the age of 18 years.

13 (e) “Tax exemption certificate” means a certificate to claim the exemption under
14 s. 77.54 (71).

15 (f) “Usable marijuana” has the meaning given in s. 139.97 (13).

16 (g) “Written certification” means means a statement made by a person’s
17 physician if all of the following apply:

18 1. The statement indicates that, in the physician’s professional opinion, the
19 person has or is undergoing a debilitating medical condition or treatment and the
20 potential benefits of the person’s use of usable marijuana would likely outweigh the
21 health risks for the person.

22 2. The statement indicates that the opinion described in subd. 1. was formed
23 after a full assessment of the person’s medical history and current medical condition
24 that was conducted no more than 6 months prior to making the statement and that
25 was made in the course of a bona fide physician-patient relationship.

ASSEMBLY BILL 43**SECTION 1544**

1 3. The statement is signed by the physician or is contained in the person's
2 medical records.

3 4. The statement contains an expiration date that is no more than 48 months
4 after issuance and the statement has not expired.

5 **(2) APPLICATION.** An adult who is claiming to be a qualifying patient may apply
6 for a registry identification card by submitting to the department a signed
7 application form containing or accompanied by all of the following:

8 (a) His or her name, address, and date of birth.

9 (b) A written certification.

10 (c) The name, address, and telephone number of the person's current physician,
11 as listed in the written certification.

12 **(3) PROCESSING THE APPLICATION.** The department shall verify the information
13 contained in or accompanying an application submitted under sub. (2) and shall
14 approve or deny the application within 30 days after receiving it. The department
15 may deny an application submitted under sub. (2) only if the required information
16 has not been provided or if false information has been provided.

17 **(4) ISSUING A REGISTRY IDENTIFICATION CARD AND TAX EXEMPTION CERTIFICATE.** The
18 department shall issue to the applicant a registry identification card and tax
19 exemption certificate within 5 days after approving an application under sub. (3).
20 Unless voided under sub. (5) (b) or revoked under rules issued by the department
21 under sub. (7), a registry identification card and tax exemption certificate shall
22 expire 4 years from the date of issuance. A tax exemption certificate shall contain
23 the information determined by the department. A registry identification card shall
24 contain all of the following:

25 (a) The name, address, and date of birth of the registrant.

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1 (b) The date of issuance and expiration date of the registry identification card.

2 (c) A photograph of the registrant.

3 (d) Other information the department may require by rule.

4 **(5) ADDITIONAL INFORMATION TO BE PROVIDED BY REGISTRANT.** (a) A registrant
5 shall notify the department of any change in the registrant's name and address. A
6 registrant who is a qualifying patient shall notify the department of any change in
7 his or her physician or of any significant improvement in his or her health as it
8 relates to his or her debilitating medical condition or treatment.

9 (b) If a registrant fails to notify the department within 10 days after any change
10 for which notification is required under par. (a), his or her registry identification card
11 and tax exemption certificate is void.

12 **(6) RECORDS.** (a) The department shall maintain a list of all registrants.

13 (b) Notwithstanding s. 19.35 and except as provided in par. (c), the department
14 may not disclose information from an application submitted or a registry
15 identification card issued under this section.

16 (c) The department may disclose to state or local law enforcement agencies
17 information from an application submitted by, or from a registry identification card
18 issued to, a specific person under this section for the purpose of verifying that the
19 person possesses a valid registry identification card.

20 **(7) RULES.** The department shall promulgate rules to implement this section.

21 **SECTION 1545.** 74.09 (3) (gb) of the statutes is created to read:

22 74.09 (3) (gb) 1. Include information from the school district where the property
23 is located regarding the amount of any gross reduction in state aid to the district
24 under ss. 115.7915 (4m), 118.60 (4d), and 121.08 (4) (b) in the previous year and the

ASSEMBLY BILL 43**SECTION 1545**

1 current year and the percentage change between those years, except that this
2 paragraph does not apply in any year in which such a reduction does not occur.

3 2. In addition to the information provided under subd. 1., include the following
4 insert in substantially similar form:

5 “The gross reduction in state aid to your school district in the ... (current year)
6 is \$... as a result of pupils enrolled in the ... (statewide choice program) (Racine
7 choice program) (Milwaukee choice program) or as a result of payments to ... (a
8 private school) under the special needs scholarship program. Your school district had
9 the option to increase property taxes to replace this aid reduction.”

10 **SECTION 1546.** 76.02 (1) of the statutes is amended to read:

11 76.02 (1) “Air carrier company” means any person engaged in the business of
12 transportation in aircraft of persons or property for hire on regularly scheduled
13 flights, except an air carrier company whose property is exempt from taxation under
14 s. ~~70.11 (42) (b)~~ 76.074 (2). In this subsection, “aircraft” means a completely equipped
15 operating unit, including spare flight equipment, used as a means of conveyance in
16 air commerce.

17 **SECTION 1547.** 76.02 (4m) of the statutes is created to read:

18 76.02 (4m) “Inflation factor” means a percentage equal to the average annual
19 percentage change in the U.S. consumer price index for all urban consumers, U.S.
20 city average, as determined by the U.S. department of labor, for the 12 months
21 ending on December 31 of the year before the year of assessment, except that the
22 percentage under this subsection shall not be less than zero.

23 **SECTION 1548.** 76.025 (2) of the statutes is amended to read:

24 76.025 (2) If the property of any company defined in s. 76.28 (1), except a
25 qualified wholesale electric company as defined in s. 76.28 (1) (gm), is located entirely

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1 within a single town, village, or city, it shall be subject to local assessment and
2 taxation under ch. 70, 2021 stats.

3 **SECTION 1549.** 76.025 (5) of the statutes is created to read:

4 76.025 (5) Nothing in this chapter or ch. 70 shall be construed as providing an
5 exemption for personal property for entities regulated under this chapter, except for
6 the exemptions under ss. 70.11 (21), (39), and (39m), 70.112 (4) (b) and (5), and
7 76.074, and for such motor vehicles as are exempt under s. 70.112 (5).

8 **SECTION 1550.** 76.03 (1) of the statutes is amended to read:

9 76.03 (1) The property, both real and personal, including all rights, franchises
10 and privileges used in and necessary to the prosecution of the business of any
11 company enumerated in s. 76.02 shall be deemed personal property for the purposes
12 of taxation, and shall be valued and assessed together as a unit.

13 **SECTION 1551.** 76.07 (2) of the statutes is amended to read:

14 76.07 (2) RELATION TO STATE VALUATION; DESCRIPTION. The value of the property
15 of each of said companies company for assessment shall be made on the same basis
16 and for the same period of time, as near as may be, as the value of the general
17 property of the state is ascertained and determined. The department shall prepare
18 an assessment roll and place thereon after the name of each of said companies
19 company assessed, the following general description of the property of such company,
20 to wit, which description shall be deemed and held to include the entire property and
21 franchises of the company specified and all title and interest therein: "Real estate,
22 right-of-way, tracks, stations, terminals, appurtenances, ~~rolling stock, equipment,~~
23 franchises, and all other real estate and personal property of said the company," in
24 the case of railroads, ~~and;~~ "Real estate, right-of-way, poles, wires, conduits, cables,
25 devices, appliances, instruments, franchises, and all other real and personal

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1 property of ~~said~~ the company,” in the case of conservation and regulation companies,
2 and; “Real estate, appurtenances, rolling stock, equipment, franchises, and all other
3 real estate and personal property of ~~said~~ the company,” in the case of air carrier
4 companies; and “Land and land rights, structures, improvements, mains, pumping
5 and regulation equipment, services, appliances, instruments, franchises, and all
6 other real and personal property of said company,” in the case of pipeline companies,
7 ~~which description shall be deemed and held to include the entire property and~~
8 ~~franchises of the company specified and all title and interest therein.~~

9 **SECTION 1552.** 76.07 (3) of the statutes is amended to read:

10 76.07 (3) ASSESSMENT. For the purpose of determining the full market value of
11 the property of each company appearing on the assessment roll, the department may
12 view and inspect the property of such the company and shall consider the reports
13 filed in compliance with s. 76.04 and the reports and returns of the company filed in
14 the office of any officer of this state, and other evidence or information bearing upon
15 the full market value of the property of the company assessed. ~~In case of~~ For
16 ~~companies which~~ that own or use property lying partly within and partly without the
17 state, the department shall value and assess only the property within this state,
18 using the methods under subs. (4g) and (4r). When the full market value of the
19 property of a company within this state has been determined, the amount shall be
20 entered upon the assessment roll opposite the name of the company and shall be the
21 assessment of the entire property of such the company within this state for the levy
22 of taxes thereon, subject to review and correction. The department shall thereupon
23 give notice ~~by certified mail~~ to each company assessed of the amount of its
24 assessment as entered upon such the roll.

25 **SECTION 1553.** 76.07 (4g) (a) 10. of the statutes is amended to read:

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1 76.07 (4g) (a) 10. Determine the depreciated cost of road real property owned
2 or rented by the company and used in the operation of the company's business in this
3 state.

4 **SECTION 1554.** 76.07 (4g) (a) 11. and 12. of the statutes are repealed.

5 **SECTION 1555.** 76.07 (4g) (a) 13. of the statutes is amended to read:

6 76.07 (4g) (a) 13. Divide the ~~sum of the amounts under subds~~ amount under
7 subd. 10. and 12. by the depreciated cost of road real property owned or rented by the
8 company everywhere.

9 **SECTION 1556.** 76.074 of the statutes is created to read:

10 **76.074 Property exempt from assessment. (1)** In this section:

11 (a) Notwithstanding s. 76.02, "air carrier company" means any person engaged
12 in the business of transportation in aircraft of persons or property for hire on
13 regularly scheduled flights. In this paragraph, "aircraft" has the meaning given in
14 s. 76.02 (1).

15 (b) "Hub facility" means any of the following:

16 1. A facility at an airport from which an air carrier company operated at least
17 45 common carrier departing flights each weekday in the prior year and from which
18 it transported passengers to at least 15 nonstop destinations, as defined by rule by
19 the department, or transported cargo to nonstop destinations, as defined by rule by
20 the department.

21 2. An airport or any combination of airports in this state from which an air
22 carrier company cumulatively operated at least 20 common carrier departing flights
23 each weekday in the prior year, if the air carrier company's headquarters, as defined
24 by rule by the department, is in this state.

ASSEMBLY BILL 43**SECTION 1556**

1 (2) Property owned by an air carrier company that operates a hub facility in
2 this state, if the property is used in the operation of the air carrier company, is exempt
3 from taxation under this subchapter and from local assessment and taxation.

4 (3) The personal property, as defined in s. 70.04, of a railroad company is
5 exempt from taxation under this subchapter and from local assessment and taxation.

6 **SECTION 1557.** 76.08 (1) of the statutes is amended to read:

7 76.08 (1) Notice of the assessments determined under s. 76.07 and of
8 adjustments under s. 76.075 shall be given by ~~certified mail~~ to each company the
9 property of which has been assessed, and the notice of assessment shall be mailed
10 provided on or before the assessment date specified in s. 76.07 (1). Any company
11 aggrieved by the assessment or adjustment of its property thus made may have its
12 assessment or adjustment redetermined by the Dane County circuit court if, within
13 30 days after notice of assessment or adjustment is mailed provided to the company
14 under s. 76.07 (3), an action for the redetermination is commenced by filing a
15 summons and complaint with that court, and service of authenticated copies of the
16 summons and complaint is made upon the department of revenue. No answer need
17 be filed by the department and the allegations of the complaint in opposition to the
18 assessment or adjustment shall be deemed denied. Upon the filing of the summons
19 and complaint, the court shall set the matter for hearing without a jury. If the
20 plaintiff fails to file the summons and complaint within 5 days of service upon the
21 department, the department may file a copy thereof with the court in lieu of the
22 original. The department may be named as the defendant in any such action and
23 shall appear and be represented by its counsel in all proceedings connected with the
24 action but, on the request of the secretary of revenue, the attorney general may
25 participate with or serve in lieu of departmental counsel. In an action for

ASSEMBLY BILL 43**SECTION 1557**

1 redetermination of an adjustment, only the issues raised in the department's
2 adjustment under s. 76.075 may be raised.

3 **SECTION 1558.** 76.10 (1) of the statutes is amended to read:

4 76.10 (1) Every company defined in s. 76.02 shall, on or before October 1 in each
5 year, be entitled, on its own motion, to present evidence before the department
6 relating to the state assessment made in the preceding year pursuant to s. 70.575.
7 On written request, ~~in writing~~, for such hearing or presentation, the department
8 shall fix a time therefor within 60 days after ~~such~~ the application is filed, the same
9 to be conducted in such manner as the department directs. Notice of ~~such~~ the hearing
10 shall be ~~mailed~~ provided to any company requesting a hearing and shall be published
11 in the official state paper. Within 30 days after the conclusion of ~~such~~ the hearing,
12 the department shall enter an order either affirming the state assessment or
13 ordering correction thereof as provided in sub. (2). A copy of ~~such~~ the order shall be
14 ~~sent by certified mail~~ provided to the company or companies requesting ~~such~~ the
15 hearing and to any interested party who has made an appearance in ~~such~~ the
16 proceeding. The department may, on its own motion, correct ~~such~~ the state
17 assessment. Any company having filed application for review of the state
18 assessment pursuant to this section, or any other interested party participating in
19 ~~such~~ the hearing, if aggrieved by the order entered by the department, may bring an
20 action in the circuit court for Dane County within 30 days after the entry of ~~such~~ the
21 order to have said order set aside and a redetermination made of the state
22 assessment. In any such action or in any hearing before the department pursuant
23 to this section, any interested party may appear and be heard. An interested party
24 includes any division of government whose revenues would be affected by any
25 adjustment of the state assessment.

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1 **SECTION 1559.** 76.13 (2) of the statutes is amended to read:

2 76.13 (2) Every tax roll upon completion shall be delivered to the secretary of
3 administration. The department shall notify, ~~by certified mail,~~ all companies listed
4 on the tax roll of the amount of tax due, which shall be paid to the department. The
5 payment dates provided for in sub. (2a) shall apply. The payment of one-fourth of
6 the tax of any company may, if the company has brought an action in the Dane
7 County circuit court under s. 76.08, be made without delinquent interest as provided
8 in s. 76.14 any time prior to the date upon which the appeal becomes final, but any
9 part of the tax ultimately required to be paid shall bear interest from the original due
10 date to the date the appeal became final at the rate of 12 percent per year and at 1.5
11 percent per month thereafter until paid. The taxes extended against any company
12 after the same become due, with interest, shall be a lien upon all the property of the
13 company prior to all other liens, claims, and demands ~~whatsoever,~~ except as provided
14 in ss. 292.31 (8) (i) and 292.81, ~~which~~ and the lien may be enforced in an action in
15 the name of the state in any court of competent jurisdiction against the property of
16 the company within the state as an entirety.

17 **SECTION 1560.** 76.15 (2) of the statutes is amended to read:

18 76.15 (2) The power to reassess the property of any company defined in s. 76.02
19 and the general property of the state, and to redetermine the average rate of
20 taxation, may be exercised under sub. (1) as often as ~~may be~~ necessary until the
21 amount of taxes legally due from any such company for any year under ss. 76.01 to
22 76.26 has been finally and definitely determined. Whenever any sum or part thereof,
23 levied upon any property subject to taxation under ss. 76.01 to 76.26 so set aside has
24 been paid and not refunded, the payment ~~so made~~ shall be applied upon the
25 reassessment upon the property, and the reassessment of taxes to that extent shall

ASSEMBLY BILL 43**SECTION 1560**

1 be deemed to be satisfied. When the tax roll on the reassessment is completed and
2 delivered to the secretary of administration, the department shall immediately
3 notify ~~by certified mail~~ each of the several companies taxed to pay the amount of the
4 taxes extended on the tax roll within 30 days.

5 **SECTION 1561.** 76.24 (2) (a) of the statutes is amended to read:

6 76.24 (2) (a) All taxes paid by any railroad company derived from or
7 apportionable to repair facilities, docks, ore yards, piers, wharves, grain elevators,
8 and their approaches, or car ferries on the basis of the separate valuation provided
9 for in s. 76.16, shall be distributed annually from the transportation fund to the
10 towns, villages, and cities in which they are located, pursuant to certification made
11 by the department of revenue on or before August 15. Beginning with amounts
12 distributed in 2011 2023, the amount distributed to any town, village, or city under
13 this paragraph may not be less than the amount distributed to it in 2010 2022 under
14 this paragraph. Beginning with amounts distributed in 2024, the amount
15 distributed to any town, village, or city under this paragraph may not be less than
16 the amount distributed in 2022, adjusted by the inflation factor.

17 **SECTION 1562.** 76.28 (9) of the statutes is amended to read:

18 76.28 (9) PROPERTY SUBJECT TO LOCAL TAX. The license fees imposed by this
19 section upon the gross revenues of light, heat and power companies as defined in sub.
20 (1) (e) shall be in lieu of all other taxes on all property used and useful in the operation
21 of the business of such companies in this state, except that the same shall be subject
22 to special assessments for local improvements. If a general structure is used and
23 useful in part in the operation of the business of those companies in this state and
24 in part for nonoperating purposes, the license fees imposed by this section are in
25 place of the percentage of all other taxes on the property that fairly measures and

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1 represents the extent of the use and usefulness in the operation of the business of
2 those companies in this state, and the balance is subject to local assessment and
3 taxation, except that the entire general structure is subject to special assessments
4 for local improvements. Property under s. 76.025 (2) shall not be taxed under this
5 section, but shall be subject to local assessment and taxation under ch. 70, 2021 stats.

6 **SECTION 1563.** 76.31 of the statutes is amended to read:

7 **76.31 Determination of ad valorem tax receipts for hub facility**
8 **exemptions.** ~~By July 1, 2004, and every~~ Annually, by July 1 thereafter, the
9 department shall determine the total amount of the tax imposed under subch. I of
10 ch. 76 that was paid by each air carrier company, as defined in s. ~~70.11 (42) (a) 1.~~ 76.02
11 (1), whose property is exempt from taxation under s. ~~70.11 (42) (b)~~ 76.074 (2) for the
12 most recent taxable year that the air carrier company paid the tax imposed under
13 subch. I of ch. 76. The total amount determined under this section shall be
14 transferred under s. 20.855 (4) (fm) to the transportation fund.

15 **SECTION 1564.** 76.639 (1) (e) of the statutes is amended to read:

16 76.639 (1) (e) "Credit period" means the period of ~~6- 10~~ taxable years beginning
17 with the taxable year in which a qualified development is placed in service. For
18 purposes of this paragraph, if a qualified development consists of more than one
19 building, the qualified development is placed in service in the taxable year in which
20 the last building of the qualified development is placed in service.

21 **SECTION 1565.** 76.639 (1) (g) of the statutes is amended to read:

22 76.639 (1) (g) "Qualified development" means a qualified low-income housing
23 project under section 42 (g) of the Internal Revenue Code that is financed with
24 tax-exempt bonds, ~~pursuant to section 42 (i) (2)~~ described in section 42 (h) (4) (A) of
25 the Internal Revenue Code, allocated the credit under section 42 of the Internal

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1 Revenue Code, and located in this state; except that the authority may waive, in the
2 qualified allocation plan under section 42 (m) (1) (B) of the Internal Revenue Code,
3 the requirements of tax-exempt bond financing and federal credit allocation to the
4 extent the authority anticipates that sufficient volume cap under section 146 of the
5 Internal Revenue Code will not be available to finance low-income housing projects
6 in any year.

7 **SECTION 1566.** 76.69 of the statutes is repealed.

8 **SECTION 1567.** 76.82 of the statutes is amended to read:

9 **76.82 Assessment.** The department, using the methods that it uses to assess
10 property under s. ~~70.995~~, shall assess the property that is taxable under s. 76.81,
11 including property that is exempt under s. ~~70.11 (27)~~ from the tax under ch. 70, at
12 its value as of January 1.

13 **SECTION 1568.** 76.84 (4) of the statutes is amended to read:

14 76.84 (4) Sections 76.025 (5), 76.03 (4), 76.05, 76.06, 76.075, 76.08, 76.09, 76.13
15 (1), (2) and (3), 76.14, 76.18, 76.22, 76.23, 76.25 and 76.28 (4) to (6), as they apply to
16 the tax under subch. I, apply to the tax under this subchapter.

17 **SECTION 1569.** Chapter 77 (title) of the statutes is amended to read:

18 **CHAPTER 77**
19 **TAXATION OF FOREST CROPLANDS;**
20 **REAL ESTATE TRANSFER FEES;**
21 **SALES AND USE TAXES;**
22 **COUNTY, MUNICIPALITY,**
23 **TRANSIT AUTHORITY, AND**
24 **SPECIAL DISTRICT SALES AND USE**
25 **TAXES; MANAGED FOREST LAND;**

ASSEMBLY BILL 43**SECTION 1569****ECONOMIC DEVELOPMENT SURCHARGE;****LOCAL FOOD AND BEVERAGE TAX;****LOCAL RENTAL CAR TAX; PREMIER****RESORT AREA TAXES; STATE RENTAL****VEHICLE FEE; DRY CLEANING FEES; REGIONAL TRANSIT****AUTHORITY FEES**

SECTION 1570. 77.04 (1) of the statutes is amended to read:

77.04 (1) TAX ROLL. The clerk on making up the tax roll shall enter as to each forest cropland description in a special column or some other appropriate place in such tax roll headed by the words "Forest Croplands" or the initials "F.C.L.", which shall be a sufficient designation that such description is subject to this subchapter. Such land shall thereafter be assessed and be subject to review under ch. 70, and such assessment may be used by the department of revenue in the determination of the tax upon withdrawal of such lands as forest croplands as provided in s. 77.10 for entries prior to 1972 or for any entry under s. 77.02 (4) (a). The tax upon withdrawal of descriptions entered as forest croplands after December 31, 1971, may be determined by the department of revenue by multiplying the last assessed value of the land prior to the time of the entry by an annual ratio computed for the state under sub. (2) to establish the annual assessed value of the description. No tax shall be levied on forest croplands except the specific annual taxes as provided, except that any building located on forest cropland shall be assessed as ~~personal~~ real property, subject to all laws and regulations for the assessment and taxation of general property.

SECTION 1571. 77.25 (8m) of the statutes is amended to read:

77.25 (8m) Between ~~husband and wife~~ spouses.

ASSEMBLY BILL 43**SECTION 1572**

1 **SECTION 1572.** 77.25 (15) of the statutes is amended to read:

2 77.25 (15) Between a corporation and its shareholders if all of the stock is
3 owned by persons who are related to each other as spouses, as lineal ascendants,
4 lineal descendants, an uncle and his nieces or nephews, an aunt and her nieces or
5 nephews, first cousins, or siblings, whether by blood or by adoption, or as spouses of
6 siblings, if the transfer is for no consideration except the assumption of debt or stock
7 of the corporation and if the corporation owned the property for at least 3 years.

8 **SECTION 1573.** 77.25 (15m) of the statutes is amended to read:

9 77.25 (15m) Between a partnership and one or more of its partners if all of the
10 partners are related to each other as spouses, as lineal ascendants, lineal
11 descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,
12 first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings
13 and if the transfer is for no consideration other than the assumption of debt or an
14 interest in the partnership.

15 **SECTION 1574.** 77.25 (15s) of the statutes is amended to read:

16 77.25 (15s) Between a limited liability company and one or more of its members
17 if all of the members are related to each other as spouses, as lineal ascendants, lineal
18 descendants, an uncle and his nieces or nephews, an aunt and her nieces or nephews,
19 first cousins, or siblings, whether by blood or by adoption, or as spouses of siblings
20 and if the transfer is for no consideration other than the assumption of debt or an
21 interest in the limited liability company.

22 **SECTION 1575.** 77.51 (3h) of the statutes is created to read:

23 77.51 (3h) “Diaper” means an absorbent garment worn by humans who are
24 incapable of, or have difficulty controlling their bladder or bowel movements.

25 **SECTION 1576.** 77.51 (3pq) of the statutes is created to read:

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1 77.51 **(3pq)** “Feminine hygiene products” means tampons, panty liners,
2 menstrual cups, sanitary napkins, and other similar tangible personal property
3 designed for feminine hygiene in connection with the human menstrual cycle.
4 “Feminine hygiene products” do not include grooming and hygiene products.

5 **SECTION 1577.** 77.51 (4f) of the statutes is created to read:

6 77.51 **(4f)** “Grooming and hygiene products” means soaps and cleaning
7 solutions, shampoo, toothpaste, mouthwash, antiperspirants, and suntan lotions
8 and screens.

9 **SECTION 1578.** 77.51 (11d) of the statutes is amended to read:

10 77.51 **(11d)** For purposes of subs. (1ag), (1f), (3pf), (7j), ~~and (9p), and (17g)~~ and
11 ss. 77.52 (20) and (21), 77.522, 77.54 (9g), (51), (52), and (60), and 77.59 (5r), “product”
12 includes tangible personal property, and items, property, and goods under s. 77.52
13 (1) (b), (c), and (d), and services.

14 **SECTION 1579.** 77.51 (12t) of the statutes is renumbered 77.51 (12t) (intro.) and
15 amended to read:

16 77.51 **(12t)** (intro.) “Real property construction activities” means activities that
17 occur at a site where tangible personal property or items or goods under s. 77.52 (1)
18 (b) or (d) that are applied or adapted to the use or purpose to which real property is
19 devoted are permanently affixed to that real property, ~~if the intent of the person who~~
20 ~~affixes that property is to make a permanent accession to the real property.~~ “Real
21 property construction activities” does not include affixing property subject to tax
22 under s. 77.52 (1) (c) to real property or affixing to real property tangible personal
23 property that remains tangible personal property after it is affixed. The department
24 may promulgate rules to determine whether activities that occur at a site where
25 tangible personal property or items or goods under s. 77.52 (1) (b) or (d) are affixed

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1 to real property are real property construction activities for purposes of this
2 subchapter. If the classification of property or an activity is not identified by rule,
3 the department's determination of whether personal property becomes a part of real
4 property shall be made by considering the following criteria:

5 **SECTION 1580.** 77.51 (12t) (a) to (c) of the statutes are created to read:

6 77.51 (12t) (a) Actual physical annexation to the real property.

7 (b) Application or adaptation to the use or purpose to which the real property
8 is devoted.

9 (c) An intention on the part of the person making the annexation to make a
10 permanent accession to the real property.

11 **SECTION 1581.** 77.51 (17g) of the statutes is created to read:

12 77.51 (17g) "Separate and optional fee" means a fee charged to receive a
13 distinct and identifiable product if either of the following applies:

14 (a) The fee is in addition to fees that the seller charges for other distinct and
15 identifiable products sold to the same buyer, the fee is separately set forth on the
16 invoice given by the seller to the buyer, and the seller does not require the buyer to
17 pay the fee if the buyer chooses not to receive the additional distinct and identifiable
18 product for which the fee applies.

19 (b) The seller charges a single amount for multiple distinct and identifiable
20 products and offers the buyer the option of paying a lower amount if the buyer
21 chooses not to receive one or more of the distinct and identifiable products. For
22 purposes of this paragraph, the separate and optional fee is the single amount the
23 seller charges for the multiple distinct and identifiable products less the reduced
24 amount the seller charges to the buyer because the buyer chooses not to receive one
25 or more of the products.

ASSEMBLY BILL 43**SECTION 1582**

1 **SECTION 1582.** 77.52 (2) (a) 20. of the statutes is amended to read:

2 77.52 **(2)** (a) 20. The sale of landscaping and lawn maintenance services
3 including landscape planning and counseling, lawn and garden services such as
4 planting, mowing, spraying and fertilizing, and shrub and tree services. For
5 purposes of this subdivision, landscaping and lawn maintenance services do not
6 include planning and counseling services for the restoration, reclamation, or
7 revitalization of prairie, savanna, or wetlands to improve biodiversity, the quality of
8 land, soils, or water, or other ecosystem functions if the planning and counseling
9 services are provided for a separate and optional fee from any other services.

10 **SECTION 1583.** 77.52 (2) (a) 21. of the statutes is created to read:

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

20 **SECTION 1584.** 77.52 (2m) (a) of the statutes is amended to read:

21 77.52 **(2m)** (a) With respect to the services subject to tax under sub. (2), no part
22 of the charge for the service may be deemed a sale or rental of tangible personal
23 property or items, property, or goods under sub. (1) (b), (c), or (d) if the property, items,
24 or goods transferred by the service provider are incidental to the selling, performing
25 or furnishing of the service, except as provided in ~~par.~~ pars. (b) and (c).

ASSEMBLY BILL 43**SECTION 1585**

1 **SECTION 1585.** 77.52 (2m) (c) of the statutes is created to read:

2 77.52 **(2m)** (c) With respect to services subject to tax under sub. (2) (a) 7., 10.,
3 11., and 20. that are provided for a separate and optional fee from the planning and
4 counseling services described under sub. (2) (a) 20., all tangible personal property or
5 items, property, or goods under sub. (1) (b), (c), or (d) physically transferred, or
6 transferred electronically, to the customer in conjunction with the provision of the
7 services subject to tax under sub. (2) (a) 7., 10., 11., and 20. is a sale of tangible
8 personal property or items, property, or goods separate from the selling, performing,
9 or furnishing of the services.

10 **SECTION 1586.** 77.52 (13) of the statutes is amended to read:

11 77.52 **(13)** For the purpose of the proper administration of this section and to
12 prevent evasion of the sales tax it shall be presumed that all receipts are subject to
13 the tax until the contrary is established. The burden of proving that a sale of tangible
14 personal property, or items, property, or goods under sub. (1) (b), (c), or (d), or services
15 is not a taxable sale at retail is upon the person who makes the sale unless that
16 person takes from the purchaser an electronic or a paper certificate, in a manner
17 prescribed by the department, to the effect that the property, item, good, or service
18 is purchased for resale or is otherwise exempt, except that no certificate is required
19 for the sale of tangible personal property, or items, property, or goods under sub. (1)
20 (b), (c), or (d), or services that are exempt under s. 77.54 (5) (a) 3., (7), (7m), (8), (10),
21 (11), (14), (15), (17), (20n), (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46),
22 (51), (52), (66), ~~and (67), (70), (72), and (73).~~

23 **SECTION 1587.** 77.53 (10) of the statutes is amended to read:

24 77.53 **(10)** For the purpose of the proper administration of this section and to
25 prevent evasion of the use tax and the duty to collect the use tax, it is presumed that

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1 tangible personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or
2 (d), or taxable services sold by any person for delivery in this state is sold for storage,
3 use, or other consumption in this state until the contrary is established. The burden
4 of proving the contrary is upon the person who makes the sale unless that person
5 takes from the purchaser an electronic or paper certificate, in a manner prescribed
6 by the department, to the effect that the property, or items, property, or goods under
7 s. 77.52 (1) (b), (c), or (d), or taxable service is purchased for resale, or otherwise
8 exempt from the tax, except that no certificate is required for the sale of tangible
9 personal property, or items, property, or goods under s. 77.52 (1) (b), (c), or (d), or
10 services that are exempt under s. 77.54 (7), (7m), (8), (10), (11), (14), (15), (17), (20n),
11 (21), (22b), (31), (32), (35), (36), (37), (42), (44), (45), (46), (51), (52), and (67), (70), (72),
12 and (73).

13 **SECTION 1588.** 77.54 (7) (b) 1. of the statutes is amended to read:

14 77.54 (7) (b) 1. The item is transferred to a child, spouse, parent, ~~father-in-law,~~
15 ~~mother-in-law~~ parent-in-law, daughter-in-law, or son-in-law of the transferor or,
16 if the item is a motor vehicle, from the transferor to a corporation owned solely by the
17 transferor or by the transferor's spouse.

18 **SECTION 1589.** 77.54 (9a) (er) of the statutes is created to read:

19 77.54 (9a) (er) Any transit authority created under s. 66.1039.

20 **SECTION 1590.** 77.54 (9a) (gm) of the statutes is created to read:

21 77.54 (9a) (gm) A local professional baseball park district under subch. III of
22 ch. 229.

23 **SECTION 1591.** 77.54 (14) (f) 3. of the statutes is repealed.

24 **SECTION 1592.** 77.54 (14) (f) 4. of the statutes is amended to read:

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1 77.54 (14) (f) 4. An advanced practice registered nurse who may issue
2 prescription orders under s. 441.09 (2).

3 **SECTION 1593.** 77.54 (20n) (d) 2. of the statutes is amended to read:

4 77.54 (20n) (d) 2. The retailer manufactures the prepared food ~~in a building~~
5 on real property assessed as manufacturing property under s. 70.995, or that would
6 be assessed as manufacturing property under s. 70.995 if the ~~building~~ real property
7 was located in this state.

8 **SECTION 1594.** 77.54 (20n) (d) 3. of the statutes is amended to read:

9 77.54 (20n) (d) 3. The retailer makes no retail sales of prepared food at the
10 ~~building~~ location described in subd. 2.

11 **SECTION 1595.** 77.54 (41) of the statutes is amended to read:

12 77.54 (41) The sales price from the sale of building materials, supplies and
13 equipment to; and the storage, use or other consumption of those kinds of property
14 by; owners, contractors, subcontractors or builders if that property is acquired solely
15 for or used solely in, the construction, improvement, renovation, repair,
16 maintenance, or development of property that would be exempt under s. 70.11 (36).

17 **SECTION 1596.** 77.54 (56) (a) of the statutes is repealed.

18 **SECTION 1597.** 77.54 (56) (ad) of the statutes is created to read:

19 77.54 (56) (ad) 1. The sales price from the sale of and the storage, use, or other
20 consumption of a solar power system or wind energy system that produces usable
21 electrical or heat energy directly from the sun or wind, if the system is capable of
22 continuously producing at least 200 watts of alternating current or 600 British
23 thermal units. A solar power system or wind energy system described under this
24 subdivision includes tangible personal property sold with the system that is used
25 primarily to store or facilitate the storage of the electrical or heat energy produced

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1 by the system, but does not include an uninterruptible power source that is designed
2 primarily for computers. The exemption under this subdivision does not apply to
3 tangible personal property designed for any use other than for a solar power system
4 or wind energy system described in this subdivision.

5 2. The sales price from the sale of and the storage, use, or other consumption
6 of a waste energy system that produces usable electrical or heat energy directly from
7 gas generated from anaerobic digestion of animal manure and other agricultural
8 waste if the system is capable of continuously producing at least 200 watts of
9 alternating current or 600 British thermal units. A system described under this
10 subdivision includes tangible personal property sold with the system that is used
11 primarily to store or facilitate the storage of the electrical or heat energy produced
12 by the system, but does not include an uninterruptible power source that is designed
13 primarily for computers. The exemption under this subdivision does not apply to
14 tangible personal property designed for any use other than for a waste energy system
15 described in this subdivision.

16 **SECTION 1598.** 77.54 (56) (b) of the statutes is amended to read:

17 77.54 (56) (b) Except for the sale of electricity or energy that is exempt from
18 taxation under sub. (30), ~~beginning on July 1, 2011,~~ the sales price from the sale of
19 and the storage, use, or other consumption of electricity or heat energy produced by
20 a ~~product~~ system described under par. (a) (ad).

21 **SECTION 1599.** 77.54 (57d) (b) 1. of the statutes is amended to read:

22 77.54 (57d) (b) 1. A person engaged in manufacturing in this state ~~at a building~~
23 on real property assessed under s. 70.995.

24 **SECTION 1600.** 77.54 (62) of the statutes is repealed.

25 **SECTION 1601.** 77.54 (70) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1601**

1 77.54 (70) The sales price from the sale of and the storage, use, or other
2 consumption of diapers and feminine hygiene products.

3 **SECTION 1602.** 77.54 (71) of the statutes is created to read:

4 77.54 (71) The sales price from the sale of and the storage, use, or other
5 consumption of usable marijuana, as defined in s. 139.97 (13), purchased by an
6 individual who holds a valid certificate issued under s. 73.17 (4).

7 **SECTION 1603.** 77.54 (72) of the statutes is created to read:

8 77.54 (72) The sales price from the sale of and the storage, use, or other
9 consumption of breast pumps, breast pump kits, and breast pump storage and
10 collection supplies.

11 **SECTION 1604.** 77.54 (73) of the statutes is created to read:

12 77.54 (73) (a) The sales price from the sale of and the storage, use, or other
13 consumption of gun safes that are specifically designed for the storage of guns, but
14 not other items used for gun storage, such as locking gun cabinets and racks.

15 (b) The sales price from the sale of and the storage, use, or other consumption
16 of trigger locks and gun barrel locks.

17 **SECTION 1605.** Subchapter V (title) of chapter 77 [precedes 77.70] of the
18 statutes is amended to read:

19 **CHAPTER 77**

20 SUBCHAPTER V

21 COUNTY, MUNICIPALITY,

22 TRANSIT AUTHORITY, AND

23 SPECIAL DISTRICT SALES AND

24 USE TAXES

25 **SECTION 1606.** 77.70 (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1606**

1 **77.70** (title) **Adoption by county or municipal ordinance.**

2 **SECTION 1607.** 77.70 of the statutes is renumbered 77.70 (1) and amended to
3 read:

4 77.70 (1) ~~Any~~ Except as provided in subs. (2) and (4), any county desiring to
5 may impose county sales and use taxes under this subchapter ~~may do so~~ by the
6 adoption of an ordinance, stating its purpose and referring to this subchapter. The
7 rate of the tax imposed under this ~~section~~ subsection is 0.5 percent of the sales price
8 or purchase price. Except as provided in s. 66.0621 (3m), the county sales and use
9 taxes under this subsection may be imposed only for the purpose of directly reducing
10 the property tax levy and only in their entirety as provided in this subchapter. That
11 ordinance shall be effective on ~~the first day of January, the first day of April, the first~~
12 ~~day of July or the first day of October~~ January 1, April 1, July 1, or October 1. A
13 certified copy of that ordinance shall be delivered to the secretary of revenue at least
14 120 days prior to its effective date. The repeal of any such ordinance shall be effective
15 on December 31. A certified copy of a repeal ordinance shall be delivered to the
16 secretary of revenue at least 120 days before the effective date of the repeal. Except
17 as provided under s. 77.60 (9), the department of revenue may not issue any
18 assessment nor act on any claim for a refund or any claim for an adjustment under
19 s. 77.585 after the end of the calendar year that is 4 years after the year in which the
20 county has enacted a repeal ordinance under this ~~section~~ subsection.

21 **SECTION 1608.** 77.70 (2) of the statutes is created to read:

22 77.70 (2) In addition to the taxes imposed under sub. (1), a county other than
23 Milwaukee County may, by ordinance, impose a sales and use tax under this
24 subchapter at the rate of 0.5 percent of the sales price or purchase price. A sales and
25 use tax enacted under this subsection may not take effect unless approved by a

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1 majority of the electors of the county at a referendum. The revenue from the taxes
2 imposed under this subsection may be used for any purpose designated by the county
3 board or specified in the ordinance or in the referendum approving the ordinance.
4 The taxes imposed under this subsection may be imposed only in their entirety as
5 provided in this subchapter. If approved at a referendum, the ordinance shall be
6 effective on January 1, April 1, July 1, or October 1. A certified copy of that ordinance
7 shall be delivered to the secretary of revenue at least 120 days prior to its effective
8 date. The repeal of any such ordinance shall be effective on December 31. A certified
9 copy of a repeal ordinance shall be delivered to the secretary of revenue at least 120
10 days before the effective date of the repeal. Except as provided under s. 77.60 (9), the
11 department of revenue may not issue any assessment nor act on any claim for a
12 refund or any claim for an adjustment under s. 77.585 after the end of the calendar
13 year that is 4 years after the year in which the county has enacted a repeal ordinance
14 under this subsection.

15 **SECTION 1609.** 77.70 (3) of the statutes is created to read:

16 77.70 (3) A municipality other than the city of Milwaukee with a population
17 exceeding 30,000, as determined by the 2020 federal decennial census or under s.
18 16.96 for 2020, may, by ordinance, impose a sales and use tax under this subchapter
19 at the rate of 0.5 percent of the sales price or purchase price. A sales and use tax
20 enacted under this subsection may not take effect unless approved by a majority of
21 the electors of the municipality at a referendum. The revenue from the taxes
22 imposed under this subsection may be used for any purpose designated by the
23 governing body of the municipality or specified in the ordinance or in the referendum
24 approving the ordinance. The taxes imposed under this subsection may be imposed
25 only in their entirety as provided in this subchapter. If approved at a referendum,

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1 the ordinance shall be effective on January 1, April 1, July 1, or October 1. A certified
2 copy of that ordinance shall be delivered to the secretary of revenue at least 120 days
3 prior to its effective date. The repeal of any such ordinance shall be effective on
4 December 31. A certified copy of a repeal ordinance shall be delivered to the secretary
5 of revenue at least 120 days before the effective date of the repeal. Except as provided
6 under s. 77.60 (9), the department of revenue may not issue any assessment nor act
7 on any claim for a refund or any claim for an adjustment under s. 77.585 after the
8 end of the calendar year that is 4 years after the year in which the municipality has
9 enacted a repeal ordinance under this subsection.

10 **SECTION 1610.** 77.70 (4) of the statutes is created to read:

11 77.70 (4) In addition to the taxes imposed under sub. (1), Milwaukee County
12 may, by ordinance, impose a sales and use tax under this subchapter at the rate of
13 1 percent of the sales price or purchase price. A sales and use tax enacted under this
14 subsection may not take effect unless approved by a majority of the electors of the
15 county at a referendum. The referendum question submitted to the electors of the
16 county shall describe both the taxes to be imposed under this subsection and the
17 distribution to the city of Milwaukee of 50 percent of the revenue from the taxes. The
18 county shall distribute 50 percent of the revenue from the taxes imposed under this
19 subsection to the city of Milwaukee, and the revenue may be used for any purpose
20 designated by the common council. The remaining revenue may be used for any
21 purpose designated by the county board or specified in the ordinance or in the
22 referendum approving the ordinance. The taxes imposed under this subsection may
23 be imposed only in their entirety as provided in this subchapter. If approved at a
24 referendum, the ordinance shall be effective on January 1, April 1, July 1, or October
25 1. A certified copy of that ordinance shall be delivered to the secretary of revenue at

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1 least 120 days prior to its effective date. The repeal of any such ordinance shall be
2 effective on December 31. A certified copy of a repeal ordinance shall be delivered
3 to the secretary of revenue at least 120 days before the effective date of the repeal.
4 Except as provided under s. 77.60 (9), the department of revenue may not issue any
5 assessment nor act on any claim for a refund or any claim for an adjustment under
6 s. 77.585 after the end of the calendar year that is 4 years after the year in which the
7 county has enacted a repeal ordinance under this subsection.

8 **SECTION 1611.** 77.705 of the statutes is repealed.

9 **SECTION 1612.** 77.707 (1) of the statutes is amended to read:

10 77.707 (1) Retailers and the department of revenue may not collect a tax under
11 s. 77.705, 2021 stats., for any local professional baseball park district created under
12 subch. III of ch. 229 after the last day of the fiscal quarter in which the local
13 professional baseball park district board makes a certification to the department of
14 revenue under s. 229.685 (2) or after August 31, 2020, whichever is earlier, except
15 that the department of revenue may collect from retailers taxes that accrued before
16 the termination date and fees, interest and penalties that relate to those taxes.
17 Except as provided under s. 77.60 (9), the department of revenue may not issue any
18 assessment nor act on any claim for a refund or any claim for an adjustment under
19 s. 77.585 after the end of the calendar year that is 4 years after the year in which a
20 local professional baseball park district tax has terminated. The department of
21 revenue shall estimate the amount of the refunds, including interest, that the
22 department may need to pay during that 4-year period and retain that amount from
23 the taxes collected for the district after the termination date. Any amount that
24 remains after the payment of refunds shall be distributed to the counties based on
25 the population of each county that is part of the district.

ASSEMBLY BILL 43**SECTION 1613**

1 **SECTION 1613.** 77.707 (1) of the statutes, as affected by 2023 Wisconsin Act ...
2 (this act), is repealed.

3 **SECTION 1614.** 77.707 (2) of the statutes is renumbered 77.707.

4 **SECTION 1615.** 77.708 of the statutes is created to read:

5 **77.708 Adoption by resolution; transit authority. (1)** A transit authority
6 created under s. 66.1039, by resolution under s. 66.1039 (4) (s), may impose a sales
7 tax and a use tax under this subchapter at a rate not to exceed 0.5 percent of the gross
8 receipts or sales price. Those taxes may be imposed only in their entirety. The
9 resolution shall be effective on the first day of the first calendar quarter that begins
10 at least 120 days after a certified copy of the resolution is delivered to the department
11 of revenue.

12 **(2)** Retailers and the department of revenue may not collect a tax under sub.
13 (1) for any transit authority created under s. 66.1039 beginning on the first day of
14 the calendar quarter that is at least 120 days after a certified copy of the repeal
15 resolution under s. 66.1039 (4) (s) is delivered to the department of revenue, except
16 that the department of revenue may collect from retailers taxes that accrued before
17 such calendar quarter and fees, interest, and penalties that relate to those taxes.

18 **SECTION 1616.** 77.71 (intro.) of the statutes is amended to read:

19 **77.71 Imposition of county, municipality, transit authority, and special**
20 **district sales and use taxes.** (intro.) Whenever a county sales and use tax
21 ordinance is adopted under s. 77.70 or a ~~special district~~ resolution is adopted under
22 s. 77.705 ~~or~~, 77.706, or 77.708, the following taxes are imposed:

23 **SECTION 1617.** 77.71 (intro.) of the statutes, as affected by 2023 Wisconsin Act
24 (this act), is amended to read:

ASSEMBLY BILL 43**SECTION 1617**

1 **77.71 Imposition of county, municipality, transit authority, and special**
2 **district sales and use taxes.** (intro.) Whenever a sales and use tax ordinance is
3 adopted under s. 77.70 or a resolution is adopted under s. ~~77.705~~, 77.706, or 77.708,
4 the following taxes are imposed:

5 **SECTION 1618.** 77.71 (1) of the statutes is amended to read:

6 77.71 (1) For the privilege of selling, licensing, leasing, or renting tangible
7 personal property and the items, property, and goods specified under s. 77.52 (1) (b),
8 (c), and (d), and for the privilege of selling, licensing, performing, or furnishing
9 services a sales tax is imposed upon retailers at the rates under s. 77.70 in the case
10 of a county or municipality tax, at the rate under s. 77.708 in the case of a transit
11 authority tax, or at the rate under s. 77.705 or 77.706 in the case of a special district
12 tax of the sales price from the sale, license, lease, or rental of tangible personal
13 property and the items, property, and goods specified under s. 77.52 (1) (b), (c), and
14 (d), except property taxed under sub. (4), sold, licensed, leased, or rented at retail in
15 the county ~~or~~ municipality, special district, or transit authority's jurisdictional area,
16 or from selling, licensing, performing, or furnishing services described under s. 77.52
17 (2) in the county ~~or~~ municipality, special district, or transit authority's jurisdictional
18 area.

19 **SECTION 1619.** 77.71 (1) of the statutes, as affected by 2023 Wisconsin Act ...
20 (this act), is amended to read:

21 77.71 (1) For the privilege of selling, licensing, leasing, or renting tangible
22 personal property and the items, property, and goods specified under s. 77.52 (1) (b),
23 (c), and (d), and for the privilege of selling, licensing, performing, or furnishing
24 services a sales tax is imposed upon retailers at the rates under s. 77.70 in the case
25 of a county or municipality tax, at the rate under s. 77.708 in the case of a transit

ASSEMBLY BILL 43**SECTION 1619**

1 authority tax, or at the rate under s. ~~77.705~~ or 77.706 in the case of a special district
2 tax of the sales price from the sale, license, lease, or rental of tangible personal
3 property and the items, property, and goods specified under s. 77.52 (1) (b), (c), and
4 (d), except property taxed under sub. (4), sold, licensed, leased, or rented at retail in
5 the county, municipality, special district, or transit authority's jurisdictional area, or
6 from selling, licensing, performing, or furnishing services described under s. 77.52
7 (2) in the county, municipality, special district, or transit authority's jurisdictional
8 area.

9 **SECTION 1620.** 77.71 (2) of the statutes is amended to read:

10 77.71 (2) An excise tax is imposed at the rates under s. 77.70 in the case of a
11 county or municipality tax, at the rate under s. 77.708 in the case of a transit
12 authority tax, or at the rate under s. 77.705 or 77.706 in the case of a special district
13 tax of the purchase price upon every person storing, using, or otherwise consuming
14 in the county ~~or, municipality, special district, or transit authority's jurisdictional~~
15 area tangible personal property, or items, property, or goods specified under s. 77.52
16 (1) (b), (c), or (d), or services if the tangible personal property, item, property, good,
17 or service is subject to the state use tax under s. 77.53, except that a receipt indicating
18 that the tax under sub. (1), (3), (4), or (5) has been paid relieves the buyer of liability
19 for the tax under this subsection and except that if the buyer has paid a similar local
20 tax in another state on a purchase of the same tangible personal property, item,
21 property, good, or service that tax shall be credited against the tax under this
22 subsection and except that for motor vehicles that are used for a purpose in addition
23 to retention, demonstration, or display while held for sale in the regular course of
24 business by a dealer the tax under this subsection is imposed not on the purchase
25 price but on the amount under s. 77.53 (1m).

ASSEMBLY BILL 43**SECTION 1621**

1 **SECTION 1621.** 77.71 (2) of the statutes, as affected by 2023 Wisconsin Act ...
2 (this act), is amended to read:

3 77.71 (2) An excise tax is imposed at the rates under s. 77.70 in the case of a
4 county or municipality tax, at the rate under s. 77.708 in the case of a transit
5 authority tax, or at the rate under s. ~~77.705~~ or 77.706 in the case of a special district
6 tax of the purchase price upon every person storing, using, or otherwise consuming
7 in the county, municipality, special district, or transit authority's jurisdictional area
8 tangible personal property, or items, property, or goods specified under s. 77.52 (1)
9 (b), (c), or (d), or services if the tangible personal property, item, property, good, or
10 service is subject to the state use tax under s. 77.53, except that a receipt indicating
11 that the tax under sub. (1), (3), (4), or (5) has been paid relieves the buyer of liability
12 for the tax under this subsection and except that if the buyer has paid a similar local
13 tax in another state on a purchase of the same tangible personal property, item,
14 property, good, or service that tax shall be credited against the tax under this
15 subsection and except that for motor vehicles that are used for a purpose in addition
16 to retention, demonstration, or display while held for sale in the regular course of
17 business by a dealer the tax under this subsection is imposed not on the purchase
18 price but on the amount under s. 77.53 (1m).

19 **SECTION 1622.** 77.71 (3) of the statutes is amended to read:

20 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
21 activities within the county ~~or, municipality, special district, or transit authority's~~
22 jurisdictional area at the rates under s. 77.70 in the case of a county or municipality
23 tax, at the rate under s. 77.708 in the case of a transit authority tax, or at the rate
24 under s. 77.705 or 77.706 in the case of a special district tax of the purchase price of
25 tangible personal property or items, property, or goods under s. 77.52 (1) (b), (c), or

ASSEMBLY BILL 43**SECTION 1622**

1 (d) that are used in constructing, altering, repairing, or improving real property and
2 that became a component part of real property in that county, municipality, or special
3 district or in the transit authority's jurisdictional area, except that if the contractor
4 has paid the sales tax of a county, municipality, transit authority, or special district
5 in this state on that tangible personal property, item, property, or good, or has paid
6 a similar local sales tax in another state on a purchase of the same tangible personal
7 property, item, property, or good, that tax shall be credited against the tax under this
8 subsection.

9 **SECTION 1623.** 77.71 (3) of the statutes, as affected by 2023 Wisconsin Act ...
10 (this act), is amended to read:

11 77.71 (3) An excise tax is imposed upon a contractor engaged in construction
12 activities within the county, municipality, special district, or transit authority's
13 jurisdictional area at the rates under s. 77.70 in the case of a county or municipality
14 tax, at the rate under s. 77.708 in the case of a transit authority tax, or at the rate
15 under s. ~~77.705~~ or 77.706 in the case of a special district tax of the purchase price of
16 tangible personal property or items, property, or goods under s. 77.52 (1) (b), (c), or
17 (d) that are used in constructing, altering, repairing, or improving real property and
18 that became a component part of real property in that county, municipality, or special
19 district or in the transit authority's jurisdictional area, except that if the contractor
20 has paid the sales tax of a county, municipality, transit authority, or special district
21 in this state on that tangible personal property, item, property, or good, or has paid
22 a similar local sales tax in another state on a purchase of the same tangible personal
23 property, item, property, or good, that tax shall be credited against the tax under this
24 subsection.

25 **SECTION 1624.** 77.71 (4) of the statutes is amended to read:

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1 77.71 (4) An excise tax is imposed at the rates under s. 77.70 in the case of a
2 county or municipality tax, at the rate under s. 77.708 in the case of a transit
3 authority tax, or at the rate under s. 77.705 or 77.706 in the case of a special district
4 tax of the purchase price upon every person storing, using, or otherwise consuming
5 a motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft
6 if that property must be registered or titled with this state and if that property is to
7 be customarily kept in a county or municipality that has in effect an ordinance under
8 s. 77.70, the jurisdictional area of a transit authority that has in effect a resolution
9 under s. 77.708, or in a special district that has in effect a resolution under s. 77.705
10 or 77.706, except that if the buyer has paid a similar local sales tax in another state
11 on a purchase of the same property, that tax shall be credited against the tax under
12 this subsection. The lease or rental of a motor vehicle, boat, recreational vehicle, as
13 defined in s. 340.01 (48r), or aircraft is not taxed under this subsection if the lease
14 or rental does not require recurring periodic payments.

15 **SECTION 1625.** 77.71 (4) of the statutes, as affected by 2023 Wisconsin Act
16 (this act), is amended to read:

17 77.71 (4) An excise tax is imposed at the rates under s. 77.70 in the case of a
18 county or municipality tax, at the rate under s. 77.708 in the case of a transit
19 authority tax, or at the rate under s. ~~77.705~~ or 77.706 in the case of a special district
20 tax of the purchase price upon every person storing, using, or otherwise consuming
21 a motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft
22 if that property must be registered or titled with this state and if that property is to
23 be customarily kept in a county or municipality that has in effect an ordinance under
24 s. 77.70, the jurisdictional area of a transit authority that has in effect a resolution
25 under s. 77.708, or in a special district that has in effect a resolution under s. ~~77.705~~

ASSEMBLY BILL 43**SECTION 1625**

1 or 77.706, except that if the buyer has paid a similar local sales tax in another state
2 on a purchase of the same property, that tax shall be credited against the tax under
3 this subsection. The lease or rental of a motor vehicle, boat, recreational vehicle, as
4 defined in s. 340.01 (48r), or aircraft is not taxed under this subsection if the lease
5 or rental does not require recurring periodic payments.

6 **SECTION 1626.** 77.71 (5) of the statutes is amended to read:

7 77.71 (5) An excise tax is imposed on the purchase price for the lease or rental
8 of a motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft
9 at the rates under s. 77.70 in the case of a county or municipality tax, at the rate
10 under s. 77.708 in the case of a transit authority tax, or at the rate under s. 77.705
11 or 77.706 in the case of a special district tax upon every person storing, using, or
12 otherwise consuming in the county ~~or~~ municipality, special district, or transit
13 authority's jurisdictional area the motor vehicle, boat, recreational vehicle, as
14 defined in s. 340.01 (48r), or aircraft if that property must be registered or titled with
15 this state and if the lease or rental does not require recurring periodic payments,
16 except that a receipt indicating that the tax under sub. (1) had been paid relieves the
17 purchaser of liability for the tax under this subsection and except that if the
18 purchaser has paid a similar local tax in another state on the same lease or rental
19 of such motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or
20 aircraft, that tax shall be credited against the tax under this subsection.

21 **SECTION 1627.** 77.71 (5) of the statutes, as affected by 2023 Wisconsin Act
22 (this act), is amended to read:

23 77.71 (5) An excise tax is imposed on the purchase price for the lease or rental
24 of a motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or aircraft
25 at the rates under s. 77.70 in the case of a county or municipality tax, at the rate

ASSEMBLY BILL 43**SECTION 1627**

1 under s. 77.708 in the case of a transit authority tax, or at the rate under s. 77.705
2 or 77.706 in the case of a special district tax upon every person storing, using, or
3 otherwise consuming in the county, municipality, special district, or transit
4 authority's jurisdictional area the motor vehicle, boat, recreational vehicle, as
5 defined in s. 340.01 (48r), or aircraft if that property must be registered or titled with
6 this state and if the lease or rental does not require recurring periodic payments,
7 except that a receipt indicating that the tax under sub. (1) had been paid relieves the
8 purchaser of liability for the tax under this subsection and except that if the
9 purchaser has paid a similar local tax in another state on the same lease or rental
10 of such motor vehicle, boat, recreational vehicle, as defined in s. 340.01 (48r), or
11 aircraft, that tax shall be credited against the tax under this subsection.

12 **SECTION 1628.** 77.73 (2) of the statutes is amended to read:

13 77.73 (2) Counties ~~and, municipalities,~~ special districts, and transit
14 authorities do not have jurisdiction to impose the tax under s. 77.71 (2) in regard to
15 items, property, and goods under s. 77.52 (1) (b), (c), and (d), and tangible personal
16 property, except snowmobiles, trailers, semitrailers, limited use off-highway
17 motorcycles, as defined in s. 23.335 (1) (o), all-terrain vehicles, and utility terrain
18 vehicles, purchased in a sale that is consummated in another county, municipality,
19 or special district in this state, or in another transit authority's jurisdictional area,
20 that does not have in effect an ordinance or resolution imposing the taxes under this
21 subchapter and later brought by the buyer into the county ~~or, municipality,~~ special
22 district, or jurisdictional area of the transit authority that has imposed a tax under
23 s. 77.71 (2).

24 **SECTION 1629.** 77.73 (2m) of the statutes is amended to read:

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1 77.73 (2m) Counties ~~and, municipalities,~~ special districts, ~~and transit~~
2 ~~authorities~~ do not have jurisdiction to impose the tax under s. 77.71 (5) with regard
3 to the lease or rental of a motor vehicle, boat, recreational vehicle, as defined in s.
4 340.01 (48r), or aircraft if the lease or rental does not require recurring periodic
5 payments and if the purchaser received the property in another county, municipality,
6 or special district in this state, or in another transit authority's jurisdictional area,
7 and then brings the property into a county ~~or, municipality,~~ special district, ~~or transit~~
8 ~~authority~~ that imposes the tax under s. 77.71 (5).

9 **SECTION 1630.** 77.73 (3) of the statutes is amended to read:

10 77.73 (3) Counties ~~and, municipalities,~~ special districts, ~~and transit~~
11 ~~authorities~~ have jurisdiction to impose the taxes under this subchapter on retailers
12 who file, or who are required to file, an application under s. 77.52 (7) or who register,
13 or who are required to register, under s. 77.53 (9) or (9m), regardless of whether such
14 retailers are engaged in business in the county ~~or, municipality,~~ special district, ~~or~~
15 ~~transit authority's jurisdictional area,~~ as provided in s. 77.51 (13g). A retailer who
16 files, or is required to file, an application under s. 77.52 (7) or who registers, or is
17 required to register, under s. 77.53 (9) or (9m) shall collect, report, and remit to the
18 department the taxes imposed under this subchapter for all counties ~~or,~~
19 municipalities, special districts, and transit authorities that have an ordinance or
20 resolution imposing the taxes under this subchapter.

21 **SECTION 1631.** 77.75 of the statutes is amended to read:

22 **77.75 Reports.** Every person subject to county, municipality, transit
23 authority, or special district sales and use taxes shall, for each reporting period,
24 record that person's sales made in the county ~~or, municipality,~~ special district, ~~or~~
25 jurisdictional area of a transit authority that has imposed those taxes separately

ASSEMBLY BILL 43**SECTION 1631**

1 from sales made elsewhere in this state and file a report as prescribed by the
2 department of revenue.

3 **SECTION 1632.** 77.76 (1) of the statutes is amended to read:

4 77.76 (1) The department of revenue shall have full power to levy, enforce, and
5 collect county, municipality, transit authority, and special district sales and use taxes
6 and may take any action, conduct any proceeding, impose interest and penalties, and
7 in all respects proceed as it is authorized to proceed for the taxes imposed by subch.
8 III. The department of transportation and the department of natural resources may
9 administer the county, municipality, transit authority, and special district sales and
10 use taxes in regard to items under s. 77.61 (1).

11 **SECTION 1633.** 77.76 (2) of the statutes is amended to read:

12 77.76 (2) Judicial and administrative review of departmental determinations
13 shall be as provided in subch. III for state sales and use taxes, and no county,
14 municipality, transit authority, or special district may intervene in any matter
15 related to the levy, enforcement, and collection of the taxes under this subchapter.

16 **SECTION 1634.** 77.76 (3) of the statutes is renumbered 77.76 (3) (a) and
17 amended to read:

18 77.76 (3) (a) From the appropriation under s. 20.835 (4) (g), the department of
19 revenue shall distribute 98.25 percent of the county taxes reported for each enacting
20 county, minus the county portion of the retailers' discounts, to the county and shall
21 indicate the taxes reported by each taxpayer, no later than 75 days following the last
22 day of the calendar quarter in which such amounts were reported. In this ~~subsection~~
23 paragraph, the "county portion of the retailers' discount" is the amount determined
24 by multiplying the total retailers' discount by a fraction, the numerator of which is
25 the gross county sales and use taxes payable and the denominator of which is the sum

ASSEMBLY BILL 43**SECTION 1634**

1 of the gross state and county sales and use taxes payable. The county taxes
2 distributed shall be increased or decreased to reflect subsequent refunds, audit
3 adjustments, and all other adjustments of the county taxes previously distributed.
4 Interest paid on refunds of county sales and use taxes shall be paid from the
5 appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1)
6 (a). The county may retain the amount it receives or it may distribute all or a portion
7 of the amount it receives to the towns, villages, cities, and school districts in the
8 county. After receiving notice from the department of revenue, a county shall
9 reimburse the department for the amount by which any refunds, including interest,
10 of the county's sales and use taxes that the department pays or allows in a reporting
11 period exceeds the amount of the county's sales and use taxes otherwise payable to
12 the county under this ~~subsection~~ paragraph for the same or subsequent reporting
13 period. Any county receiving a report under this ~~subsection~~ paragraph is subject to
14 the duties of confidentiality to which the department of revenue is subject under s.
15 77.61 (5) and (6).

16 **SECTION 1635.** 77.76 (3) (b) of the statutes is created to read:

17 77.76 (3) (b) From the appropriation under s. 20.835 (4) (g), the department of
18 revenue shall distribute 98.25 percent of the municipality taxes reported for each
19 enacting municipality, minus the municipality portion of the retailers' discounts, to
20 the municipality and shall indicate the taxes reported by each taxpayer, no later than
21 75 days following the last day of the calendar quarter in which such amounts were
22 reported. In this paragraph, the "municipality portion of the retailers' discount" is
23 the amount determined by multiplying the total retailers' discount by a fraction, the
24 numerator of which is the gross municipality sales and use taxes payable and the
25 denominator of which is the sum of the gross state and municipality sales and use

ASSEMBLY BILL 43**SECTION 1635**

1 taxes payable. The municipality taxes distributed shall be increased or decreased
2 to reflect subsequent refunds, audit adjustments, and all other adjustments of the
3 municipality taxes previously distributed. Interest paid on refunds of municipality
4 sales and use taxes shall be paid from the appropriation under s. 20.835 (4) (g) at the
5 rate paid by this state under s. 77.60 (1) (a). After receiving notice from the
6 department of revenue, a municipality shall reimburse the department for the
7 amount by which any refunds, including interest, of the municipality's sales and use
8 taxes that the department pays or allows in a reporting period exceeds the amount
9 of the municipality's sales and use taxes otherwise payable to the municipality under
10 this paragraph for the same or subsequent reporting period. Any municipality
11 receiving a report under this paragraph is subject to the duties of confidentiality to
12 which the department of revenue is subject under s. 77.61 (5) and (6).

13 **SECTION 1636.** 77.76 (3r) of the statutes is created to read:

14 77.76 (3r) From the appropriation under s. 20.835 (4) (gc), the department of
15 revenue shall distribute 98.5 percent of the taxes reported for each transit authority
16 that has imposed taxes under this subchapter, minus the transit authority portion
17 of the retailers' discount, to the transit authority no later than the end of the 3rd
18 month following the end of the calendar quarter in which such amounts were
19 reported. At the time of distribution, the department of revenue shall indicate the
20 taxes reported by each taxpayer. In this subsection, the "transit authority portion
21 of the retailers' discount" is the amount determined by multiplying the total
22 retailers' discount by a fraction the numerator of which is the gross transit authority
23 sales and use taxes payable and the denominator of which is the sum of the gross
24 state and transit authority sales and use taxes payable. The transit authority taxes
25 distributed shall be increased or decreased to reflect subsequent refunds, audit

ASSEMBLY BILL 43**SECTION 1636**

1 adjustments, and all other adjustments of the transit authority taxes previously
2 distributed. Interest paid on refunds of transit authority sales and use taxes shall
3 be paid from the appropriation under s. 20.835 (4) (gc) at the rate paid by this state
4 under s. 77.60 (1) (a). Any transit authority receiving a report under this subsection
5 is subject to the duties of confidentiality to which the department of revenue is
6 subject under s. 77.61 (5).

7 **SECTION 1637.** 77.76 (4) of the statutes is amended to read:

8 77.76 (4) There shall be retained by the state 1.5 percent of the taxes collected
9 for taxes imposed by special districts under ss. 77.705 and 77.706 and transit
10 authorities under s. 77.708 and 1.75 percent of the taxes collected for taxes imposed
11 by counties or municipalities under s. 77.70 to cover costs incurred by the state in
12 administering, enforcing, and collecting the tax. All interest and penalties collected
13 shall be deposited and retained by this state in the general fund.

14 **SECTION 1638.** 77.76 (4) of the statutes, as affected by 2023 Wisconsin Act ...
15 (this act), is amended to read:

16 77.76 (4) There shall be retained by the state 1.5 percent of the taxes collected
17 for taxes imposed by special districts under ss. ~~77.705~~ and s. 77.706 and transit
18 authorities under s. 77.708 and 1.75 percent of the taxes collected for taxes imposed
19 by counties or municipalities under s. 77.70 to cover costs incurred by the state in
20 administering, enforcing, and collecting the tax. All interest and penalties collected
21 shall be deposited and retained by this state in the general fund.

22 **SECTION 1639.** 77.76 (6) of the statutes is repealed.

23 **SECTION 1640.** 77.76 (7) of the statutes is created to read:

24 77.76 (7) If a retailer receives notice from the department of revenue that the
25 retailer is required to collect and remit the taxes imposed under s. 77.708, but the

ASSEMBLY BILL 43**SECTION 1640**

1 retailer believes that the retailer is not required to collect such taxes because the
2 retailer is not doing business within the transit authority's jurisdictional area, the
3 retailer shall notify the department of revenue no later than 30 days after receiving
4 notice from the department. The department of revenue shall affirm or revise its
5 original determination no later than 30 days after receiving the retailer's notice.

6 **SECTION 1641.** 77.77 (1) (a) of the statutes is amended to read:

7 77.77 (1) (a) The sales price from services subject to the tax under s. 77.52 (2)
8 or the lease, rental, or license of tangible personal property and property, items, and
9 goods specified under s. 77.52 (1) (b), (c), and (d), is subject to the taxes under this
10 subchapter, and the incremental amount of tax caused by a rate increase applicable
11 to those services, leases, rentals, or licenses is due, beginning with the first billing
12 period starting on or after the effective date of the county ordinance, municipal
13 ordinance, special district resolution, transit authority resolution, or rate increase,
14 regardless of whether the service is furnished or the property, item, or good is leased,
15 rented, or licensed to the customer before or after that date.

16 **SECTION 1642.** 77.77 (1) (b) of the statutes is amended to read:

17 77.77 (1) (b) The sales price from services subject to the tax under s. 77.52 (2)
18 or the lease, rental, or license of tangible personal property and property, items, and
19 goods specified under s. 77.52 (1) (b), (c), and (d) is not subject to the taxes under this
20 subchapter, and a decrease in the tax rate imposed under this subchapter on those
21 services first applies, beginning with bills rendered on or after the effective date of
22 the repeal or sunset of a county ordinance ~~or~~, municipal ordinance, special district
23 resolution, or transit authority resolution imposing the tax or other rate decrease,
24 regardless of whether the service is furnished or the property, item, or good is leased,
25 rented, or licensed to the customer before or after that date.

ASSEMBLY BILL 43**SECTION 1643**

1 **SECTION 1643.** 77.77 (3) of the statutes is amended to read:

2 **77.77 (3)** The sale of building materials to contractors engaged in the business
3 of constructing, altering, repairing or improving real estate for others is not subject
4 to the taxes under this subchapter, and the incremental amount of tax caused by the
5 rate increase applicable to those materials is not due, if the materials are affixed and
6 made a structural part of real estate, and the amount payable to the contractor is
7 fixed without regard to the costs incurred in performing a written contract that was
8 irrevocably entered into prior to the effective date of the county ordinance, municipal
9 ordinance, special district resolution, transit authority resolution, or rate increase
10 or that resulted from the acceptance of a formal written bid accompanied by a bond
11 or other performance guaranty that was irrevocably submitted before that date.

12 **SECTION 1644.** 77.78 of the statutes is amended to read:

13 **77.78 Registration.** No motor vehicle, boat, snowmobile, recreational vehicle,
14 as defined in s. 340.01 (48r), trailer, semitrailer, all-terrain vehicle, utility terrain
15 vehicle, off-highway motorcycle, as defined in s. 23.335 (1) (q), or aircraft that is
16 required to be registered by this state may be registered or titled by this state unless
17 the registrant files a sales and use tax report and pays the county tax, municipal tax,
18 transit authority tax, and special district tax at the time of registering or titling to
19 the state agency that registers or titles the property. That state agency shall
20 transmit those tax revenues to the department of revenue.

21 **SECTION 1645.** 77.84 (1) of the statutes is amended to read:

22 **77.84 (1) TAX ROLL.** Each clerk of a municipality in which the land is located
23 shall enter in a special column or other appropriate place on the tax roll the
24 description of each parcel of land designated as managed forest land, and shall
25 specify, by the designation “MFL-O” or “MFL-C”, the acreage of each parcel that is

ASSEMBLY BILL 43**SECTION 1645**

1 designated open or closed under s. 77.83. The land shall be assessed and is subject
2 to review under ch. 70. Except as provided in this subchapter, no tax may be levied
3 on managed forest land, except that any ~~building~~ buildings, improvements, and
4 fixtures on managed forest land is subject to taxation as ~~personal~~ real property under
5 ch. 70.

6 **SECTION 1646.** 77.9964 (3) of the statutes is amended to read:

7 77.9964 (3) The department shall deposit all of the revenue that it collects
8 under this subchapter in the environmental fund ~~under s. 25.48.~~

9 **SECTION 1647.** Subchapter XIII of chapter 77 [precedes 77.9971] of the statutes
10 is created to read:

CHAPTER 77**SUBCHAPTER XIII****REGIONAL TRANSIT AUTHORITY FEE**

11
12
13
14 **77.9971 Imposition.** A regional transit authority created under s. 66.1039 (2)
15 may impose a fee at a rate not to exceed \$2 for each transaction in the authority's
16 jurisdictional area, as described in s. 66.1039 (2), on the rental, but not for rental
17 and not for rental as a service or repair replacement vehicle, of Type 1 automobiles,
18 as defined in s. 340.01 (4) (a), by establishments primarily engaged in short-term
19 rental of passenger cars without drivers, for a period of 30 days or less, unless the
20 sale is exempt from the sales tax under s. 77.54 (1), (4), (7) (a), (7m), (9), or (9a). The
21 fee imposed under this subchapter shall be effective on the first day of the first month
22 that begins at least 90 days after the board of directors of the regional transit
23 authority approves the imposition of the fee and notifies the department of revenue.
24 The board of directors shall notify the department of a repeal of the fee imposed
25 under this subchapter at least 60 days before the effective date of the repeal.

ASSEMBLY BILL 43**SECTION 1647**

1 **77.9972 Administration.** (1) The department of revenue shall administer
2 the fee under this subchapter and may take any action, conduct any proceeding, and
3 impose interest and penalties.

4 (2) Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (1b), (3), (5), (13),
5 (14), (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61
6 (2), (3m), (5), (8), (9), and (12) to (15), and 77.62, as they apply to the taxes under
7 subch. III, apply to the fee under this subchapter. Section 77.73, as it applies to the
8 taxes under subch. V, applies to the fee under this subchapter. The renter shall
9 collect the fee under this subchapter from the person to whom the passenger car is
10 rented.

11 (3) From the appropriation under s. 20.835 (4) (gh), the department of revenue
12 shall distribute 97.45 percent of the fees collected under this subchapter for each
13 regional transit authority to that authority and shall indicate to the authority the
14 fees reported by each fee payer in the authority's jurisdiction, no later than the end
15 of the month following the end of the calendar quarter in which the amounts were
16 collected. The fees distributed shall be increased or decreased to reflect subsequent
17 refunds, audit adjustments, and all other adjustments. Interest paid on refunds of
18 the fee under this subchapter shall be paid from the appropriation under s. 20.835
19 (4) (gh) at the rate under s. 77.60 (1) (a). Any regional transit authority that receives
20 a report along with a payment under this subsection is subject to the duties of
21 confidentiality to which the department of revenue is subject under s. 77.61 (5).

22 (4) Persons who are subject to the fee under this subchapter shall register with
23 the department of revenue. Any person who is required to register; including any
24 person authorized to act on behalf of a corporation, partnership, or other person who
25 is required to register; who fails to do so is guilty of a misdemeanor.

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1 **(5)** A retailer who collects a fee under this subchapter shall identify the fee as
2 a separate item on a receipt the retailer provides to a rental customer.

3 **77.9973 Discontinuation.** Retailers and the department of revenue may not
4 collect fees under this subchapter for any regional transit authority after the
5 calendar quarter during which the regional transit authority ceases to exist, except
6 that the department may collect from retailers fees that accrued before that calendar
7 quarter and interest and penalties that relate to those fees. If fees are collected, the
8 authority may use the revenue for any lawful purpose.

9 **SECTION 1648.** 78.55 (1) of the statutes is amended to read:

10 78.55 (1) “Air carrier company” has the meaning given in s. ~~70.11 (42) (a) 1.~~
11 76.02 (1).

12 **SECTION 1649.** 79.005 (1j) of the statutes is created to read:

13 79.005 (1j) (a) “Energy storage facility” means property to which all of the
14 following applies:

15 1. The property is interconnected to the electrical grid.

16 2. The property is designed to receive electrical energy, to store the electrical
17 energy as another form of energy, and to convert that other form back into electrical
18 energy.

19 3. The property delivers the electrical energy converted from some other form,
20 as described in subd. 2., for sale or to use for providing reliability or economic benefits
21 to the electrical grid.

22 4. The property is owned by a light, heat, and power company assessed under
23 s. 76.28 (2) or 76.29 (2), not including property described in s. 66.0813 unless the
24 property is owned or operated by a local governmental unit located outside of the

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1 municipality, or by an electric cooperative assessed under ss. 76.07 and 76.48,
2 respectively, or by a municipal electric company under s. 66.0825.

3 (b) “Energy storage facility” includes hydroelectric pumped storage,
4 compressed air energy storage, regenerative fuel cells, batteries, superconducting
5 magnetic energy storage, flywheels, thermal energy storage systems, and hydrogen
6 storage, or combination thereof, or any other similar technologies as determined by
7 the federal energy regulatory commission.

8 **SECTION 1650.** 79.005 (3m) of the statutes is created to read:

9 79.005 (3m) “Qualified electric vehicle charging infrastructure” means level 3
10 electric vehicle supply equipment that has a minimum charging capacity of 480 volts
11 and that is owned by a light, heat, and power company assessed under s. 76.28 (2)
12 or 76.29 (2), not including property described in s. 66.0813 unless the qualified
13 electric vehicle charging infrastructure is owned or operated by a local governmental
14 unit located outside of the municipality, or by an electric cooperative assessed under
15 ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825.

16 **SECTION 1651.** 79.01 (3) of the statutes is created to read:

17 79.01 (3) There is established an account in the general fund entitled the
18 “Municipal and County Shared Revenue Account,” consisting of an amount equal to
19 20 percent of the amount of the revenues received from the taxes imposed under ss.
20 77.52 and 77.53 in each fiscal year, as specified under s. 20.005 (1), less the following
21 amounts:

22 (a) The amount distributed under sub. (1).

23 (b) The amount distributed under sub. (2d).

24 (c) The amount distributed to counties and municipalities under s. 79.096.

25 **SECTION 1652.** 79.015 of the statutes is amended to read:

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1 **79.015 Statement of estimated payments.** The department of revenue, on
2 or before September 15 of each year, shall provide to each municipality and county
3 a statement of estimated payments to be made in the next calendar year to the
4 municipality or county under ss. 79.035, 79.036, 79.04, and 79.05.

5 **SECTION 1653.** 79.02 (2) (b) of the statutes is amended to read:

6 79.02 (2) (b) Subject to ss. 59.605 (4) and 70.995 (14) (b), payments in July shall
7 equal 15 percent of the municipality's or county's estimated payments under ss.
8 79.035 and 79.04, 50 percent of the municipality's or county's estimated payments
9 under s. 79.036, and 100 percent of the municipality's estimated payments under s.
10 79.05. Upon certification by the department of revenue, the estimated payment
11 under s. 79.05 may be distributed before the 4th Monday in July.

12 **SECTION 1654.** 79.02 (3) (a) of the statutes is amended to read:

13 79.02 (3) (a) Subject to s. 59.605 (4), payments to each municipality and county
14 in November shall equal that municipality's or county's entitlement under ss. 79.035,
15 79.036, 79.04, and 79.05 for the current year, minus the amount distributed to the
16 municipality or county under sub. (2) (b).

17 **SECTION 1655.** 79.035 (7) (a) 1. of the statutes is amended to read:

18 79.035 (7) (a) 1. ~~For~~ Except as provided in subd. 1m., for an urban mass transit
19 system that is eligible to receive state aid under s. 85.20 (4m) (a) 6. cm. or d. and
20 serving a population exceeding 200,000, 75 percent of the total amount of grants
21 received under s. 16.047 (4m).

22 **SECTION 1656.** 79.035 (7) (a) 1m. of the statutes is created to read:

23 79.035 (7) (a) 1m. Beginning on the effective date of this subdivision [LRB
24 inserts date], an urban mass transit system that is eligible to receive state aid under
25 s. 85.20 (4m) (a) 6. cm. or d. and serving a population exceeding 200,000, 20 percent

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1 of the total amount of grants received under s. 16.047 (4m), for grants awarded after
2 the effective date of this subdivision [LRB inserts date].

3 **SECTION 1657.** 79.035 (9) of the statutes is created to read:

4 79.035 (9) (a) Beginning with the distributions in 2024 and ending with the
5 distributions in 2033, the following towns and counties shall receive a payment from
6 the appropriation account under s. 20.835 (1) (dd) in an amount determined by the
7 department of administration under par. (b):

8 1. The Town of Gingles.

9 2. The Town of Sanborn.

10 3. The Town of White River.

11 4. The Town of Russell.

12 5. The Town of Sherman.

13 6. The Town of Bass Lake.

14 7. The Town of Lac du Flambeau.

15 8. Ashland County.

16 9. Bayfield County.

17 10. Iron County.

18 11. Sawyer County.

19 12. Vilas County.

20 (b) For the distribution in 2024, the department of administration shall
21 determine the amount of the payment to each town and county under par. (a) to
22 compensate the town or county for the loss of property tax revenue as a result of not
23 being able to legally impose local general property taxes on property located within
24 the boundaries of an American Indian reservation and owned by the tribe or tribal
25 members, consistent with the 1854 Treaty of La Pointe. In 2025, and in each year

ASSEMBLY BILL 43**SECTION 1657**

1 thereafter, each town and county eligible to receive a payment under this subsection
2 shall receive a payment in an amount that is 10 percent less than the amount of the
3 payment in the previous year. The department of administration shall not make a
4 payment under this subsection after the distribution in 2033.

5 **SECTION 1658.** 79.036 of the statutes is created to read:

6 **79.036 Municipal and county shared revenue.** (1) In this section:

7 (a) "Aidable revenues" means, for each municipality and county, the total of the
8 3-year average of revenues from each of the following, as reported under s. 73.10:

- 9 1. General property taxes and other taxes.
- 10 2. Payments in lieu of taxes.
- 11 3. Special assessments.
- 12 3. Licenses and permits.
- 13 4. Fines and forfeitures.
- 14 5. Public charges.
- 15 6. Intergovernmental revenues.
- 16 7. Distributions under this subchapter, not including distributions under s.
17 79.04.

18 (b) "County equalized value per capita" means the amount of a county's most
19 recent equalized value divided by the county's population.

20 (c) "Department" means the department of revenue.

21 (d) "Equalization factor" means the ratio of municipal equalized value per
22 capita or county equalized value per capita divided by the statewide equalized value
23 per capita, as calculated by the department separately for municipalities as a group
24 and counties as a group. For purposes of this paragraph, the equalization factor may

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1 not be more than 500 percent of the statewide equalized value per capita, as
2 determined by the department.

3 (e) "Equalized value" means the assessed value of property adjusted to reflect
4 full value as determined by the department under s. 70.57, including, for
5 municipalities, the value increment, as defined in s. 66.1105 (2) (m), in tax
6 incremental districts and excluding manufacturing land and improvements
7 assessed under s. 70.995.

8 (f) "Municipal equalized value per capita" means the amount of a municipality's
9 most recent equalized value divided by the municipality's population.

10 (g) "Qualifying public safety expenditures" means amounts expended by each
11 municipality or county for the purposes of law enforcement, fire protection, or
12 ambulance and emergency medical services, as reported to the department under s.
13 73.10.

14 (h) "Standard aidable revenue match percentage" means the percentage match
15 of aidable revenues determined by the department as necessary to distribute the
16 total amount allocated under s. 79.01 (3) to make the payments under this section.

17 **(2)** (a) Beginning with the distributions in 2024, each county and municipality
18 shall receive a payment under this subsection from the municipal and county shared
19 revenue account to use for law enforcement, fire protection, and ambulance and
20 emergency medical services and to pay the costs of prosecutorial and judicial
21 functions. The total annual amount to be distributed to counties and municipalities
22 under this subsection is an amount equal to 43.4 percent of the amount determined
23 under s. 79.01 (3), rounded to the nearest \$1,000,000.

24 (b) The department shall calculate the payment under par. (a) for each
25 municipality and county as a percentage of the most recent 3-year average of

ASSEMBLY BILL 43**SECTION 1658**

1 qualifying public safety expenditures for each municipality and county as necessary
2 to distribute the full amount of the aid available, or \$10,000, whichever is greater.

3 **(3)** (a) Beginning with the distributions in 2024, in addition to the payments
4 under sub. (2), each county and municipality shall receive payments under this
5 subsection from the municipal and county shared revenue account as per capita and
6 aidable revenues allocations. The total annual amount to be distributed to counties
7 and municipalities under this subsection is the amount that remains after making
8 the payments under sub. (2). The department shall distribute 70 percent of the total
9 annual amount determined under this paragraph to municipalities and 30 percent
10 of that amount to the counties.

11 (b) 1. The department shall determine the per capita aid for the municipalities
12 by multiplying the total amount available to municipalities by 0.15 and dividing the
13 product by the state's total population.

14 2. Each municipality shall receive its per capita allocation as the result of
15 multiplying the statewide per capita amount determined under subd. 1. by the
16 municipality's population.

17 (c) 1. The department shall determine the per capita aid for the counties by
18 multiplying the total amount available to counties by 0.15 and dividing the product
19 by the state's total population.

20 2. Each county shall receive its per capita allocation as the result of multiplying
21 the statewide per capita amount determined under subd. 1. by the county's
22 population.

23 (d) 1. The total amount available for aidable revenues allocations shall be equal
24 to the amount remaining for municipalities and counties after the distributions of
25 the per capita payments under pars. (b) and (c).

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1 2. Each municipality's aidable revenues allocation is an amount equal to the
2 municipality's aidable revenues multiplied by the quotient of the standard aidable
3 revenue match percentage for all municipalities divided by the equalization factor
4 for the municipality receiving the allocation.

5 3. Each county's aidable revenues allocation is an amount equal to the county's
6 aidable revenues multiplied by the quotient of the standard aidable revenue match
7 percentage for all counties divided by the equalization factor for the county receiving
8 the allocation.

9 (4) (a) 1. Beginning with the distribution in 2025, if the total payments to a
10 municipality or county under this section and s. 79.035 are less than 95 percent of
11 the total payments to the municipality or county under this section and s. 79.035 for
12 the previous year, the municipality or county has an aids deficiency. The amount of
13 the aids deficiency is the amount by which 95 percent of the total payments to the
14 municipality or county under this section and s. 79.035 in the previous year exceeds
15 the payments to the municipality or county under this section and s. 79.035 in the
16 current year.

17 2. A municipality or county that has an aids deficiency shall receive a payment
18 from the amounts withheld under par. (b) equal to its proportion of all the aids
19 deficiencies of municipalities or counties respectively for that year.

20 (b) 1. In this paragraph, "maximum allowable increase" in any year means a
21 percentage such that the sum for all municipalities or counties respectively in that
22 year of the excess of payments under this section and s. 79.035 over the payments
23 as limited by the maximum allowable increase is equal to the sum of the aids
24 deficiencies under par. (a) in that year.

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1 2. Beginning with the distribution in 2025, if the payments to a municipality
2 or county in any year exceed its total payments under this section and s. 79.035 in
3 the previous year by more than the maximum allowable increase, the excess shall
4 be withheld to fund minimum payments in that year under par. (a) 2.

5 **(5)** No county or municipality may receive a payment under this section for any
6 year in which it fails to submit to the department the information required under s.
7 73.10. If a county or municipality does not submit the required information, or
8 submits incomplete information, the department shall notify the county or
9 municipality and give the county or municipality a reasonable opportunity to submit
10 the information or correct the deficiency.

11 **SECTION 1659.** 79.04 (8) of the statutes is created to read:

12 79.04 **(8)** Annually, the department of administration, upon certification by the
13 department of revenue, shall distribute a payment from the public utility account to
14 each municipality and county in which an energy storage facility with a name-plate
15 capacity of at least one megawatt is located. If the energy storage facility is located
16 in a city or village, the city or village receives a payment equal to 6 mills multiplied
17 by the product of the facility's name-plate capacity multiplied by \$2,000 and the
18 county in which the energy storage facility is located receives a payment equal to 3
19 mills multiplied by the product of the facility's name-plate capacity multiplied by
20 \$2,000. If the energy storage facility is located in a town, the town receives a payment
21 equal to 3 mills multiplied by the product of the facility's name-plate capacity
22 multiplied by \$2,000 and the county in which the energy storage facility is located
23 receives a payment equal to 6 mills multiplied by the product of the facility's
24 name-plate capacity multiplied by \$2,000.

25 **SECTION 1660.** 79.04 (9) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1660**

1 79.04 (9) Annually, the department of administration, upon certification by the
2 department of revenue, shall distribute a payment from the public utility account to
3 each municipality and county in which qualified electric vehicle charging
4 infrastructure is located. If the qualified electric vehicle charging infrastructure is
5 located in a city or village, the city or village receives a payment equal to 6 mills
6 multiplied by the value of the qualified electric vehicle charging infrastructure and
7 the county in which the city or village is located receives a payment equal to 3 mills
8 multiplied by the value of the qualified electric vehicle charging infrastructure. If
9 the electric vehicle charging infrastructure is located in a town, the town receives a
10 payment equal to 3 mills multiplied by the value of the qualified electric vehicle
11 charging infrastructure and the county in which the town is located receives a
12 payment equal to 6 mills multiplied by the value of the qualified electric vehicle
13 charging infrastructure.

14 **SECTION 1661.** 79.05 (2) (c) of the statutes is amended to read:

15 79.05 (2) (c) Its municipal budget; exclusive of principal and interest on
16 long-term debt and exclusive of revenue sharing payments under s. 66.0305,
17 payments of premiums under s. 66.0137 (5) (c) 1. and 1m., expenditures of payments
18 due to the termination of a tax incremental district under s. 79.096 (3), recycling fee
19 payments under s. 289.645, expenditures of grant payments under s. 16.297 (1m),
20 unreimbursed expenses related to an emergency declared under s. 323.10,
21 expenditures from moneys received pursuant to P.L. 111-5, moneys received from
22 the federal government, revenues from a municipal registration fee under s. 341.35
23 (1) that is approved by a majority of the electors in the municipality voting at a
24 referendum, tax revenues resulting from a tax increase approved by a majority of the
25 electors in the municipality voting at a referendum, and expenditures made

ASSEMBLY BILL 43**SECTION 1661**

1 pursuant to a purchasing agreement with a school district whereby the municipality
2 makes purchases on behalf of the school district; for the year of the statement under
3 s. 79.015 increased over its municipal budget as adjusted under sub. (6); exclusive
4 of principal and interest on long-term debt and exclusive of revenue sharing
5 payments under s. 66.0305, payments of premiums under s. 66.0137 (5) (c) 1. and
6 1m., expenditures of payments due to the termination of a tax incremental district
7 under s. 79.096 (3), recycling fee payments under s. 289.645, expenditures of grant
8 payments under s. 16.297 (1m), unreimbursed expenses related to an emergency
9 declared under s. 323.10, expenditures from moneys received pursuant to P.L. 111-5,
10 moneys received from the federal government, revenues from a municipal
11 registration fee under s. 341.35 (1) that is approved by a majority of the electors in
12 the municipality voting at a referendum, tax revenues resulting from a tax increase
13 approved by a majority of the electors in the municipality voting at a referendum,
14 and expenditures made pursuant to a purchasing agreement with a school district
15 whereby the municipality makes purchases on behalf of the school district; for the
16 year before that year by less than the sum of the inflation factor and the valuation
17 factor, rounded to the nearest 0.10 percent.

18 **SECTION 1662.** 79.095 (3) of the statutes is amended to read:

19 79.095 (3) REVIEW BY DEPARTMENT. The department shall adjust each rate
20 reported under sub. (2) (b) to a full-value rate. The department shall review and
21 correct the information submitted under sub. (2) (a), shall determine the full value
22 of all of the property reported under sub. (2) (a) ~~and of all the property under s. 70.995~~
23 ~~(12r)~~ and, on or before October 1, shall notify each taxing jurisdiction of the full value
24 of the property that is exempt under s. 70.11 (39) and (39m) and that is located in the
25 jurisdiction. The department shall adjust the full value that is reported to taxing

ASSEMBLY BILL 43**SECTION 1662**

1 jurisdictions under this subsection in the year after an error occurs or a value has
2 been changed due to an appeal. All disputes between the department and
3 municipalities about the value of the property reported under sub. (2) (a) ~~or of the~~
4 ~~property under s. 70.995 (12r)~~ shall be resolved by using the procedures under s.
5 70.995 (8).

6 **SECTION 1663.** 79.095 (4) (c) of the statutes is amended to read:

7 79.095 (4) (c) The department shall certify the amount of the payment due each
8 taxing jurisdiction to the department of administration, which shall make the
9 payments on or before the 4th first Monday in July. ~~For purposes of ch. 121, school~~
10 ~~districts shall treat the payments made in July under this subsection as if they had~~
11 ~~been received in the previous school year~~ May.

12 **SECTION 1664.** 79.096 (1) of the statutes is renumbered 79.096 (1) (a).

13 **SECTION 1665.** 79.096 (1) (b) of the statutes is created to read:

14 79.096 (1) (b) Beginning in 2025, the department of administration shall pay
15 to each taxing jurisdiction, as defined in s. 79.095 (1) (c), an amount equal to the
16 property taxes levied on the items of personal property described under s. 70.111 (28)
17 for the property tax assessments as of January 1, 2023. Beginning in 2026, and each
18 year thereafter, the amount distributed to the taxing jurisdiction in the previous year
19 will be multiplied by one plus the percentage change in the U.S. consumer price index
20 for all urban consumers, U.S. city average, as determined by the U.S. department of
21 labor, for the 12 months ending on June 30, except that the percentage under this
22 paragraph shall not be less than zero.

23 **SECTION 1666.** 79.096 (2) (a) of the statutes is renumbered 79.096 (2) (a) (intro.)
24 and amended to read:

ASSEMBLY BILL 43**SECTION 1666**

1 79.096 (2) (a) (intro.) Each municipality shall report to the department of
2 revenue, in the time and manner determined by the department, the all of the
3 following:

4 1. The amount of the property taxes levied on the items of personal property
5 described under s. 70.111 (27) (b) for the property tax assessments as of January 1,
6 2017, on behalf of the municipality and on behalf of other taxing jurisdictions.

7 **SECTION 1667.** 79.096 (2) (a) 2. of the statutes is created to read:

8 79.096 (2) (a) 2. The amount of the property taxes levied on the items of
9 personal property described under s. 70.111 (28) for the property tax assessments as
10 of January 1, 2023, on behalf of the municipality and on behalf of other taxing
11 jurisdictions.

12 **SECTION 1668.** 79.096 (2) (c) of the statutes is created to read:

13 79.096 (2) (c) If a municipality does not timely electronically file the report
14 required by the department of revenue under par. (a), the following reductions will
15 be made to the municipality's personal property aid distributed under sub. (1) (b) in
16 2025:

- 17 1. Reduction of 50 percent, if not filed by June 30, 2024.
18 2. Forfeiture of the municipality's aid under sub. (1) (b), if not filed by July 15,
19 2024.

20 **SECTION 1669.** 79.096 (2) (d) of the statutes is created to read:

21 79.096 (2) (d) If a municipality does not electronically file the report required
22 by the department of revenue under par. (a) by July 15, 2024, the department may
23 use the best information available to calculate the aid to distribute under sub. (1) (b)
24 in 2025 to the applicable taxing jurisdictions.

25 **SECTION 1670.** 84.01 (35) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1670**

1 84.01 (35) (b) Except as provided in par. ~~(d)~~ (c), and notwithstanding any other
2 provision of this chapter or ch. 82, 83, or 85, the department shall ~~give due~~
3 ~~consideration to establishing~~ ensure that bikeways and pedestrian ways are
4 established in all new highway construction and reconstruction projects funded in
5 whole or in part from state funds or federal funds appropriated under s. 20.395 or
6 20.866.

7 **SECTION 1671.** 84.01 (35) (c) of the statutes is created to read:

8 84.01 (35) (c) The department shall promulgate rules identifying exceptions to
9 the requirement under par. (b), but these rules may provide for an exception only if
10 any of the following applies:

11 2. The cost of establishing bikeways or pedestrian ways would be excessively
12 disproportionate to the need or probable use of the bikeways or pedestrian ways. For
13 purposes of this subdivision, cost is excessively disproportionate if it exceeds 20
14 percent of the total project cost. The rules may not allow an exception under this
15 subdivision to be applied unless the secretary of transportation, or a designee of the
16 secretary who has knowledge of the purpose and value of bicycle and pedestrian
17 accommodations, reviews the applicability of the exception under this subdivision to
18 the particular project at issue.

19 3. Establishing bikeways or pedestrian ways would have excessive negative
20 impacts in a constrained environment.

21 4. There is an absence of need for the bikeways or pedestrian ways, as indicated
22 by sparsity of population, traffic volume, or other factors.

23 5. The community where pedestrian ways are to be located refuses to accept an
24 agreement to maintain them.

25 **SECTION 1672.** 84.01 (35) (d) (intro.) and 2. of the statutes are repealed.

ASSEMBLY BILL 43**SECTION 1673**

1 **SECTION 1673.** 84.01 (35) (d) 1. of the statutes is renumbered 84.01 (35) (c) 1.

2 **SECTION 1674.** 84.075 (title) of the statutes is amended to read:

3 **84.075** (title) **~~Contracting with minority businesses and; disabled;~~**
4 **~~veteran-owned businesses; lesbian, gay, bisexual, or transgender-owned~~**
5 **~~businesses; and disability-owned businesses.~~**

6 **SECTION 1675.** 84.075 (1c) (a) of the statutes is renumbered 84.075 (1c) (f) and
7 amended to read:

8 84.075 (1c) (f) “~~Disabled veteran-owned~~ Veteran-owned business” means a
9 business certified by the department of administration under s. 16.283 (3).

10 **SECTION 1676.** 84.075 (1c) (ae) of the statutes is created to read:

11 84.075 (1c) (ae) “Disability-owned business” means a business certified by the
12 department of administration under s. 16.289 (3).

13 **SECTION 1677.** 84.075 (1c) (br) of the statutes is created to read:

14 84.075 (1c) (br) “Lesbian, gay, bisexual, or transgender-owned business”
15 means a business certified by the department of administration under s. 16.288 (3).

16 **SECTION 1678.** 84.075 (1m) (b) of the statutes is amended to read:

17 84.075 (1m) (b) In purchasing services under s. 84.01 (13), in awarding
18 construction contracts under s. 84.06, and in contracting with private contractors
19 and agencies under s. 84.07, the department shall attempt to ensure that at least 1
20 percent of the total amount expended in each fiscal year is paid to contractors,
21 subcontractors, and vendors that are ~~disabled~~ veteran-owned businesses. In
22 attempting to meet this goal, the department may award any contract to a ~~disabled~~
23 veteran-owned business that submits a qualified responsible bid that is no more
24 than 5 percent higher than the low bid unless doing so would violate the provisions
25 of any federal law or regulation or any contract between the department and a

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1 federal agency or would otherwise result in a reduction of the amount of federal
2 highway aid received by this state.

3 **SECTION 1679.** 84.075 (1m) (bg) of the statutes is created to read:

4 84.075 **(1m)** (bg) In purchasing services under s. 84.01 (13), in awarding
5 construction contracts under s. 84.06, and in contracting with private contractors
6 and agencies under s. 84.07, the department shall attempt to ensure that at least 1
7 percent of the total amount expended in each fiscal year is paid to contractors,
8 subcontractors, and vendors that are lesbian, gay, bisexual, or transgender-owned
9 businesses. In attempting to meet this goal, the department may award any contract
10 to a lesbian, gay, bisexual, or transgender-owned business that submits a qualified
11 responsible bid that is no more than 5 percent higher than the low bid unless doing
12 so would violate the provisions of any federal law or regulation or any contract
13 between the department and a federal agency or would otherwise result in a
14 reduction of the amount of federal highway aid received by this state.

15 **SECTION 1680.** 84.075 (1m) (br) of the statutes is created to read:

16 84.075 **(1m)** (br) In purchasing services under s. 84.01 (13), in awarding
17 construction contracts under s. 84.06, and in contracting with private contractors
18 and agencies under s. 84.07, the department shall attempt to ensure that at least 1
19 percent of the total amount expended in each fiscal year is paid to contractors,
20 subcontractors, and vendors that are disability-owned businesses. In attempting to
21 meet this goal, the department may award any contract to a disability-owned
22 business that submits a qualified responsible bid that is no more than 5 percent
23 higher than the low bid unless doing so would violate the provisions of any federal
24 law or regulation or any contract between the department and a federal agency or

ASSEMBLY BILL 43**SECTION 1680**

1 would otherwise result in a reduction of the amount of federal highway aid received
2 by this state.

3 **SECTION 1681.** 84.075 (1m) (c) of the statutes is amended to read:

4 84.075 (1m) (c) If a contractor, subcontractor, or vendor is both a minority
5 business and a ~~disabled~~ veteran-owned business, lesbian, gay, bisexual, or
6 transgender-owned business, or disability-owned business, the department may
7 award a contract under par. (a) ~~or~~, (b), (bg), or (br), but the qualified responsible bid
8 must be no more than 5 percent higher than the low bid, as provided under pars. (a)
9 ~~and~~, (b), (bg), and (br).

10 **SECTION 1682.** 84.075 (2) of the statutes is amended to read:

11 84.075 (2) The contractor shall report to the department any amount of the
12 contract paid to subcontractors and vendors which are minority businesses ~~or~~
13 ~~disabled~~, veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
14 businesses, or disability-owned businesses.

15 **SECTION 1683.** 84.075 (3) of the statutes is amended to read:

16 84.075 (3) The department shall at least semiannually, or more often if
17 required by the department of administration, report to the department of
18 administration the total amount of money it has paid to contractors, subcontractors,
19 and vendors that are minority businesses ~~and~~, that are ~~disabled~~ veteran-owned
20 businesses, that are lesbian, gay, bisexual, or transgender-owned businesses, and
21 that are disability-owned businesses under ss. 84.01 (13), 84.06, and 84.07 and the
22 number of contacts with minority businesses ~~and disabled~~, veteran-owned
23 businesses, lesbian, gay, bisexual, or transgender-owned businesses, and
24 disability-owned businesses in connection with proposed purchases and contracts.
25 ~~In its reports, the department shall include only amounts paid to businesses certified~~

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1 ~~by the department of administration as minority businesses or disabled~~
2 ~~veteran-owned businesses.~~

3 **SECTION 1684.** 84.41 (3) of the statutes is created to read:

4 84.41 (3) EMPLOYMENT REGULATIONS. Employment regulations set forth in s.
5 103.50 pertaining to wages and hours shall apply to all projects constructed under
6 s. 84.40 in the same manner as such laws apply to projects on other state highways.
7 Where applicable, the federal wages and hours law known as the Davis-Bacon act
8 shall apply.

9 **SECTION 1685.** 84.54 of the statutes is repealed.

10 **SECTION 1686.** 84.59 (2) (c) of the statutes is created to read:

11 84.59 (2) (c) The department may, under s. 18.561 or 18.562, deposit in a
12 separate and distinct fund outside the state treasury, in an account maintained by
13 a trustee, the revenues derived under 2023 Wisconsin Act ... (this act), section 9244
14 (1). The revenues deposited are the trustee's revenues in accordance with the
15 agreement between this state and the trustee or in accordance with the resolution
16 pledging the revenues to the repayment of revenue obligations issued under this
17 section. Revenue obligations issued for the purposes specified in sub. (1) and for the
18 repayment of which revenues are deposited under this paragraph are special fund
19 obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in
20 s. 18.52 (8).

21 **SECTION 1687.** 84.59 (6) of the statutes is amended to read:

22 84.59 (6) The building commission may contract revenue obligations when it
23 reasonably appears to the building commission that all obligations incurred under
24 this section can be fully paid from moneys received or anticipated and pledged to be
25 received on a timely basis. Except as provided in this subsection, the principal

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1 amount of revenue obligations issued under this section may not exceed
2 \$4,055,372,900 ~~\$4,493,600,000~~, excluding any obligations that have been defeased
3 under a cash optimization program administered by the building commission, to be
4 used for transportation facilities under s. 84.01 (28) and major highway projects for
5 the purposes under ss. 84.06 and 84.09. ~~In addition to the foregoing limit on principal
6 amount, the building commission may contract revenue obligations under this
7 section up to \$142,254,600, excluding any obligations that have been defeased under
8 a cash optimization program administered by the building commission, to be used
9 for transportation facilities under s. 84.01 (28) and major highway projects for the
10 purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
11 amount, the building commission may contract revenue obligations under this
12 section up to \$128,258,200, excluding any obligations that have been defeased under
13 a cash optimization program administered by the building commission, to be used
14 for transportation facilities under s. 84.01 (28) and major highway projects for the
15 purposes under ss. 84.06 and 84.09. In addition to the foregoing limits on principal
16 amount, the building commission may contract revenue obligations under this
17 section as the building commission determines is desirable to refund outstanding
18 revenue obligations contracted under this section, to make payments under
19 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect
20 to revenue obligations issued under this section, and to pay expenses associated with
21 revenue obligations contracted under this section.~~

22 **SECTION 1688.** 85.024 of the statutes is created to read:

23 **85.024 Local traffic calming grants.** The department shall develop and
24 administer a local traffic calming grant program. From the appropriation under s.
25 20.395 (2) (ja), the department shall award grants to counties, cities, villages, and

ASSEMBLY BILL 43**SECTION 1688**

1 towns for infrastructure projects that are eligible for funding under the federal
2 transportation alternatives program and that are designed to reduce the speed of
3 vehicular traffic. The department shall prescribe the form, nature, and extent of
4 information that shall be contained in applications for grants under this section and
5 shall establish criteria for evaluating applications and for awarding grants under
6 this section.

7 **SECTION 1689.** 85.064 (1) (b) of the statutes is amended to read:

8 85.064 (1) (b) "Political subdivision" means any city, village, town, county, or
9 transit commission organized under s. 59.58 (2) or 66.1021 or recognized under s.
10 66.0301, or transit authority created under s. 66.1039 within this state.

11 **SECTION 1690.** 85.09 (2) (a) of the statutes is amended to read:

12 85.09 (2) (a) The department of transportation shall have the first right to
13 acquire, for present or future transportational or recreational purposes, any
14 property used in operating a railroad or railway, including land and rails, ties,
15 switches, trestles, bridges, and the like located on that property, that has been
16 abandoned. The department of transportation may, in connection with abandoned
17 rail property, assign this right to a state agency, the board of regents of the University
18 of Wisconsin System, any county or municipality, or any transit commission.
19 Acquisition by the department of transportation may be by gift, purchase, or
20 condemnation in accordance with the procedure under s. 32.05, ~~except that the power~~
21 ~~of condemnation may not be used to acquire property for the purpose of establishing~~
22 ~~or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle~~
23 ~~lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~
24 In addition to its property management authority under s. 85.15, the department of
25 transportation may, subject to any prior action under s. 13.48 (14) (am) or 16.848 (1),

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1 lease and collect rents and fees for any use of rail property pending discharge of the
2 department's duty to convey property that is not necessary for a public purpose. No
3 person owning abandoned rail property, including any person to whom ownership
4 reverts upon abandonment, may convey or dispose of any abandoned rail property
5 without first obtaining a written release from the department of transportation
6 indicating that the first right of acquisition under this subsection will not be
7 exercised or assigned. No railroad or railway may convey any rail property prior to
8 abandonment if the rail property is part of a rail line shown on the railroad's system
9 map as in the process of abandonment, expected to be abandoned, or under study for
10 possible abandonment unless the conveyance or disposal is for the purpose of
11 providing continued rail service under another company or agency. Any conveyance
12 made without obtaining such release is void. The first right of acquisition of the
13 department of transportation under this subsection does not apply to any rail
14 property declared by the department to be abandoned before January 1, 1977. The
15 department of transportation may acquire any abandoned rail property under this
16 section regardless of the date of its abandonment.

17 **SECTION 1691.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

18 85.20 (**4m**) (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the
19 department shall pay ~~\$65,477,800 for aid payable for calendar years 2020 and 2021,~~
20 ~~\$32,738,900 for calendar year 2022,~~ and \$65,477,800 for aid payable for calendar
21 year 2023, \$68,096,900 for calendar year 2024, and \$70,820,800 for calendar year
22 2025 and thereafter, to the eligible applicant that pays the local contribution
23 required under par. (b) 1. for an urban mass transit system that has annual operating
24 expenses of \$80,000,000 or more. If the eligible applicant that receives aid under this
25 subd. 6. cm. is served by more than one urban mass transit system, the eligible

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1 applicant may allocate the aid between the urban mass transit systems in any
2 manner the eligible applicant considers desirable.

3 **SECTION 1692.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

4 85.20 (4m) (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the
5 department shall pay ~~\$17,205,400 for aid payable for calendar years 2020 and 2021,~~
6 ~~\$8,602,700 for calendar year 2022,~~ and \$17,205,400 for aid payable for calendar year
7 2023, \$17,893,600 for calendar year 2024, and \$18,609,400 for calendar year 2025
8 and thereafter, to the eligible applicant that pays the local contribution required
9 under par. (b) 1. for an urban mass transit system that has annual operating
10 expenses in excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant
11 that receives aid under this subd. 6. d. is served by more than one urban mass transit
12 system, the eligible applicant may allocate the aid between the urban mass transit
13 systems in any manner the eligible applicant considers desirable.

14 **SECTION 1693.** 85.203 of the statutes is created to read:

15 **85.203 Transit capital assistance grants. (1)** In this section:

16 (a) "Eligible applicant" has the meaning given in s. 85.20 (1) (b).

17 (b) "Public transit vehicle" means any vehicle used for providing transportation
18 service to the general public that is eligible for replacement under settlement
19 guidelines, as defined in s. 16.047 (1) (b).

20 (2) The department shall administer a transit capital assistance grant
21 program. From the appropriation under s. 20.395 (1) (bt), the department shall
22 award grants to eligible applicants for the replacement of public transit vehicles.
23 The department shall establish criteria for awarding grants under this section.

24 **SECTION 1694.** 85.25 (2) (c) 2m. of the statutes is amended to read:

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1 85.25 (2) (c) 2m. A disabled veteran-owned business, as defined in s. 84.075
2 (1c) ~~(a)~~ (f).

3 **SECTION 1695.** 85.25 (2) (c) 3. of the statutes is created to read:

4 85.25 (2) (c) 3. A lesbian, gay, bisexual, or transgender-owned business
5 certified by the department of administration under s. 16.288 (3).

6 **SECTION 1696.** 85.25 (2) (c) 4. of the statutes is created to read:

7 85.25 (2) (c) 4. A disability-owned business certified by the department of
8 administration under s. 16.289 (3).

9 **SECTION 1697.** 85.53 of the statutes is created to read:

10 **85.53 Electric vehicle infrastructure program.** The department may
11 establish and administer an electric vehicle infrastructure program. Under the
12 program, the department may provide funding for electric vehicle infrastructure
13 projects eligible for funding under state or federal law, including under the National
14 Electric Vehicle Formula Program as provided in Division J, Title VIII, of P.L.
15 117-58. All funding under this section shall be from the appropriations under s.
16 20.395 (4) (fq), (fv), and (fx).

17 **SECTION 1698.** 85.61 (1) of the statutes is amended to read:

18 85.61 (1) The secretary of transportation and the administrator of the elections
19 commission shall enter into an agreement to match personally identifiable
20 information on the official registration list maintained by the commission under s.
21 6.36 (1) and the information specified in ~~s. 6.256 (2)~~ and 6.34 (2m) with personally
22 identifiable information in the operating record file database under ch. 343 and
23 vehicle registration records under ch. 341 to the extent required to enable the
24 secretary of transportation and the administrator of the elections commission to
25 verify the accuracy of the information provided for the purpose of voter registration.

ASSEMBLY BILL 43**SECTION 1698**

1 Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), but subject to s.
2 343.14 (2p) (b), the agreement shall provide for the transfer of electronic information
3 under s. 6.256 (2) to the commission on a continuous basis, no less often than weekly.

4 **SECTION 1699.** 86.16 (6) of the statutes is amended to read:

5 86.16 (6) If the department consents under sub. (1) to the construction of
6 broadband infrastructure in underserved unserved areas, as designated under s.
7 196.504 (2) (d) (e), the department may not charge any fee for the initial issuance of
8 any permit necessary to construct broadband infrastructure along, across, or within
9 the limits of a highway.

10 **SECTION 1700.** 86.19 (1) of the statutes is amended to read:

11 86.19 (1) Except as provided in sub. (1m), (1n), ~~or (1o)~~, or (1p) or s. 84.01 (30)
12 (g), no sign shall be placed within the limits of any street or highway except such as
13 are necessary for the guidance or warning of traffic or as provided by ss. 60.23 (17m)
14 and 66.0429. The authorities charged with the maintenance of streets or highways
15 shall cause the removal therefrom and the disposal of all other signs.

16 **SECTION 1701.** 86.19 (1p) of the statutes is created to read:

17 86.19 (1p) (a) In this subsection, “tribal nation welcome sign” means an official
18 sign erected and maintained by a federally recognized American Indian tribe or band
19 in this state that the tribe or band determines is necessary to inform motorists of the
20 territorial boundaries of the Indian reservation or other land held in trust for the
21 tribe or band.

22 (b) A federally recognized American Indian tribe or band in this state may erect
23 and maintain within the right-of-way of any highway within the boundaries of an
24 Indian reservation or other land held in trust for the tribe or band a tribal nation
25 welcome sign. No sign under this subsection may be placed within the right-of-way

ASSEMBLY BILL 43**SECTION 1701**

1 of a highway designated as part of the national system of interstate and defense
2 highways. A sign placed under this subsection is not a traffic control device and is
3 not subject to the provisions of the Wisconsin manual on traffic control devices
4 adopted by the department under s. 84.02 (4) (e).

5 **SECTION 1702.** 86.195 (5) (c) of the statutes is amended to read:

6 86.195 (5) (c) *Conformity with discrimination laws.* Each business identified
7 as a motorist service on a specific information sign shall, as a condition of eligibility
8 for erection, installation and maintenance of a sign under this section, give written
9 assurance to the department that the business conforms with all applicable laws
10 concerning the provisions of public accommodations without regard to race, religion,
11 color, sex ~~or~~, national origin, or status as a holder or nonholder of a license under s.
12 343.03 (3r).

13 **SECTION 1703.** 86.30 (2) (a) 3. of the statutes is amended to read:

14 86.30 (2) (a) 3. For each mile of road or street under the jurisdiction of a
15 municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$2,628~~
16 ~~in calendar years 2020 and 2021, \$2,681 in calendar year 2022, and \$2,734 in~~
17 ~~calendar year 2023, \$2,843 in calendar year 2024, and \$2,957 in calendar year 2025~~
18 and thereafter.

19 **SECTION 1704.** 86.30 (9) (b) of the statutes is amended to read:

20 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
21 the amounts for aids to counties are ~~\$122,203,200 in calendar years 2020 and 2021,~~
22 ~~\$124,647,300 in calendar year 2022, and \$127,140,200 in calendar year 2023,~~
23 ~~\$132,225,800 in calendar year 2024, and \$137,514,800 in calendar year 2025~~ and
24 thereafter. These amounts, to the extent practicable, shall be used to determine the
25 statewide county average cost-sharing percentage in the particular calendar year.

ASSEMBLY BILL 43**SECTION 1705**

1 **SECTION 1705.** 86.30 (9) (c) of the statutes is amended to read:

2 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
3 the amounts for aids to municipalities are ~~\$383,503,200 in calendar years 2020 and~~
4 ~~2021, \$391,173,300 in calendar year 2022, and \$398,996,800 in calendar year 2023,~~
5 \$414,956,700 in calendar year 2024, and \$431,555,000 in calendar year 2025 and
6 thereafter. These amounts, to the extent practicable, shall be used to determine the
7 statewide municipal average cost-sharing percentage in the particular calendar
8 year.

9 **SECTION 1706.** 86.31 (3g) of the statutes is amended to read:

10 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS — DISCRETIONARY GRANTS.
11 From the appropriation under s. 20.395 (2) (ft), the department shall allocate
12 \$5,127,000 in fiscal years 2014-15 to 2016-17 and \$5,393,400 in fiscal year
13 ~~2017-2018 and each fiscal year thereafter, years 2017-18 to 2022-23~~ to fund county
14 trunk highway improvements with eligible costs totaling more than \$250,000. In
15 fiscal year 2023-24 and each fiscal year thereafter, the department shall allocate
16 35.6 percent of the amounts appropriated under s. 20.395 (2) (ft) to fund county trunk
17 highway improvements with eligible costs totaling more than \$250,000. The funding
18 of improvements under this subsection is in addition to the allocation of funds for
19 entitlements under sub. (3).

20 **SECTION 1707.** 86.31 (3m) of the statutes is amended to read:

21 86.31 (3m) TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS. From the
22 appropriation under s. 20.395 (2) (ft), the department shall allocate \$5,732,500 in
23 fiscal years 2011-12 to 2016-17 and \$5,923,600 in fiscal year years 2017-18 and each
24 fiscal year thereafter, to 2022-23 to fund town road improvements with eligible costs
25 totaling \$100,000 or more. In fiscal year 2023-24 and each fiscal year thereafter, the

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1 department shall allocate 39.0 percent of the amounts appropriated under s. 20.395
2 (2) (ft) to fund town road improvements with eligible costs totaling \$100,000 or more.

3 The funding of improvements under this subsection is in addition to the allocation
4 of funds for entitlements under sub. (3).

5 **SECTION 1708.** 86.31 (3r) of the statutes is amended to read:

6 **86.31 (3r) MUNICIPAL STREET IMPROVEMENTS — DISCRETIONARY GRANTS.** From the
7 appropriation under s. 20.395 (2) (ft), the department shall allocate \$976,500 in fiscal
8 years 2009-10 to 2016-17 and \$3,850,400 in fiscal year years 2017-18 ~~and each~~
9 ~~fiscal year thereafter, to 2022-23~~ to fund municipal street improvement projects
10 having total estimated costs of \$250,000 or more. In fiscal year 2023-24 and each
11 fiscal year thereafter, the department shall allocate 25.4 percent of the amounts
12 appropriated under s. 20.395 (2) (ft) to fund municipal street improvement projects
13 having total estimated costs of \$250,000 or more. The funding of improvements
14 under this subsection is in addition to the allocation of funds for entitlements under
15 sub. (3).

16 **SECTION 1709.** 86.51 of the statutes is repealed.

17 **SECTION 1710.** 91.10 (title) of the statutes is amended to read:

18 **91.10 (title) County plan required; planning and implementation**
19 **grants.**

20 **SECTION 1711.** 91.10 (7) of the statutes is created to read:

21 91.10 (7) (a) From the appropriation under s. 20.115 (7) (tm), the department
22 may award implementation grants to counties for implementing a county's certified
23 farmland preservation plan.

24 (b) The department shall enter into a contract with a county to which it awards
25 a planning grant under par. (a) before the department distributes any grant funds

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1 to the county. In the contract, the department shall identify the costs that are eligible
2 for reimbursement through the grant.

3 (c) The department may distribute grant funds under this subsection only after
4 the county shows that it has incurred costs that are eligible for reimbursement under
5 par. (b).

6 **SECTION 1712.** 92.14 (3) (intro.) of the statutes is amended to read:

7 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties fund their
8 land and water conservation activities, the department shall award an annual grant
9 from the appropriation under s. 20.115 (7) (c), (qe), or (qf) or s. 20.866 (2) (we) to any
10 county land conservation committee that has a land and water resource
11 management plan approved by the department under s. 92.10 (4) (d), and that, by
12 county board action, has resolved to provide any matching funds required under sub.
13 (5g) unless the county is seeking a grant under sub. (3) (h). The county may use the
14 grant for land and water resource management planning and for any of the following
15 purposes, consistent with the approved land and water resource management plan:

16 **SECTION 1713.** 92.14 (3) (a) 6. of the statutes is created to read:

17 92.14 (3) (a) 6. Long-range planning and erosion control mitigation.

18 **SECTION 1714.** 92.14 (3) (h) of the statutes is created to read:

19 92.14 (3) (h) A grant to a county that assists the county in meeting a matching
20 funds requirement under sub. (5g) for a 2nd or 3rd staff person, as provided under
21 sub. (6) (b).

22 **SECTION 1715.** 92.14 (5g) (a) of the statutes is amended to read:

23 92.14 (5g) (a) Except as provided in par. (b), if a grant under sub. (3) (a) to (g)
24 provides funding for salary and fringe benefits for more than one county staff person,
25 a county shall provide matching funds, as determined by the department by rule,

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1 equal to 30 percent of the cost of salary and fringe benefits for the 2nd staff person
2 and 50 percent of the cost of salary and fringe benefits for ~~any additional staff persons~~
3 the 3rd staff person for whom the grant provides funding.

4 **SECTION 1716.** 92.14 (6) (b) of the statutes is amended to read:

5 92.14 (6) (b) The department and the department of natural resources shall
6 prepare an annual grant allocation plan identifying the amounts to be provided to
7 counties under this section and ss. 281.65 and 281.66. In the allocation plan, the
8 departments shall attempt to provide funding under this section for an average of
9 3 staff persons per county with full funding for the first staff person, 70 percent
10 funding for the 2nd staff person and 50 percent funding for ~~any additional staff~~
11 ~~persons~~ the 3rd staff person and to provide an average of \$100,000 per county for
12 cost-sharing grants under sub. (3) (a) to (g). If after meeting these goals there are
13 additional funds available, the departments may provide funding in the allocation
14 plan to counties for a 4th or subsequent staff person with a matching requirement
15 to be determined by the departments and for assistance under sub (3) (h). The
16 department shall submit that plan to the board.

17 **SECTION 1717.** 93.40 (1) (g) of the statutes is amended to read:

18 93.40 (1) (g) Promote the growth of the dairy industry through research,
19 planning, and assistance, including grants and loans to dairy producers and grants
20 to persons operating processing plants, as defined under s. 97.20 (1) (h), from the
21 appropriation under s. 20.115 (4) (f).

22 **SECTION 1718.** 93.425 (3) of the statutes is amended to read:

23 93.425 (3) Of the moneys appropriated under s. 20.115 (3) (b), the center for
24 international agribusiness marketing shall ensure that \$2,500,000 is expended for
25 the objective specified in sub. (2) (a), \$1,250,000 is expended for the objective

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1 specified in sub. (2) (b), and \$1,250,000 is expended for the objective specified in sub.
2 (2) (c). ~~The center may not expend more than \$1,000,000 under the program in any~~
3 ~~fiscal year.~~

4 **SECTION 1719.** 93.475 of the statutes is created to read:

5 **93.475 Water stewardship certification grant program.** The department
6 may award grants from the appropriation under s. 20.115 (4) (cm) to agricultural
7 producers to reimburse the amounts that a producer pays to the Alliance for Water
8 Stewardship to obtain a certification of water stewardship. The department shall
9 award grants under this section directly to the agricultural producer. Grants under
10 this section may not be used to reimburse any costs of operational changes needed
11 to obtain the certification of water stewardship.

12 **SECTION 1720.** 93.48 (1) of the statutes is amended to read:

13 93.48 (1) The department may award grants from the appropriation under s.
14 20.115 (4) ~~(am)~~ (f) to individuals or organizations to fund projects that are designed
15 to increase the sale of agricultural products grown in this state that are purchased
16 in close proximity to where they are produced. The department may not award a
17 grant under this section unless the applicant contributes matching funds equal to at
18 least 50 percent of the costs of the project. The department shall promulgate rules
19 for the program under this section.

20 **SECTION 1721.** 93.485 of the statutes is created to read:

21 **93.485 Tribal elder community food box program.** From the
22 appropriation under s. 20.115 (4) (k), the department shall provide grants to one or
23 more nonprofit entities for the purpose of purchasing and distributing food to tribal
24 elders and for the purpose of supporting the growth and operations of food producers
25 participating in the program under this section. A nonprofit entity that receives a

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1 grant under this section shall give preference to purchasing food from, and
2 supporting the growth and operations of, indigenous-based food producers and local
3 food producers. The department may promulgate rules to administer this section.

4 **SECTION 1722.** 93.525 of the statutes is created to read:

5 **93.525 Meat processing tuition and curriculum development grants.**

6 **(1)** From the appropriation under s. 20.115 (3) (f), the department shall provide
7 grants to universities, colleges, and technical colleges located in this state that have
8 programs in meat processing to reimburse tuition costs of students enrolled in a meat
9 processing program and for curriculum development for the meat processing
10 program.

11 **(2)** Each tuition reimbursement made with a grant received under this section
12 shall reimburse a student for not more than 80 percent of the first \$9,375 of the
13 tuition cost for enrolling in a meat processing program.

14 **SECTION 1723.** 93.53 of the statutes is created to read:

15 **93.53 Food waste reduction grants.** **(1)** The department shall provide

16 grants for food waste reduction pilot projects that have an objective of preventing
17 food waste, redirecting surplus food to hunger relief organizations, and composting
18 food waste. In awarding grants under this section, the department shall give
19 preference to proposals that serve census tracts for which the median household
20 income is below the statewide median household income and in which no grocery
21 store is located.

22 **(2)** The department shall promulgate rules for the administration of this
23 section.

24 **SECTION 1724.** 93.60 of the statutes is created to read:

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1 **93.60 Food security and Wisconsin products grant program.** The
2 department may award grants from the appropriation under s. 20.115 (4) (f) to
3 nonprofit food banks, nonprofit food pantries, and other nonprofit organizations that
4 provide food assistance for the purpose of purchasing food products that are made
5 or grown in this state.

6 **SECTION 1725.** 93.62 of the statutes is created to read:

7 **93.62 Farm to fork program. (1) DEFINITION.** In this section, “farm to fork
8 program” means a program to connect entities that are not school districts and that
9 have cafeterias to nearby farms to provide locally produced fresh fruits and
10 vegetables, dairy products, and other nutritious, locally produced foods in meals and
11 snacks; to help the public develop healthy eating habits; to provide nutritional and
12 agricultural education; and to improve farmers’ incomes and direct access to
13 markets.

14 **(2) GRANTS. (a)** The department may award grants from the appropriation
15 under s. 20.115 (4) (f) to businesses, universities, hospitals, and other entities that
16 are not school districts and that have cafeterias for the creation and expansion of
17 farm to fork programs. The department shall give preference to proposals that are
18 innovative or that provide models that other entities can adopt.

19 **(b)** In awarding grants under this section, the department shall promote
20 agricultural development and farm profitability by supporting the development and
21 adoption of practices and agribusiness opportunities that involve the production of
22 value-added agricultural products, as defined under s. 93.65 (1).

23 **(c)** The department may award grants under this subsection for projects that
24 do any of the following:

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1 1. Create, expand, diversify, or promote production, processing, marketing, and
2 distribution of food produced in this state for sale to entities in this state other than
3 school districts.

4 2. Create, expand, or renovate facilities, including purchases of equipment for
5 the facilities, that would ensure the use of food produced in this state in locations in
6 this state other than schools.

7 3. Provide, expand, or promote training for food service personnel, farmers, and
8 distributors.

9 4. Provide, expand, or promote nutritional and agricultural education.

10 (d) The department shall consult with interested persons to establish grant
11 priorities for each fiscal year.

12 **(3) REPORTS.** At least annually, the department shall report to the legislature
13 under s. 13.172 (2) and to the secretary on the needs and opportunities for farm to
14 fork programs.

15 **(4) RULES.** The department may promulgate rules to administer this section.

16 **SECTION 1726.** 93.65 of the statutes is created to read:

17 **93.65 Value-added agricultural practices. (1) DEFINITION.** In this section,
18 “value-added agricultural product” means a farm product that satisfies any of the
19 following:

20 (a) The product has undergone a change in physical state.

21 (b) The product is produced in a manner that enhances its value.

22 (c) The product is physically segregated in a manner that enhances its value.

23 (d) The product is a source of farm-based or ranch-based renewable energy.

24 (e) The product is aggregated and marketed as a locally produced farm product.

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1 **(2) VALUE-ADDED PRODUCTS.** The department may provide education and
2 technical assistance related to promoting and implementing agricultural practices
3 that produce value-added agricultural products, including by doing all of the
4 following:

5 (a) *Assistance for organic farming practices.* Providing education and technical
6 assistance related to organic farming practices, including business and market
7 development assistance; collaborating with organic producers, industry
8 participants, and local organizations that coordinate organic farming; and
9 stimulating interest and investment in organic production. The department may
10 award grants from the appropriation under s. 20.115 (4) (f) to organic producers,
11 industry participants, and local organizations that coordinate organic farming. The
12 department may award a grant to an organic producer, industry participant, or local
13 organization under this paragraph for any of the following purposes:

14 1. Providing education and technical assistance related to implementing
15 organic farming practices.

16 2. Helping to create organic farming plans.

17 3. Assisting farmers to transition to organic farming.

18 (b) *Grazing grants.* Awarding grants from the appropriation under s. 20.115
19 (4) (f) to appropriate entities to provide education and training to farmers about best
20 practices related to grazing.

21 (c) *Promotion.* Helping producers market value-added agricultural products,
22 including products produced through the use of a practice described in s. 93.67.

23 **(3) RULES.** The department may promulgate rules to administer this section.

24 **SECTION 1727.** 93.66 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1727**

1 **93.66 Grants for hiring farm business consultants.** The department may
2 award grants from the appropriation under s. 20.115 (4) (f) to county agriculture
3 agents of the University of Wisconsin-Extension to help farm operators hire
4 business consultants and attorneys to examine their farm business plans and create
5 a farm succession plan. The department may promulgate rules to administer this
6 section.

7 **SECTION 1728.** 93.74 of the statutes is created to read:

8 **93.74 Planning grants for regional biodigesters. (1) GRANT PROGRAM.**
9 From the appropriation under s. 20.115 (7) (u), the department shall provide
10 planning grants for establishing regional biodigesters.

11 **(2) RULES.** The department shall promulgate rules for the administration of
12 this section.

13 **SECTION 1729.** 93.75 of the statutes is created to read:

14 **93.75 Biodigester operator certification grants. (1) GRANTS.** From the
15 appropriation under s. 20.115 (7) (da), the department shall award grants to
16 individuals seeking biodigester operator certification.

17 **(2) RULES.** The department may promulgate rules establishing the application
18 process and grant-awarding criteria for the biodigester operator certification grants.

19 **SECTION 1730.** 94.55 (2t) of the statutes is repealed.

20 **SECTION 1731.** 94.56 of the statutes is created to read:

21 **94.56 Marijuana producers and processors. (1) DEFINITIONS.** In this
22 section:

23 (a) “Labor peace agreement” means an agreement between a person applying
24 for a permit under this section and a labor organization, as defined in s. 5.02 (8m),
25 that does all of the following:

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1 1. Prohibits labor organizations and its members from engaging in picketing,
2 work stoppages, boycotts, and any other economic interference with persons doing
3 business in this state.

4 2. Prohibits the applicant from disrupting the efforts of the labor organization
5 to communicate with and to organize and represent the applicant's employees.

6 3. Provides the labor organization access at reasonable times to areas in which
7 the applicant's employees work for the purpose of meeting with employees to discuss
8 their right to representation, employment rights under state law, and terms and
9 conditions of employment.

10 (b) "Marijuana" has the meaning given in s. 961.70 (2).

11 (c) "Marijuana processor" has the meaning given in s. 139.97 (6).

12 (d) "Marijuana producer" has the meaning given in s. 139.97 (7).

13 (e) "Usable marijuana" has the meaning given in s. 139.97 (13).

14 (f) "Permittee" means a marijuana producer or marijuana processor who is
15 issued a permit under this section.

16 **(2) PERMIT REQUIRED.** (a) No person may operate in this state as a marijuana
17 producer or marijuana processor without a permit from the department. A person
18 who acts as a marijuana producer and a marijuana processor shall obtain a separate
19 permit for each activity. A permit issued under this section is not transferable from
20 one person to another or from one premises to another. A separate permit is required
21 for each place in this state where the operations of a marijuana producer or
22 marijuana processor occur. A person is not required to obtain a permit under this
23 section if the person produces or processes only industrial hemp and holds a valid
24 license under s. 94.55.

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1 (b) This subsection applies to all officers, directors, agents, and stockholders
2 holding 5 percent or more of the stock of any corporation applying for a permit under
3 this section.

4 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
5 not be granted to any person to whom any of the following applies:

6 1. The person has been convicted of a violent misdemeanor, as defined in s.
7 941.29 (1g) (b), at least 3 times.

8 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
9 (a), unless pardoned.

10 3. During the preceding 3 years, the person has been committed under s. 51.20
11 for being drug dependent.

12 4. The person chronically and habitually uses alcohol beverages or other
13 substances to the extent that his or her normal faculties are impaired. A person is
14 presumed to chronically and habitually use alcohol beverages or other substances to
15 the extent that his or her normal faculties are impaired if, within the preceding 3
16 years, any of the following applies:

17 a. The person has been committed for involuntary treatment under s. 51.45
18 (13).

19 b. The person has been convicted of a violation of s. 941.20 (1) (b).

20 c. In 2 or more cases arising out of separate incidents, a court has found the
21 person to have committed a violation of s. 346.63 or a local ordinance in conformity
22 with that section; a violation of a law of a federally recognized American Indian tribe
23 or band in this state in conformity with s. 346.63; or a violation of the law of another
24 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
25 intoxicated, while under the influence of a controlled substance, a controlled

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1 substance analog, or a combination thereof, with an excess or specified range of
2 alcohol concentration, or while under the influence of any drug to a degree that
3 renders the person incapable of safely driving, as those or substantially similar
4 terms are used in that jurisdiction's laws.

5 5. The person has income that comes principally from gambling or has been
6 convicted of 2 or more gambling offenses.

7 6. The person has been convicted of crimes relating to prostitution.

8 7. The person has been convicted of crimes relating to loaning money or
9 anything of value to persons holding licenses or permits pursuant to ch. 125.

10 8. The person is under the age of 21.

11 9. The person has not been a resident of this state continuously for at least 90
12 days prior to the application date.

13 (cm) An applicant with 20 or more employees may not receive a permit under
14 this section unless the applicant certifies to the department that the applicant has
15 entered into a labor peace agreement and will abide by the terms of the agreement
16 as a condition of maintaining a valid permit under this section. The applicant shall
17 submit to the department a copy of the page of the labor peace agreement that
18 contains the signatures of the labor organization representative and the applicant.

19 (cn) The department shall use a competitive scoring system to determine which
20 applicants are eligible to receive a permit under this section. The department shall
21 issue permits to the highest scoring applicants that it determines will best protect
22 the environment; provide stable, family-supporting jobs to local residents; ensure
23 worker and consumer safety; operate secure facilities; and uphold the laws of the
24 jurisdictions in which they operate. The department may deny a permit to an
25 applicant with a low score as determined under this paragraph. The department

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1 may request that the applicant provide any information or documentation that the
2 department deems necessary for purposes of making a determination under this
3 paragraph.

4 (d) 1. Before the department issues a new or renewed permit under this section,
5 the department shall give notice of the permit application to the governing body of
6 the municipality where the permit applicant intends to operate the premises of a
7 marijuana producer or marijuana processor. No later than 30 days after the
8 department submits the notice, the governing body of the municipality may file with
9 the department a written objection to granting or renewing the permit. At the
10 municipality's request, the department may extend the period for filing objections.

11 2. A written objection filed under subd. 1. shall provide all the facts on which
12 the objection is based. In determining whether to grant or deny a permit for which
13 an objection has been filed under this paragraph, the department shall give
14 substantial weight to objections from a municipality based on chronic illegal activity
15 associated with the premises for which the applicant seeks a permit or the premises
16 of any other operation in this state for which the applicant holds or has held a valid
17 permit or license, the conduct of the applicant's patrons inside or outside the
18 premises of any other operation in this state for which the applicant holds or has held
19 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
20 illegal activity" means a pervasive pattern of activity that threatens the public
21 health, safety, and welfare of the municipality, including any crime or ordinance
22 violation, and that is documented in crime statistics, police reports, emergency
23 medical response data, calls for service, field data, or similar law enforcement agency
24 records.

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1 (e) After denying a permit, the department shall immediately notify the
2 applicant in writing of the denial and the reasons for the denial. After making a
3 decision to grant or deny a permit for which a municipality has filed an objection
4 under par. (d), the department shall immediately notify the governing body of the
5 municipality in writing of its decision and the reasons for the decision.

6 (f) 1. The department's denial of a permit under this section is subject to judicial
7 review under ch. 227.

8 2. The department's decision to grant a permit under this section regardless of
9 an objection filed under par. (d) is subject to judicial review under ch. 227.

10 (g) The department shall not issue a permit under this section to any person
11 who does not hold a valid certificate under s. 73.03 (50).

12 **(3) FEES; TERM.** (a) Each person who applies for a permit under this section
13 shall submit with the application a \$250 fee. A permit issued under this section is
14 valid for one year and may be renewed, except that the department may revoke or
15 suspend a permit prior to its expiration. A person is not entitled to a refund of the
16 fees paid under this subsection if the person's permit is denied, revoked, or
17 suspended.

18 (b) A permittee shall annually pay to the department a fee for as long as the
19 person holds a valid permit under this section. The annual fee for a marijuana
20 processor permittee is \$2,000. The annual fee for a marijuana producer permittee
21 is one of the following, unless the department, by rule, establishes a higher amount:

22 1. If the permittee plants, grows, cultivates, or harvests not more than 1,800
23 marijuana plants, \$1,800.

24 2. If the permittee plants, grows, cultivates, or harvests more than 1,800 but
25 not more than 3,600 marijuana plants, \$2,900.

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1 3. If the permittee plants, grows, cultivates, or harvests more than 3,600 but
2 not more than 6,000 marijuana plants, \$3,600.

3 4. If the permittee plants, grows, cultivates, or harvests more than 6,000 but
4 not more than 10,200 marijuana plants, \$5,100.

5 5. If the permittee plants, grows, cultivates, or harvests more than 10,200
6 marijuana plants, \$7,100 plus \$800 for every 3,600 marijuana plants over 10,200.

7 **(4) SCHOOLS.** The department may not issue a permit under this section to
8 operate any premises that are within 500 feet of the perimeter of the grounds of any
9 elementary or secondary school, playground, recreation facility, child care facility,
10 public park, public transit facility, or library.

11 **(5) EDUCATION AND AWARENESS CAMPAIGN.** The department shall develop and
12 make available training programs for marijuana producers on how to safely and
13 efficiently plant, grow, cultivate, harvest, and otherwise handle marijuana, and for
14 marijuana processors on how to safely and efficiently produce and handle marijuana
15 products and test marijuana for contaminants. The department shall conduct an
16 awareness campaign to inform potential marijuana producers and marijuana
17 processors of the availability and viability of marijuana as a crop or product in this
18 state.

19 **(6) RULES.** The department shall promulgate rules necessary to administer and
20 enforce this section, including rules relating to the inspection of the plants, facilities,
21 and products of permittees; training requirements for employees of permittees; and
22 the competitive scoring system for determining which applicants are eligible to
23 receive a permit under this section.

24 **(7) PENALTIES.** (a) Unless another penalty is prescribed for the violation, any
25 person who violates sub. (2), fails to pay the required fee under sub. (3), or violates

ASSEMBLY BILL 43**SECTION 1731**

1 any of the requirements established by the rules promulgated under sub. (6) shall
2 be fined not less than \$100 nor more than \$500 or imprisoned not more than 6 months
3 or both.

4 (b) In addition to the penalties imposed under par. (a), the department shall
5 revoke the permit of any person convicted of any violation described under par. (a)
6 and not issue another permit to that person for a period of 2 years following the
7 revocation. The department may suspend or revoke the permit of any permittee who
8 violates s. 100.30, any provision of this section, or any rules promulgated under sub.
9 (6). The department shall revoke the permit of any permittee who violates s. 100.30
10 3 or more times within a 5-year period.

11 **SECTION 1732.** 94.57 of the statutes is created to read:

12 **94.57 Testing laboratories.** The department shall register entities as
13 tetrahydrocannabinols testing laboratories. The laboratories may possess or
14 manufacture tetrahydrocannabinols or drug paraphernalia and shall perform the
15 following services:

16 (1) Test marijuana produced for the medical use of tetrahydrocannabinols for
17 potency and for mold, fungus, pesticides, and other contaminants.

18 (2) Collect information on research findings and conduct research related to
19 the medical use of tetrahydrocannabinols, including research that identifies
20 potentially unsafe levels of contaminants.

21 (3) Provide training on the following:

22 (a) The safe and efficient cultivation, harvesting, packaging, labeling, and
23 distribution of marijuana for the medical use of tetrahydrocannabinols.

24 (b) Security and inventory accountability procedures.

25 (c) The most recent research on the use of tetrahydrocannabinols.

ASSEMBLY BILL 43**SECTION 1733**

1 **SECTION 1733.** 97.57 (4) of the statutes is created to read:

2 97.57 (4) No person may sell or offer for sale wild rice labeled “traditionally
3 harvested” unless the wild rice is harvested using traditional wild rice harvesting
4 methods of American Indian tribes or bands, as defined by the department by rule.
5 The department shall obtain the advice and recommendations of the Great Lakes
6 Inter-Tribal Council, Inc., before promulgating a rule defining a traditional wild rice
7 harvesting method.

8 **SECTION 1734.** 97.59 of the statutes is amended to read:

9 **97.59 Handling foods.** No person in charge of any public eating place or other
10 establishment where food products to be consumed by others are handled may
11 knowingly employ any person handling food products who has a disease in a form
12 that is communicable by food handling. If required by the local health officer or any
13 officer of the department for the purposes of an investigation, any person who is
14 employed in the handling of foods or is suspected of having a disease in a form that
15 is communicable by food handling shall submit to an examination by the officer or
16 by a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~
17 designated by the officer. The expense of the examination, if any, shall be paid by the
18 person examined. Any person knowingly infected with a disease in a form that is
19 communicable by food handling who handles food products to be consumed by others
20 and any persons knowingly employing or permitting such a person to handle food
21 products to be consumed by others shall be punished as provided by s. 97.72.

22 **SECTION 1735.** 100.145 of the statutes is created to read:

23 **100.145 Recreational marijuana logotype.** The department shall design
24 an official logotype appropriate for including on a label affixed to recreational
25 marijuana under s. 139.973 (10) (a).

ASSEMBLY BILL 43**SECTION 1736**

1 **SECTION 1736.** 100.2091 of the statutes is created to read:

2 **100.2091 Broadband; discrimination prohibited.** (1) No broadband
3 service provider may deny access to broadband service to any group of potential
4 residential customers because of the race or income of the residents in the area in
5 which the group resides.

6 (2) It is a defense to an alleged violation of sub. (1) based on income if, no later
7 than 3 years after the date on which the broadband service provider began providing
8 broadband service in this state, at least 30 percent of the households with access to
9 the broadband service provider's broadband service in the area in which a group of
10 potential residential customers resides are low-income households.

11 (3) The department may enforce this section and may promulgate rules to
12 implement and administer this section, including rules that define low-income
13 households, and to align department rules with federal communications commission
14 broadband rules. The department of justice may represent the department in an
15 action to enforce this section. If the court finds that a broadband service provider has
16 not complied with this section, the court shall order the broadband service provider
17 to comply with this section within a reasonable amount of time and, notwithstanding
18 s. 814.14 (1), shall award costs, including reasonable attorney fees, to the
19 department of justice.

20 (4) Any person that is affected by a failure to comply with this section may bring
21 an action to enforce this section. If a court finds that a broadband service provider
22 has not complied with this section, the court shall order the broadband service
23 provider to comply with this section within a reasonable amount of time and,
24 notwithstanding s. 814.14 (1), shall award costs, including reasonable attorney fees,
25 to the person affected.

ASSEMBLY BILL 43**SECTION 1737**

1 **SECTION 1737.** 100.2092 of the statutes is created to read:

2 **100.2092 Broadband service subscriber rights. (1) RIGHTS.** (a) A
3 broadband service provider shall repair broadband service within 72 hours after a
4 subscriber reports a service interruption or requests the repair if the service
5 interruption is not the result of a major system-wide or large area emergency, such
6 as a natural disaster.

7 (b) Upon notification by a subscriber of a service interruption, a broadband
8 service provider shall give the subscriber a credit for one day of broadband service
9 if broadband service is interrupted for more than 4 hours in one day and the
10 interruption is caused by the broadband service provider.

11 (c) Upon notification by a subscriber of a service interruption, a broadband
12 service provider shall give the subscriber a credit for each hour that broadband
13 service is interrupted if broadband service is interrupted for more than 4 hours in
14 one day and the interruption is not caused by the broadband service provider.

15 (d) Prior to entering into a service agreement with a subscriber, a broadband
16 service provider shall disclose that a subscriber has a right to a credit for notifying
17 the broadband service provider of a service interruption.

18 (e) A broadband service provider shall provide broadband service that satisfies
19 minimum standards established by the department by rule.

20 (f) A broadband service provider shall give a subscriber at least 30 days'
21 advance written notice before instituting a rate increase.

22 (g) A broadband service provider shall give a subscriber at least 7 days' advance
23 written notice of any scheduled routine maintenance that causes a service slowdown,
24 interruption, or outage.

ASSEMBLY BILL 43**SECTION 1737**

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.

ASSEMBLY BILL 43**SECTION 1737**

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 1738.** 100.30 (2) (am) 1m. a., b., c., d. and e. of the statutes are
13 amended to read:

14 100.30 (2) (am) 1m. a. In the case of the retail sale of motor vehicle fuel by a
15 refiner at a retail station owned or operated either directly or indirectly by the
16 refiner, the refiner's lowest selling price to other retailers or to wholesalers of motor
17 vehicle fuel on the date of the refiner's retail sale, less all trade discounts except
18 customary discounts for cash, plus any excise, sales or use taxes imposed on the
19 motor vehicle fuel or on its sale and any cost incurred for transportation and any
20 other charges not otherwise included in the invoice cost of the motor vehicle fuel, ~~plus~~
21 ~~a markup of 9.18 percent of that amount to cover a proportionate part of the cost of~~
22 ~~doing business; or the average posted terminal price at the terminal located closest~~
23 ~~to the retail station plus a markup of 9.18 percent of the average posted terminal~~
24 ~~price to cover a proportionate part of the cost of doing business; whichever is greater.~~

ASSEMBLY BILL 43**SECTION 1738**

1 b. In the case of the retail sale of motor vehicle fuel by a wholesaler of motor
2 vehicle fuel, who is not a refiner, at a retail station owned or operated either directly
3 or indirectly by the wholesaler of motor vehicle fuel, the invoice cost of the motor
4 vehicle fuel to the wholesaler of motor vehicle fuel within 10 days prior to the date
5 of sale, or the replacement cost of the motor vehicle fuel, whichever is lower, less all
6 trade discounts except customary discounts for cash, plus any excise, sales or use
7 taxes imposed on the motor vehicle fuel or on its sale, and any cost incurred for
8 transportation and any other charges not otherwise included in the invoice cost or
9 replacement cost of the motor vehicle fuel, ~~plus a markup of 9.18 percent of that~~
10 ~~amount to cover a proportionate part of the cost of doing business; or the average~~
11 ~~posted terminal price at the terminal located closest to the retail station plus a~~
12 ~~markup of 9.18 percent of the average posted terminal price to cover a proportionate~~
13 ~~part of the cost of doing business; whichever is greater.~~

14 c. In the case of the retail sale of motor vehicle fuel by a person other than a
15 refiner or a wholesaler of motor vehicle fuel at a retail station, the invoice cost of the
16 motor vehicle fuel to the retailer within 10 days prior to the date of sale, or the
17 replacement cost of the motor vehicle fuel, whichever is lower, less all trade discounts
18 except customary discounts for cash, plus any excise, sales or use taxes imposed on
19 the motor vehicle fuel or on its sale and any cost incurred for transportation and any
20 other charges not otherwise included in the invoice cost or the replacement cost of
21 the motor vehicle fuel, ~~plus a markup of 6 percent of that amount to cover a~~
22 ~~proportionate part of the cost of doing business; or the average posted terminal price~~
23 ~~at the terminal located closest to the retailer plus a markup of 9.18 percent of the~~
24 ~~average posted terminal price to cover a proportionate part of the cost of doing~~
25 ~~business; whichever is greater.~~

ASSEMBLY BILL 43**SECTION 1738**

1 d. In the case of a retail sale of motor vehicle fuel by a refiner at a place other
2 than a retail station, the refiner's lowest selling price to other retailers or to
3 wholesalers of motor vehicle fuel on the date of the refiner's retail sale, less all trade
4 discounts except customary discounts for cash, plus any excise, sales or use taxes
5 imposed on the motor vehicle fuel or on its sale and any cost incurred for
6 transportation and any other charges not otherwise included in the invoice cost of
7 the motor vehicle fuel ~~to which shall be added a markup to cover a proportionate part~~
8 ~~of the cost of doing business, which markup, in the absence of proof of a lesser cost,~~
9 ~~shall be 3 percent of the cost to the retailer as set forth in this subd. 1m. d.~~

10 e. In the case of a retail sale of motor vehicle fuel by a person other than a refiner
11 at a place other than a retail station, the invoice cost of the motor vehicle fuel to the
12 retailer within 10 days prior to the date of the sale, or the replacement cost of the
13 motor vehicle fuel, whichever is lower, less all trade discounts except customary
14 discounts for cash, plus any excise, sales or use taxes imposed on the motor vehicle
15 fuel or on its sale and any cost incurred for transportation and any other charges not
16 otherwise included in the invoice cost or the replacement cost of the motor vehicle
17 fuel ~~to which shall be added a markup to cover a proportionate part of the cost of doing~~
18 ~~business, which markup, in the absence of proof of a lesser cost, shall be 3 percent~~
19 ~~of the cost to the retailer as set forth in this subd. 1m. e.~~

20 **SECTION 1739.** 100.30 (2) (c) 1g. of the statutes is amended to read:

21 100.30 **(2)** (c) 1g. With respect to the wholesale sale of motor vehicle fuel by a
22 refiner, "cost to wholesaler" means the refiner's lowest selling price to other retailers
23 or to wholesalers of motor vehicle fuel on the date of the refiner's wholesale sale, less
24 all trade discounts except customary discounts for cash, plus any excise, sales or use
25 taxes imposed on the motor vehicle fuel or on its sale and any cost incurred for

ASSEMBLY BILL 43**SECTION 1739**

1 transportation and any other charges not otherwise included in the invoice cost of
2 the motor vehicle fuel, ~~to which shall be added a markup to cover a proportionate part~~
3 ~~of the cost of doing business, which markup, in the absence of proof of a lesser cost,~~
4 ~~shall be 3 percent of the cost to the wholesaler as set forth in this subdivision.~~

5 **SECTION 1740.** 100.30 (2) (c) 1r. of the statutes is amended to read:

6 100.30 (2) (c) 1r. With respect to the wholesale sale of motor vehicle fuel by a
7 person other than a refiner, “cost to wholesaler” means the invoice cost of the motor
8 vehicle fuel to the wholesaler of motor vehicle fuel within 10 days prior to the date
9 of the sale or the replacement cost of the motor vehicle fuel, whichever is lower, less
10 all trade discounts except customary discounts for cash, plus any excise, sales or use
11 taxes imposed on the motor vehicle fuel or on its sale and any cost incurred for
12 transportation and any other charges not otherwise included in the invoice cost or
13 the replacement cost of the motor vehicle fuel ~~to which shall be added a markup to~~
14 ~~cover a proportionate part of the cost of doing business, which markup, in the absence~~
15 ~~of proof of a lesser cost, shall be 3 percent of the cost to the wholesaler as set forth~~
16 ~~in this subdivision.~~

17 **SECTION 1741.** 101.022 of the statutes is amended to read:

18 **101.022 Certain laws applicable to occupational licenses.** Sections
19 440.03 (1), (3m), (4), (11m), and (13) (a), (am), and (b) 75., 440.05 (1) (a) and (2) (b),
20 440.07 (2) (b), 440.075, 440.09 (2), 440.11, 440.12, 440.121, 440.13, 440.14, 440.15,
21 440.19, 440.20 (1), (3), (4) (a), and (5) (a), 440.205, 440.21, and 440.22, and the
22 requirements imposed on the department under those statutes, apply to
23 occupational licenses, as defined in s. 101.02 (1) (a) 2., in the same manner as those
24 statutes apply to credentials, as defined in s. 440.01 (2) (a).

25 **SECTION 1742.** 101.123 (1) (h) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1742**

1 101.123 (1) (h) (intro.) “Smoking” means burning any of the following:

2 1m. Burning or holding, or inhaling or exhaling smoke from, any of the
3 following items containing tobacco:

4 **SECTION 1743.** 101.123 (1) (h) 1. of the statutes is renumbered 101.123 (1) (h)
5 1m. a.

6 **SECTION 1744.** 101.123 (1) (h) 2. of the statutes is renumbered 101.123 (1) (h)
7 1m. b.

8 **SECTION 1745.** 101.123 (1) (h) 2m. of the statutes is created to read:

9 101.123 (1) (h) 2m. Inhaling or exhaling vapor from a vapor product.

10 **SECTION 1746.** 101.123 (1) (h) 3. of the statutes is renumbered 101.123 (1) (h)
11 1m. c.

12 **SECTION 1747.** 101.123 (1) (h) 4. of the statutes is renumbered 101.123 (1) (h)
13 1m. d.

14 **SECTION 1748.** 101.123 (1) (k) of the statutes is created to read:

15 101.123 (1) (k) “Vapor product” has the meaning given in s. 139.75 (14).

16 **SECTION 1749.** 101.91 (5m) of the statutes is amended to read:

17 101.91 (5m) “Manufactured home community” means any plot or plots of
18 ground upon which 3 or more manufactured homes that are occupied for dwelling or
19 sleeping purposes are located. “Manufactured home community” does not include a
20 farm where the occupants of the manufactured homes are the ~~father, mother, son,~~
21 ~~daughter, brother or sister~~ parents, children, or siblings of the farm owner or
22 operator or where the occupants of the manufactured homes work on the farm.

23 **SECTION 1750.** 102.07 (5) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1750**

1 102.07 (5) (b) The parents, spouse, child, brother, sister, son-in-law,
2 daughter-in-law, ~~father-in-law, mother-in-law~~ parent-in-law, brother-in-law, or
3 sister-in-law of a farmer shall not be deemed the farmer's employees.

4 **SECTION 1751.** 102.07 (5) (c) of the statutes is amended to read:

5 102.07 (5) (c) A shareholder-employee of a family farm corporation shall be
6 deemed a "farmer" for purposes of this chapter and shall not be deemed an employee
7 of a farmer. A "family farm corporation" means a corporation engaged in farming all
8 of whose shareholders are related as lineal ancestors or lineal descendants, whether
9 by blood or by adoption, or as spouses, brothers, sisters, uncles, aunts, cousins,
10 sons-in-law, daughters-in-law, ~~fathers-in-law, mothers-in-law~~ parents-in-law,
11 brothers-in-law, or sisters-in-law of such lineal ancestors or lineal descendants.

12 **SECTION 1752.** 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 1753.** 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

ASSEMBLY BILL 43**SECTION 1753**

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 1754.** 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 1755.** 102.13 (1) (a) of the statutes is amended to read:

12 102.13 (1) (a) Except as provided in sub. (4), whenever compensation is claimed
13 by an employee, the employee shall, upon the written request of the employee's
14 employer or worker's compensation insurer, submit to reasonable examinations by
15 physicians, chiropractors, psychologists, dentists, physician assistants, advanced
16 practice nurse prescribers registered nurses, or podiatrists provided and paid for by
17 the employer or insurer. No employee who submits to an examination under this
18 paragraph is a patient of the examining physician, chiropractor, psychologist,
19 dentist, physician assistant, advanced practice registered nurse prescriber, or
20 podiatrist for any purpose other than for the purpose of bringing an action under ch.
21 655, unless the employee specifically requests treatment from that physician,
22 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
23 nurse prescriber, or podiatrist.

24 **SECTION 1756.** 102.13 (1) (b) (intro.), 1., 3. and 4. of the statutes are amended
25 to read:

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1 102.13 (1) (b) (intro.) An employer or insurer who requests that an employee
2 submit to reasonable examination under par. (a) or (am) shall tender to the employee,
3 before the examination, all necessary expenses including transportation expenses.
4 The employee is entitled to have a physician, chiropractor, psychologist, dentist,
5 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist
6 provided by himself or herself present at the examination and to receive a copy of all
7 reports of the examination that are prepared by the examining physician,
8 chiropractor, psychologist, podiatrist, dentist, physician assistant, advanced
9 practice registered nurse ~~prescriber~~, or vocational expert immediately upon receipt
10 of those reports by the employer or worker's compensation insurer. The employee is
11 entitled to have one observer provided by himself or herself present at the
12 examination. The employee is also entitled to have a translator provided by himself
13 or herself present at the examination if the employee has difficulty speaking or
14 understanding the English language. The employer's or insurer's written request
15 for examination shall notify the employee of all of the following:

16 1. The proposed date, time, and place of the examination and the identity and
17 area of specialization of the examining physician, chiropractor, psychologist, dentist,
18 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
19 vocational expert.

20 3. The employee's right to have his or her physician, chiropractor, psychologist,
21 dentist, physician assistant, advanced practice registered nurse ~~prescriber~~, or
22 podiatrist present at the examination.

23 4. The employee's right to receive a copy of all reports of the examination that
24 are prepared by the examining physician, chiropractor, psychologist, dentist,
25 podiatrist, physician assistant, advanced practice registered nurse ~~prescriber~~, or

ASSEMBLY BILL 43**SECTION 1756**

1 vocational expert immediately upon receipt of these reports by the employer or
2 worker's compensation insurer.

3 **SECTION 1757.** 102.13 (1) (d) 1., 2., 3. and 4. of the statutes are amended to read:

4 102.13 (1) (d) 1. Any physician, chiropractor, psychologist, dentist, podiatrist,
5 physician assistant, advanced practice registered nurse ~~prescriber~~, or vocational
6 expert who is present at any examination under par. (a) or (am) may be required to
7 testify as to the results of the examination.

8 2. Any physician, chiropractor, psychologist, dentist, physician assistant,
9 advanced practice registered nurse ~~prescriber~~, or podiatrist who attended a worker's
10 compensation claimant for any condition or complaint reasonably related to the
11 condition for which the claimant claims compensation may be required to testify
12 before the division when the division so directs.

13 3. Notwithstanding any statutory provisions except par. (e), any physician,
14 chiropractor, psychologist, dentist, physician assistant, advanced practice registered
15 nurse ~~prescriber~~, or podiatrist attending a worker's compensation claimant for any
16 condition or complaint reasonably related to the condition for which the claimant
17 claims compensation may furnish to the employee, employer, worker's compensation
18 insurer, department, or division information and reports relative to a compensation
19 claim.

20 4. The testimony of any physician, chiropractor, psychologist, dentist,
21 physician assistant, advanced practice registered nurse ~~prescriber~~, or podiatrist who
22 is licensed to practice where he or she resides or practices in any state and the
23 testimony of any vocational expert may be received in evidence in compensation
24 proceedings.

25 **SECTION 1758.** 102.13 (2) (a) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1758**

1 102.13 (2) (a) An employee who reports an injury alleged to be work-related
2 or files an application for hearing waives any physician-patient,
3 psychologist-patient, or chiropractor-patient privilege with respect to any condition
4 or complaint reasonably related to the condition for which the employee claims
5 compensation. Notwithstanding ss. 51.30 and 146.82 and any other law, any
6 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,
7 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider
8 shall, within a reasonable time after written request by the employee, employer,
9 worker's compensation insurer, department, or division, or its representative,
10 provide that person with any information or written material reasonably related to
11 any injury for which the employee claims compensation. If the request is by a
12 representative of a worker's compensation insurer for a billing statement, the
13 physician, chiropractor, psychologist, dentist, podiatrist, physician assistant,
14 advanced practice registered nurse ~~prescriber~~, hospital, or health care provider
15 shall, within 30 days after receiving the request, provide that person with a complete
16 copy of an itemized billing statement or a billing statement in a standard billing
17 format recognized by the federal government.

18 **SECTION 1759.** 102.13 (2) (b) of the statutes is amended to read:

19 102.13 (2) (b) A physician, chiropractor, podiatrist, psychologist, dentist,
20 physician assistant, advanced practice registered nurse ~~prescriber~~, hospital, or
21 health service provider shall furnish a legible, certified duplicate of the written
22 material requested under par. (a) in paper format upon payment of the actual costs
23 of preparing the certified duplicate, not to exceed the greater of 45 cents per page or
24 \$7.50 per request, plus the actual costs of postage, or shall furnish a legible, certified
25 duplicate of that material in electronic format upon payment of \$26 per request. Any

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1 person who refuses to provide certified duplicates of written material in the person's
2 custody that is requested under par. (a) shall be liable for reasonable and necessary
3 costs and, notwithstanding s. 814.04 (1), reasonable attorney fees incurred in
4 enforcing the requester's right to the duplicates under par. (a).

5 **SECTION 1760.** 102.16 (4) of the statutes is amended to read:

6 102.16 (4) The department and the division have jurisdiction to pass on any
7 question arising out of sub. (3) and to order the employer to reimburse an employee
8 or other person for any sum deducted from wages or paid by him or her in violation
9 of that subsection. In addition to the any penalty provided in s. 102.85 (1), any
10 employer violating sub. (3) shall be liable to an injured employee for the reasonable
11 value of the necessary services rendered to that employee under any arrangement
12 made in violation of sub. (3) without regard to that employee's actual disbursements
13 for those services.

14 **SECTION 1761.** 102.17 (1) (d) 1. and 2. of the statutes are amended to read:

15 102.17 (1) (d) 1. The contents of certified medical and surgical reports by
16 physicians, podiatrists, surgeons, dentists, psychologists, physician assistants,
17 advanced practice ~~nurse prescribers~~ registered nurses, and chiropractors licensed in
18 and practicing in this state, and of certified reports by experts concerning loss of
19 earning capacity under s. 102.44 (2) and (3), presented by a party for compensation
20 constitute prima facie evidence as to the matter contained in those reports, subject
21 to any rules and limitations the division prescribes. Certified reports of physicians,
22 podiatrists, surgeons, dentists, psychologists, physician assistants, advanced
23 practice ~~nurse prescribers~~ registered nurses, and chiropractors, wherever licensed
24 and practicing, who have examined or treated the claimant, and of experts, if the
25 practitioner or expert consents to being subjected to cross-examination, also

ASSEMBLY BILL 43**SECTION 1761**

1 constitute prima facie evidence as to the matter contained in those reports. Certified
2 reports of physicians, podiatrists, surgeons, psychologists, and chiropractors are
3 admissible as evidence of the diagnosis, necessity of the treatment, and cause and
4 extent of the disability. Certified reports by doctors of dentistry, physician
5 assistants, and advanced practice ~~nurse prescribers~~ registered nurses are
6 admissible as evidence of the diagnosis and necessity of treatment but not of the
7 cause and extent of disability. Any physician, podiatrist, surgeon, dentist,
8 psychologist, chiropractor, physician assistant, advanced practice registered nurse
9 ~~prescriber~~, or expert who knowingly makes a false statement of fact or opinion in a
10 certified report may be fined or imprisoned, or both, under s. 943.395.

11 2. The record of a hospital or sanatorium in this state that is satisfactory to the
12 division, established by certificate, affidavit, or testimony of the supervising officer
13 of the hospital or sanatorium, any other person having charge of the record, or a
14 physician, podiatrist, surgeon, dentist, psychologist, physician assistant, advanced
15 practice registered nurse ~~prescriber~~, or chiropractor to be the record of the patient
16 in question, and made in the regular course of examination or treatment of the
17 patient, constitutes prima facie evidence as to the matter contained in the record, to
18 the extent that the record is otherwise competent and relevant.

19 **SECTION 1762.** 102.17 (9) (a) 1. of the statutes is renumbered 102.17 (9) (a) 1m.
20 and amended to read:

21 102.17 (9) (a) 1m. "Fire fighter" means any person employed on a full-time
22 basis by the state or any political subdivision as a member or officer of a fire
23 department, including the 1st class cities and state fire marshal and deputies or an
24 individual who volunteers as a member or officer of such a department.

25 **SECTION 1763.** 102.17 (9) (a) 1c. of the statutes is created to read:

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

3 **SECTION 1764.** 102.17 (9) (a) 1e. of the statutes is created to read:

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

6 **SECTION 1765.** 102.17 (9) (a) 1g. of the statutes is created to read:

7 102.17 (9) (a) 1g. “Emergency medical services practitioner” has the meaning
8 given in s. 256.01 (5).

9 **SECTION 1766.** 102.17 (9) (a) 1p. of the statutes is created to read:

10 102.17 (9) (a) 1p. “Medicolegal investigation staff member” includes a chief
11 deputy coroner, a deputy coroner, a deputy medical examiner, and any individual
12 who assists the office of a coroner or medical examiner with an investigation of a
13 death. “Medicolegal investigation staff member” does not include an individual
14 performing solely administrative functions in the office of a coroner or medical
15 examiner.

16 **SECTION 1767.** 102.17 (9) (b) (intro.) of the statutes is amended to read:

17 102.17 (9) (b) (intro.) Subject to par. (c), in the case of a mental injury that is
18 not accompanied by a physical injury and that results in a diagnosis of
19 post-traumatic stress disorder in a law enforcement officer, as defined in s. 23.33 (1)
20 (ig), an emergency medical responder, an emergency services practitioner, a
21 correctional officer, a public safety answering point dispatcher, a coroner, a medical
22 examiner, a medicolegal investigation staff member, or a fire fighter, the claim for
23 compensation for the mental injury, in order to be compensable under this chapter,
24 is subject to all of the following:

25 **SECTION 1768.** 102.29 (3) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1768**

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 1769.** 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 1770.** 102.51 (1) (a) 1. of the statutes is amended to read:

21 102.51 (1) (a) 1. A wife married person upon ~~a husband~~ his or her spouse with
22 whom he or she is living at the time of ~~his~~ the spouse's death.

23 **SECTION 1771.** 102.51 (1) (a) 2. of the statutes is repealed.

24 **SECTION 1772.** 102.75 (1m) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1772**

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

6 **SECTION 1773.** 102.82 (2) (a) (intro.) of the statutes is amended to read:

7 102.82 **(2)** (a) (intro.) Except as provided in pars. (ag), (am), and (ar), ~~all for a~~
8 1st or 2nd determination by the department that an employer was uninsured, an
9 uninsured employers employer shall pay to the department the greater of the
10 following:

11 **SECTION 1774.** 102.82 (2) (ab) of the statutes is created to read:

12 102.82 **(2)** (ab) Except as provided in pars. (ag), (am), and (ar), for a 3rd
13 determination by the department that an employer was uninsured, an uninsured
14 employer shall pay to the department the greater of the following:

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

19 2. Three thousand dollars.

20 **SECTION 1775.** 102.82 (2) (ad) of the statutes is created to read:

21 102.82 **(2)** (ad) Except as provided in pars. (ag), (am), and (ar), for a 4th or
22 subsequent determination by the department that an employer was uninsured, an
23 uninsured employer shall pay to the department the greater of the following:

24 1. Four times the amount determined by the department to equal what the
25 uninsured employer would have paid during periods of illegal nonpayment for

ASSEMBLY BILL 43**SECTION 1775**

1 worker's compensation in the preceding 3-year period, based on the employer's
2 payroll in the preceding 3 years.

3 2. Four thousand dollars.

4 **SECTION 1776.** 102.82 (2) (am) of the statutes is amended to read:

5 102.82 (2) (am) The department may waive any payment owed under par. (a),
6 (ab), (ad) by an uninsured employer if the department determines that the
7 uninsured employer is subject to this chapter only because the uninsured employer
8 has elected to become subject to this chapter under s. 102.05 (2) or 102.28 (2).

9 **SECTION 1777.** 102.82 (2) (ar) of the statutes is amended to read:

10 102.82 (2) (ar) The department may waive any payment owed under par. (a),
11 (ab), (ad), or (ag) or sub. (1) if the department determines that the sole reason for the
12 uninsured employer's failure to comply with s. 102.28 (2) is that the uninsured
13 employer was a victim of fraud, misrepresentation or gross negligence by an
14 insurance agent or insurance broker or by a person whom a reasonable person would
15 believe is an insurance agent or insurance broker.

16 **SECTION 1778.** 102.85 (1) of the statutes is repealed and recreated to read:

17 102.85 (1) (a) If an employer has failed to comply with s. 102.16 (3) or 102.28
18 (2), the employer shall, for a first violation, forfeit the greater of \$1,000 or the amount
19 of the premium that would have been payable for each time the employer failed to
20 comply with s. 102.16 (3) or 102.28 (3).

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

ASSEMBLY BILL 43**SECTION 1778**

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

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

9 **SECTION 1779.** 102.85 (2) of the statutes is repealed and recreated to read:

10 102.85 (2) (a) No employer who is required to provide worker's compensation
11 insurance coverage under this chapter may give false information about the coverage
12 to his or her employees, the department, or any other person who contracts with the
13 employer and who requests evidence of worker's compensation in relation to that
14 contract.

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

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

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

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

24 **SECTION 1780.** 103.005 (12) (a) of the statutes is amended to read:

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1 103.005 (12) (a) If any employer, employee, owner, or other person violates chs.
2 103 to 106, or fails or refuses to perform any duty required under chs. 103 to 106,
3 within the time prescribed by the department, for which no penalty has been
4 specifically provided, or fails, neglects or refuses to obey any lawful order given or
5 made by the department or any judgment or decree made by any court in connection
6 with chs. 103 to 106, for each such violation, failure or refusal, the employer,
7 employee, owner or other person shall forfeit not less than \$10 nor more than \$100
8 for each offense. This paragraph does not apply to any person that fails to provide
9 any information to the department to assist the department in determining
10 prevailing wage rates or prevailing hours of labor under s. 103.49 (3) (a) or (am) or
11 103.50 (3) or (4).

12 **SECTION 1781.** 103.007 of the statutes is repealed.

13 **SECTION 1782.** 103.06 (1) (b) (intro.) of the statutes is amended to read:

14 103.06 (1) (b) (intro.) “Employee” means, for purposes of compliance with the
15 requirements specified in sub. (3) (a), any of the following who is employed by an
16 employer:

17 **SECTION 1783.** 103.06 (1) (c) (intro.) of the statutes is amended to read:

18 103.06 (1) (c) (intro.) “Employer” means, for purposes of compliance with the
19 requirements specified in sub. (3) (a), any of the following that is engaged in the work
20 described in s. 108.18 (2) (c):

21 **SECTION 1784.** 103.06 (2) of the statutes is renumbered 103.06 (10), and 103.06
22 (10) (intro.) and (a), as renumbered, are amended to read:

23 103.06 (10) **WORKER CLASSIFICATION COMPLIANCE; DUTIES OF DEPARTMENT.** (intro.)
24 ~~For purposes of promoting and achieving compliance by employers with the laws~~
25 ~~specified in sub. (3) (a) through the proper classification of persons performing~~

ASSEMBLY BILL 43**SECTION 1784**

1 ~~services for an employer as employees and nonemployees, the~~ The department shall
2 do all of the following:

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

9 **SECTION 1785.** 103.06 (10) (f) of the statutes is created to read:

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

14 **SECTION 1786.** 103.06 (11) of the statutes is created to read:

15 103.06 (11) NOTICE. All employers shall post, in one or more conspicuous places
16 where notices to employees are customarily posted, the notice designed by the
17 department under sub. (10) (f). Any employer who violates this subsection shall
18 forfeit not more than \$100 for each offense.

19 **SECTION 1787.** 103.10 (1) (a) (intro.) of the statutes is renumbered 103.10 (1)
20 (a) and amended to read:

21 103.10 (1) (a) "Child" means a natural, adopted, or foster child, a stepchild, or
22 a legal ward ~~to whom any of the following applies:~~

23 **SECTION 1788.** 103.10 (1) (a) 1. of the statutes is repealed.

24 **SECTION 1789.** 103.10 (1) (a) 2. of the statutes is repealed.

25 **SECTION 1790.** 103.10 (1) (ap) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1790**

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

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

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

8 **SECTION 1791.** 103.10 (1) (b) of the statutes is amended to read:

9 103.10 (1) (b) Except as provided in sub. (1m) (b) 2. and s. 452.38, “employee”
10 means an individual employed in this state by an employer, except the employer’s
11 parent, child, spouse, domestic partner, or child parent, grandparent, grandchild, or
12 sibling.

13 **SECTION 1792.** 103.10 (1) (dm) of the statutes is created to read:

14 103.10 (1) (dm) “Grandchild” means the child of a child.

15 **SECTION 1793.** 103.10 (1) (dp) of the statutes is created to read:

16 103.10 (1) (dp) “Grandparent” means the parent of a parent.

17 **SECTION 1794.** 103.10 (1) (em) of the statutes is created to read:

18 103.10 (1) (em) “Medical isolation” means any of the following:

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

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

ASSEMBLY BILL 43**SECTION 1794**

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 1795.** 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 1796.** 103.10 (1) (h) of the statutes is amended to read:

8 103.10 (1) (h) "Spouse" means ~~an employee's legal husband or wife~~ the person
9 to whom an employee is legally married.

10 **SECTION 1797.** 103.10 (1m) (b) 1. of the statutes is renumbered 103.10 (1) (an).

11 **SECTION 1798.** 103.10 (1m) (b) 6. of the statutes is renumbered 103.10 (1) (gd).

12 **SECTION 1799.** 103.10 (1m) (b) 7. of the statutes is renumbered 103.10 (1) (m).

13 **SECTION 1800.** 103.10 (2) (c) of the statutes is amended to read:

14 103.10 (2) (c) This section only applies to an employee who has been employed
15 by the same employer for more than 52 consecutive weeks and who worked for the
16 employer for at least ~~1,000~~ 680 hours during the preceding 52-week period.

17 **SECTION 1801.** 103.10 (3) (a) of the statutes is repealed.

18 **SECTION 1802.** 103.10 (3) (b) 3. of the statutes is amended to read:

19 103.10 (3) (b) 3. To care for the employee's child, spouse, domestic partner, or
20 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, or
21 parent, grandparent, grandchild, or sibling has a serious health condition.

22 **SECTION 1803.** 103.10 (3) (b) 4. of the statutes is created to read:

23 103.10 (3) (b) 4. Because of any qualifying exigency, as determined by the
24 department by rule, arising out of the fact that the spouse, child, domestic partner,

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1 parent, grandparent, grandchild, or sibling of the employee is on covered active duty
2 or has been notified of an impending call or order to covered active duty.

3 **SECTION 1804.** 103.10 (3) (b) 5. of the statutes is created to read:

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

8 **SECTION 1805.** 103.10 (3) (b) 6. of the statutes is created to read:

9 103.10 (3) (b) 6. To care for the employee's child, spouse, domestic partner,
10 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner,
11 parent, grandparent, grandchild, or sibling is in medical isolation.

12 **SECTION 1806.** 103.10 (3) (b) 7. of the statutes is created to read:

13 103.10 (3) (b) 7. To address issues of the employee or the employee's child,
14 spouse, domestic partner, parent, grandparent, grandchild, or sibling related to
15 being the victim of domestic abuse, sexual abuse, or stalking.

16 **SECTION 1807.** 103.10 (4) (a) of the statutes is amended to read:

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

21 **SECTION 1808.** 103.10 (4) (b) of the statutes is repealed.

22 **SECTION 1809.** 103.10 (4m) of the statutes is created to read:

23 103.10 (4m) DURATION OF LEAVE. In a 12-month period, no employee may take
24 more than 12 weeks of family leave for any combination of reasons specified under
25 sub. (3) or (4).

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1 **SECTION 1810.** 103.10 (6) (b) (intro.) of the statutes is amended to read:

2 103.10 (6) (b) (intro.) If an employee intends to take family leave because of the
3 planned medical treatment or supervision of a child, spouse, domestic partner, or
4 parent, grandparent, grandchild, or sibling or intends to take medical leave because
5 of the planned medical treatment or supervision of the employee, the employee shall
6 do all of the following:

7 **SECTION 1811.** 103.10 (6) (b) 1. of the statutes is amended to read:

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

12 **SECTION 1812.** 103.10 (6) (c) of the statutes is created to read:

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

18 **SECTION 1813.** 103.10 (7) (a) of the statutes is amended to read:

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

25 **SECTION 1814.** 103.10 (7) (b) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1814**

1 103.10 (7) (b) (intro.) No employer may require certification under par. (a)
2 stating more than the following:

3 **SECTION 1815.** 103.10 (7) (b) 1. of the statutes is amended to read:

4 103.10 (7) (b) 1. That the child, spouse, domestic partner, parent, grandparent,
5 grandchild, sibling, or employee has a serious health condition.

6 **SECTION 1816.** 103.10 (7) (cm) of the statutes is created to read:

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

11 **SECTION 1817.** 103.10 (7) (d) of the statutes is created to read:

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

19 **SECTION 1818.** 103.10 (7) (e) of the statutes is created to read:

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

25 **SECTION 1819.** 103.10 (7) (f) of the statutes is created to read:

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1 103.10 (7) (f) 1. If an employee requests family leave under sub. (3) (b) 6., or
2 medical leave due to medical isolation, the employer may require the employee to
3 provide certification issued by a local public health official, the department of health
4 services, or a health care provider or Christian Science practitioner of the child,
5 spouse, domestic partner, parent, grandparent, grandchild, sibling, or employee,
6 whichever is appropriate, except that no employer may require certification under
7 this paragraph if the sole reason for the medical isolation is due to the employer's
8 request under sub. (1) (em) 3. No employer may require certification under this
9 subdivision stating more than that the child, spouse, domestic partner, parent,
10 grandparent, grandchild, sibling, or employee is in medical isolation.

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

15 **SECTION 1820.** 103.10 (7) (g) of the statutes is created to read:

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

21 **SECTION 1821.** 103.10 (10) of the statutes is amended to read:

22 103.10 (10) ALTERNATIVE EMPLOYMENT. Nothing in this section prohibits an
23 employer and an employee with a serious health condition or in medical isolation
24 from mutually agreeing to alternative employment for the employee while the
25 serious health condition or medical isolation lasts. No period of alternative

ASSEMBLY BILL 43**SECTION 1821**

1 employment, with the same employer, reduces the employee's right to family leave
2 or medical leave.

3 **SECTION 1822.** 103.10 (12) (b) of the statutes is amended to read:

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

14 **SECTION 1823.** 103.10 (12) (c) of the statutes is amended to read:

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

22 **SECTION 1824.** 103.10 (14) (a) of the statutes is renumbered 103.10 (14).

23 **SECTION 1825.** 103.10 (14) (b) of the statutes is repealed.

24 **SECTION 1826.** 103.105 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1826****1 103.105 Family and medical leave benefits insurance program. (1)**

2 DEFINITIONS. In this section:

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

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

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

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

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

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1 (f) "Family leave" means an individual's leave from employment,
2 self-employment, or availability for employment for a reason specified in s. 103.10
3 (3) (b) 1. to 7. or 103.11 (4).

4 (g) "Family or medical leave insurance benefits" means benefits payable under
5 this section from the family and medical leave benefits insurance trust fund.

6 (h) "Medical leave" means leave from employment, self-employment, or
7 availability for employment for any of the reasons in s. 103.10 (4).

8 (i) "Self-employed individual" means a sole proprietor, partner of a
9 partnership, member of a limited liability company, or other individual engaged in
10 a vocation, profession, or business for himself or herself and not for an employer.

11 (j) "State annual median wage" means the median hourly wage for all
12 occupations in this state in a calendar year, as determined by the bureau of labor
13 statistics of the U.S. department of labor, multiplied by 2,080.

14 **(2) ELECTION BY SELF-EMPLOYED INDIVIDUAL.** A self-employed individual may
15 elect to be covered under this section by filing a written notice of election with the
16 department in a form and manner prescribed by the department by rule. An initial
17 election under this subsection becomes effective on the date on which the notice of
18 election is filed, shall be for a period of not less than 3 years, and may be renewed for
19 subsequent one-year periods by the filing of a written notice with the department
20 that the self-employed individual intends to continue his or her coverage under this
21 section. A self-employed individual who elects coverage under this section may
22 withdraw that election no earlier than 3 years after the date of the initial election or
23 at such other times as the department may prescribe by rule by providing notice of
24 that withdrawal to the department not less than 30 days before the expiration date
25 of the election.

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1 **(3) ELIGIBILITY FOR BENEFITS.** (a) Except as otherwise provided in sub. (6), a
2 covered individual who is on family leave or medical leave is eligible to receive family
3 or medical leave insurance benefits in the amount specified in sub. (4) and for the
4 duration specified in sub. (5).

5 (b) To receive family or medical leave insurance benefits, a covered individual
6 shall file a claim for those benefits within the time and in the manner that the
7 department prescribes by rule. On receipt of a claim for family or medical leave
8 insurance benefits, the department may request from the individual's employer or
9 from the self-employed individual any information necessary for the department to
10 determine the individual's eligibility for those benefits and the amount and duration
11 of those benefits. The employer or self-employed individual shall provide that
12 information to the department within the time and in the manner that the
13 department prescribes by rule. If the department determines that a covered
14 individual is eligible to receive family or medical leave insurance benefits, the
15 department shall provide those benefits to the individual as provided in subs. (4) and
16 (5).

17 **(4) AMOUNT OF BENEFITS.** Except as provided in sub. (6), the amount of family
18 or medical leave insurance benefits payable for a week shall be based upon the
19 covered individual's average weekly earnings, as follows:

20 (a) For the amount of the covered individual's average weekly earnings that are
21 less than 50 percent of the state annual median wage in the calendar year before the
22 covered individual's application year, 90 percent of the covered individual's average
23 weekly earnings.

24 (b) For the amount of the covered individual's average weekly earnings that are
25 more than or equal to 50 percent of the state annual median wage in the calendar

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1 year before the covered individual's application year, 50 percent of the covered
2 individual's average weekly earnings.

3 (5) DURATION OF BENEFITS. The maximum number of weeks for which family or
4 medical leave insurance benefits are payable in an application year is 12 weeks. A
5 covered individual may be paid family or medical leave insurance benefits
6 continuously, or at the option of the covered individual, intermittently.

7 (6) EMPLOYER EXEMPTION FROM PARTICIPATION IN PAID FAMILY AND MEDICAL LEAVE
8 BENEFITS INSURANCE PROGRAM. (a) If an employer provides family and medical leave
9 benefits that are identical to or more generous than benefits provided under this
10 section, the employer may elect to not participate in the paid family and medical
11 leave benefits insurance program under this section. If the department grants an
12 exemption under this subsection, the employer shall pay benefits that are at least
13 identical to benefits under this section, and an employee is entitled to be paid those
14 benefits.

15 (b) An employer that elects to not participate in the paid family and medical
16 leave benefits insurance program under this section shall request an exemption from
17 the department in writing, in the manner prescribed by the department. An
18 exemption from participation is not effective until approved by the department in
19 writing.

20 (c) The department may grant a written exemption from participation to an
21 employer who complies with this subsection and all rules promulgated by the
22 department under par. (g).

23 (d) The department may withdraw its written exemption order granted under
24 par. (c) if the department determines that an employer is not providing paid family

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1 and medical leave benefits to employees that are at least identical to those provided
2 under this section.

3 (e) If an employee believes that his or her employer that has an exemption
4 under this subsection has violated the employee's right to paid family and medical
5 leave benefits identical to those provided under this section, the employee may file
6 a complaint with the department alleging the violation, and the department shall
7 process the complaint in the same manner as complaints filed under s. 103.10 (12)
8 (b) are processed. If the department finds that an employer has violated this
9 subsection, the department may order the employer to take action to remedy the
10 violation, including providing the paid family and medical leave benefits, and,
11 notwithstanding s. 814.04 (1), paying reasonable actual attorney fees to the
12 employee.

13 (f) After the completion of an administrative proceeding under par. (e),
14 including judicial review, an employee or the department may bring an action in
15 circuit court against an employer to recover damages caused by a violation of this
16 subsection. Section 103.10 (13) (b) applies to the commencement of an action under
17 this paragraph.

18 (g) The department shall promulgate rules to implement this subsection.

19 **(7) FEDERAL TAX TREATMENT OF BENEFITS.** With respect to the federal income
20 taxation of family or medical leave insurance benefits, the department shall do all
21 of the following:

22 (a) At the time an individual files a claim for those benefits, advise the
23 individual that those benefits may be subject to federal income taxation, that
24 requirements exist under federal law pertaining to estimated tax payments, and
25 that the individual may elect to have federal income taxes withheld from the

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1 individual's benefit payments and may change that election not more than one time
2 in an application year.

3 (b) Allow the individual to elect to have federal income tax deducted and
4 withheld from the individual's benefit payments, allow the individual to change that
5 election not more than one time in an application year, and deduct and withhold that
6 tax in accordance with the individual's election as provided under 26 USC 3402.

7 (c) Upon making a deduction under par. (b), transfer the amount deducted from
8 the family and medical leave insurance trust fund to the federal internal revenue
9 service.

10 (d) In deducting and withholding federal income taxes from an individual's
11 benefit payments, follow all procedures specified by the federal internal revenue
12 service pertaining to the deducting and withholding of federal income tax.

13 **(8) FAMILY AND MEDICAL LEAVE INSURANCE TRUST FUND.** (a) The department shall
14 determine the amount of the required contribution by each employee, self-employed
15 individual who elects coverage under sub. (2), and each employer. The required
16 contribution shall be based on the employee's wages or the self-employed
17 individual's earnings. The required contribution for an employee shall be equally
18 shared between each employee and the employee's employer.

19 (b) Each employer shall withhold from the wages of its employees the amount
20 determined by the department under this subsection.

21 (c) The department shall promulgate rules to establish procedures for filing
22 wage reports and collecting the contributions withheld by employers and
23 employer-required contributions under par. (a). The department may utilize the
24 quarterly wage reports submitted under s. 108.205 in lieu of separate contribution

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1 reports and may utilize the procedures for collecting contributions that apply to the
2 collection of contributions to the unemployment reserve fund under s. 108.17.

3 (cm) The department shall promulgate rules providing for a right to a hearing
4 in cases involving the liability of employers for contributions under this subsection.
5 The department's decisions shall be subject to the rights and procedures for
6 contested cases under ch. 227.

7 (d) The department shall collect contributions from self-employed individuals
8 pursuant to procedures established by the department under sub. (12) (b).

9 (e) The department shall deposit contributions received under this subsection
10 in the family and medical leave benefits insurance trust fund.

11 (f) The department shall use moneys deposited in the family and medical leave
12 benefits insurance trust fund to pay benefits under sub. (3), to refund amounts
13 erroneously paid by employers, and to pay for the administration of the family and
14 medical leave benefits insurance program under this section and for no other
15 purpose.

16 **(9) DENIAL OF CLAIMS; OVERPAYMENTS.** (a) The department shall promulgate
17 rules providing for a right to a hearing in cases of disputes involving an individual's
18 eligibility for benefits or status as a covered individual under this section. The
19 department's decisions shall be subject to the rights and procedures for contested
20 cases under ch. 227. To the extent necessary and practical, the department may
21 prescribe procedures in conjunction with any rules promulgated for administrative
22 proceedings under ss. 103.10 (12) and 103.11 (12).

23 (b) 1. If the department pays family or medical leave insurance benefits to an
24 individual erroneously or as a result of willful misrepresentation, the individual's
25 liability to reimburse the fund for the overpayment may be set forth in a

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1 determination that is subject to review under par. (a). The department may prescribe
2 procedures for waiver of overpayments.

3 2. To recover any overpayment to a covered individual that is not otherwise
4 repaid or the recovery of which has not been waived, the department may recoup the
5 amount of the overpayment by, in addition to its other remedies, deducting the
6 amount of the overpayment from benefits the individual would otherwise be eligible
7 to receive.

8 3. The department may establish other procedures for recovering
9 overpayments and may utilize procedures under ch. 108, including the department's
10 remedies for collecting overpayments under ss. 108.22 and 108.225, subject to rules
11 promulgated by the department.

12 4. The department may not collect any interest on any benefit overpayment.

13 **(10) PROHIBITED ACTS.** (a) No person may interfere with, restrain, or deny the
14 exercise of any right provided under this section.

15 (b) No person may discharge or otherwise discriminate against any person for
16 exercising any right provided under this section, opposing a practice prohibited
17 under this section, filing a complaint or attempting to enforce any right provided
18 under this section, or testifying or assisting in any action or proceeding to enforce any
19 right provided under this section.

20 (c) No collective bargaining agreement or employer policy may diminish or
21 abridge an employee's rights under this section. Any agreement purporting to waive
22 or modify an employee's rights under this section is void as against public policy and
23 unenforceable.

24 **(11) ENFORCEMENT.** (a) Any person who believes that his or her rights under
25 this section have been interfered with, restrained, or denied in violation of sub. (10)

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1 (a) or that he or she has been discharged or otherwise discriminated against in
2 violation of sub. (10) (b) may, within 30 days after the violation occurs or the person
3 should reasonably have known that the violation occurred, whichever is later, file a
4 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 sub. (10) (a)
7 to (c), the department may order the employer to take action to remedy the violation,
8 including providing the requested family leave or medical leave, reinstating an
9 employee, providing back pay accrued not more than 2 years before the complaint
10 was filed, and, notwithstanding s. 814.04 (1), paying reasonable actual attorney fees
11 to the complainant.

12 (b) After the completion of an administrative proceeding under par. (a),
13 including judicial review, an employee or the department may bring an action in
14 circuit court against an employer to recover damages caused by a violation of sub.
15 (10) (a) to (c). Section 103.10 (13) (b) applies to the commencement of an action under
16 this paragraph.

17 **(12) ADMINISTRATION.** The department shall administer the family and medical
18 leave benefits insurance program under this section. In administering the program,
19 the department shall do all of the following:

20 (a) Establish procedures and forms for the filing of claims for benefits under
21 this section.

22 (b) Establish procedures and forms for collecting contributions from
23 self-employed individuals.

24 (c) Promulgate rules to implement this section.

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1 (d) Use information sharing and integration technology to facilitate the
2 exchange of information as necessary for the department to perform its duties under
3 this section.

4 (e) By September 1 of each year, submit a report to the governor, the joint
5 committee on finance, and the appropriate standing committees of the legislature
6 under s. 13.172 (3) on the family and medical leave benefits insurance program under
7 this section. The report shall include the projected and actual rates of participation
8 in the program, the premium rates for coverage under the program, and the balance
9 in the family and medical leave benefits insurance trust fund under s. 25.52.

10 **(13) RECORDS.** (a) The records made or maintained by the department in
11 connection with the administration of this section are confidential and shall be open
12 to public inspection or disclosure only to the extent that the department allows in the
13 interest of the family and medical leave benefits insurance program. No person may
14 allow inspection or disclosure of any record provided by the department unless the
15 department authorizes the inspection or disclosure.

16 (b) The department may provide records made or maintained by the
17 department in connection with the administration of this section to any
18 governmental unit, corresponding unit in the government of another state, or any
19 unit of the federal government. No such unit may allow inspection or disclosure of
20 any record provided by the department unless the department authorizes the
21 inspection or disclosure.

22 (c) Upon request of the department of revenue, the department may provide
23 information, including social security numbers, concerning covered individuals to
24 the department of revenue for the purpose of administering state taxes, identifying
25 fraudulent tax returns, providing information for tax-related prosecutions, or

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1 locating persons or the assets of persons who have failed to file tax returns, who have
2 underreported their taxable income, or who are delinquent debtors. The department
3 of revenue shall adhere to the limitation on inspection and disclosure of the
4 information under par. (b).

5 (14) BENEFIT AMOUNT ADJUSTMENT. On April 1 of each year, the department may
6 adjust the maximum weekly benefit payment to 90 percent of the state average
7 weekly earnings, which becomes effective on October 1 of that year. The department
8 shall annually have the adjusted amount of the maximum weekly benefit payment
9 published in the Wisconsin Administrative Register.

10 (15) NOTICE POSTED. Each employer shall post, on its website and in one or more
11 conspicuous places where notices to employees are customarily posted, a notice in a
12 form approved by the department setting forth employees' rights under this section
13 and any adjustment to benefits as provided in sub. (14). Any employer that violates
14 this subsection shall forfeit not more than \$100 for each violation.

15 **SECTION 1827.** 103.12 of the statutes is repealed.

16 **SECTION 1828.** 103.135 of the statutes is created to read:

17 **103.135 Compensation information of employees and prospective**
18 **employees. (1) UNLAWFUL EMPLOYER CONDUCT RELATED TO PROSPECTIVE EMPLOYEE**
19 **COMPENSATION INFORMATION.** (a) No employer may directly or indirectly do any of the
20 following:

21 1. Rely on or, subject to par. (b), solicit from a prospective employee or a
22 prospective employee's current or former employer information about the
23 prospective employee's current or prior compensation.

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1 2. Require that a prospective employee's current or prior compensation meet
2 certain criteria in order for the prospective employee to be considered for
3 employment.

4 3. Refuse to hire or employ or otherwise discriminate against a prospective
5 employee in compensation or in the terms, conditions, or privileges of employment
6 for opposing a practice prohibited under this paragraph, filing or indicating an intent
7 to file a complaint or otherwise attempting to enforce any right under this paragraph,
8 or testifying, assisting, or participating in any manner in any investigation, action,
9 or proceeding to enforce any right under this paragraph.

10 (b) After an employer has offered employment to a prospective employee and
11 the details of compensation have been agreed upon, the employer may obtain the
12 prospective employee's written consent for the employer to solicit information about,
13 or take action to confirm, the prospective employee's current or prior compensation.

14 **(2) DISCLOSURE OF COMPENSATION INFORMATION BY EMPLOYEES.** (a) An employee
15 may disclose the details of the employee's compensation to anyone and, subject to par.
16 (d), may discuss the compensation of other employees of the same employer and may
17 ask other employees of the same employer for details regarding their compensation.

18 (b) Except as provided in par. (d), no employer may interfere with, restrain, or
19 deny the exercise of the right of an employee to disclose, discuss, or inquire about
20 compensation as provided in par. (a).

21 (c) An employer may not discharge or discriminate against an employee in
22 promotion, in compensation, or in the terms, conditions, or privileges of employment
23 for disclosing, discussing, or inquiring about compensation as provided in par. (a),
24 opposing a practice prohibited under par. (b), filing or indicating an intent to file a
25 complaint or otherwise attempting to enforce any right under par. (a), or testifying,

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1 assisting, or participating in any manner in any investigation, action, or proceeding
2 to enforce any right under par. (a).

3 (d) Subject to s. 19.35, an employer may prohibit a human resources or payroll
4 employee, a supervisor, or any other employee whose job responsibilities require or
5 allow the employee access to other employees' compensation information from
6 disclosing information about any other employee's compensation without that
7 employee's prior written consent.

8 **(3) ENFORCEMENT.** Any employee or prospective employee who is refused
9 employment, terminated, discharged, or otherwise discriminated against in
10 violation of sub. (1) (a) or (2) (a) to (c) may file a complaint with the department, and
11 the department shall process the complaint in the same manner that employment
12 discrimination complaints are processed under s. 111.39. If the department finds
13 that a violation has occurred, the department may order the employer to take action
14 to remedy the violation, including reinstating the employee, providing compensation
15 in lieu of reinstatement, providing back pay accrued not more than 2 years before the
16 complaint was filed, and paying reasonable actual costs and, notwithstanding s.
17 814.04 (1), reasonable attorney fees to the complainant.

18 **(4) NOTICE POSTED.** (a) Each employer shall provide notice to employees and
19 prospective employees of their rights under this section by doing all of the following:

20 1. Posting, in one or more conspicuous places where notices to employees are
21 customarily posted, a notice in a form approved by the department setting forth
22 employees' and prospective employees' rights under this section.

23 2. Including, on each listing for a job vacancy or other employment opportunity
24 that is advertised by email, posting on a website, or other electronic means, a notice
25 that includes all of the following information:

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1 a. A statement that the employer is prohibited from relying on a prospective
2 employee's current or former compensation when determining whether to make an
3 offer of employment or setting compensation or when making an offer of
4 employment.

5 b. A statement that the employer is prohibited from asking about a prospective
6 employee's compensation until after the employer has offered the prospective
7 employee employment and they have agreed upon the details of compensation.

8 c. A statement that the employer is prohibited from requiring that a
9 prospective employee's current or prior compensation meet certain criteria in order
10 for the prospective employee to be considered for employment.

11 d. Information, or a hyperlink to information, regarding prohibited bases of
12 discrimination under subch. II of ch. 111.

13 (b) Any employer that violates par. (a) shall forfeit not more than \$100 for each
14 offense.

15 **SECTION 1829.** 103.165 (3) (a) 3. of the statutes is amended to read:

16 103.165 (3) (a) 3. The decedent's ~~father or mother~~ parent or parents if the
17 decedent leaves no surviving spouse, domestic partner under ch. 770, or children.

18 **SECTION 1830.** 103.36 of the statutes is repealed.

19 **SECTION 1831.** 103.49 of the statutes is created to read:

20 **103.49 Wage rate on state work. (1) DEFINITIONS.** In this section:

21 (a) "Area" means the county in which a proposed project of public works that
22 is subject to this section is located or, if the department determines that there is
23 insufficient wage data in that county, "area" means those counties that are
24 contiguous to that county or, if the department determines that there is insufficient
25 wage data in those counties, "area" means those counties that are contiguous to those

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

5 (am) “Bona fide economic benefit” means an economic benefit for which an
6 employer makes irrevocable contributions to a trust or fund created under 29 USC
7 186 (c) or to any other bona fide plan, trust, program, or fund no less often than
8 quarterly or, if an employer makes annual contributions to such a bona fide plan,
9 trust, program, or fund, for which the employer irrevocably escrows moneys at least
10 quarterly based on the employer’s expected annual contribution.

11 (b) “Hourly basic rate of pay” means the hourly wage paid to any employee,
12 excluding any contributions or payments for health insurance benefits, vacation
13 benefits, pension benefits, and any other bona fide economic benefits, whether paid
14 directly or indirectly.

15 (bg) “Insufficient wage data” means less than 500 hours of work performed in
16 a particular trade or occupation on projects that are similar to a proposed project of
17 public works that is subject to this section.

18 (bj) “Minor service or maintenance work” means a project of public works that
19 is limited to minor crack filling, chip or slurry sealing, or other minor pavement
20 patching, not including overlays, that has a projected life span of no longer than 5
21 years; cleaning of drainage or sewer ditches or structures; or any other limited, minor
22 work on public facilities or equipment that is routinely performed to prevent
23 breakdown or deterioration.

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1 (br) “Multiple-trade project of public works” means a project of public works
2 in which no single trade accounts for 85 percent or more of the total labor cost of the
3 project.

4 (c) “Prevailing hours of labor” for any trade or occupation in any area means
5 10 hours per day and 40 hours per week and may not include any hours worked on
6 a Saturday or Sunday or on any of the following holidays:

7 1. January 1.

8 2. The last Monday in May.

9 3. July 4.

10 4. The first Monday in September.

11 5. The 4th Thursday in November.

12 6. December 25.

13 7. The day before if January 1, July 4, or December 25 falls on a Saturday.

14 8. The day following if January 1, July 4, or December 25 falls on a Sunday.

15 (d) 1. Except as provided in subd. 2., “prevailing wage rate” for any trade or
16 occupation engaged in the erection, construction, remodeling, repairing, or
17 demolition of any project of public works in any area means the hourly basic rate of
18 pay, plus the hourly contribution for health insurance benefits, vacation benefits,
19 pension benefits, and any other bona fide economic benefit, paid directly or indirectly
20 for a majority of the hours worked in the trade or occupation on projects in the area.

21 2. If there is no rate at which a majority of the hours worked in the trade or
22 occupation on projects in the area is paid, “prevailing wage rate” for any trade or
23 occupation engaged in the erection, construction, remodeling, repairing, or
24 demolition of any project of public works in any area means the average hourly basic
25 rate of pay, weighted by the number of hours worked, plus the average hourly

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1 contribution, weighted by the number of hours worked, for health insurance benefits,
2 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
3 directly or indirectly for all hours worked at the hourly basic rate of pay of the
4 highest-paid 51 percent of hours worked in that trade or occupation on projects in
5 that area.

6 (em) “Single-trade project of public works” means a project of public works in
7 which a single trade accounts for 85 percent or more of the total labor cost of the
8 project.

9 (f) “State agency” means any office, department, independent agency,
10 institution of higher education, association, society, or other body in state
11 government created or authorized to be created by the constitution or any law,
12 including the legislature and the courts. “State agency” also includes the University
13 of Wisconsin Hospitals and Clinics Authority, the Fox River Navigational System
14 Authority, and the Wisconsin Aerospace Authority.

15 (fm) “Supply and installation contract” means a contract under which the
16 material is installed by the supplier, the material is installed by means of simple
17 fasteners or connectors such as screws or nuts and bolts, and no other work is
18 performed on the site of the project of public works, and the total labor cost to install
19 the material does not exceed 20 percent of the total cost of the contract.

20 (g) “Truck driver” includes an owner-operator of a truck.

21 **(1m) APPLICABILITY.** Subject to sub. (3g), this section applies to any project of
22 public works erected, constructed, repaired, remodeled, or demolished for the state
23 or a state agency, including all of the following:

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1 (a) A project erected, constructed, repaired, remodeled, or demolished by one
2 state agency for another state agency under any contract or under any statute
3 specifically authorizing cooperation between state agencies.

4 (b) A project in which the completed facility is leased, purchased, lease
5 purchased, or otherwise acquired by, or dedicated to, the state in lieu of the state or
6 a state agency contracting for the erection, construction, repair, remodeling, or
7 demolition of the facility.

8 (c) A sanitary sewer or water main project in which the completed sanitary
9 sewer or water main is acquired by, or dedicated to, the state for ownership or
10 maintenance by the state.

11 **(2) PREVAILING WAGE RATES AND HOURS OF LABOR.** Any contract made for the
12 erection, construction, remodeling, repairing, or demolition of any project of public
13 works to which the state or any state agency is a party shall contain a stipulation that
14 no individual performing the work described in sub. (2m) may be allowed to work a
15 greater number of hours per day or per week than the prevailing hours of labor,
16 except that any such individual may be allowed or required to work more than such
17 prevailing hours of labor per day and per week if he or she is paid for all hours worked
18 in excess of the prevailing hours of labor at a rate of at least 1.5 times his or her hourly
19 basic rate of pay; nor may he or she be paid less than the prevailing wage rate
20 determined under sub. (3) in the same or most similar trade or occupation in the area
21 in which the project of public works is situated. The notice published for the purpose
22 of securing bids for the project must contain a reference to the prevailing wage rates
23 determined under sub. (3) and the prevailing hours of labor. Except as otherwise
24 provided in this subsection, if any contract or subcontract for a project of public works
25 that is subject to this section is entered into, the prevailing wage rates determined

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1 under sub. (3) and the prevailing hours of labor shall be physically incorporated into
2 and made a part of the contract or subcontract. For a minor subcontract, as
3 determined by the department, the department shall prescribe by rule the method
4 of notifying the minor subcontractor of the prevailing wage rates and prevailing
5 hours of labor applicable to the minor subcontract. The prevailing wage rates and
6 prevailing hours of labor applicable to a contract or subcontract may not be changed
7 during the time that the contract or subcontract is in force.

8 **(2m) COVERED EMPLOYEES.** (a) Subject to par. (b), any person subject to this
9 section shall pay all of the following employees the prevailing wage rate determined
10 under sub. (3) and may not allow such employees to work a greater number of hours
11 per day or per week than the prevailing hours of labor, unless the person pays for all
12 hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times
13 the employees' hourly basic rate of pay:

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

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

22 (b) A laborer, worker, mechanic, or truck driver who is employed to process,
23 manufacture, pick up, or deliver materials or products from a commercial
24 establishment that has a fixed place of business from which the establishment
25 supplies processed or manufactured materials or products or from a facility that is

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1 not dedicated exclusively, or nearly so, to a project of public works that is subject to
2 this section is not entitled to receive the prevailing wage rate determined under sub.
3 (3) or to receive at least 1.5 times his or her hourly basic rate of pay for all hours
4 worked in excess of the prevailing hours of labor unless any of the following applies:

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

10 2. The laborer, worker, mechanic, or truck driver is employed to go to the site
11 of a project that is subject to this section, pick up excavated material or spoil from
12 the site of the project of public works, and transport that excavated material or spoil
13 away from the site of the project.

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

17 **(3) INVESTIGATION; DETERMINATION.** (a) Before a state agency issues a request
18 for bids for any work to which this section applies, the state agency having the
19 authority to prescribe the specifications shall apply to the department to determine
20 the prevailing wage rate for each trade or occupation required in the work under
21 contemplation in the area in which the work is to be done. The department shall
22 conduct investigations and hold public hearings as necessary to define the trades or
23 occupations that are commonly employed on projects that are subject to this section
24 and to inform itself of the prevailing wage rates in all areas of the state for those
25 trades or occupations, in order to determine the prevailing wage rate for each trade

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1 or occupation. The department shall issue its determination within 30 days after
2 receiving the request and shall file the determination with the requesting state
3 agency. A state agency that has contracted for a project of public works subject to this
4 section shall post the prevailing wage rates determined by the department, the
5 prevailing hours of labor, and the provisions of subs. (2) and (6m) in at least one
6 conspicuous place on the site of the project that is easily accessible by employees
7 working on the project.

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

15 (ar) In determining prevailing wage rates under par. (a) or (am), the
16 department may not use data from projects that are subject to this section, s. 66.0903,
17 103.50, or 229.8275, or 40 USC 3142 unless the department determines that there
18 is insufficient wage data in the area to determine those prevailing wage rates, in
19 which case the department may use data from projects that are subject to this
20 section, s. 66.0903, 103.50, or 229.8275, or 40 USC 3142. In determining prevailing
21 wage rates under par. (a) or (am), the department may not use data from any
22 construction work performed by a state agency or a local governmental unit, as
23 defined in s. 66.0903 (1) (d).

24 (b) Any person may request a recalculation of any portion of an initial
25 determination within 30 days after the initial determination date if the person

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

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

22 **(3g) NONAPPLICABILITY.** This section does not apply to any of the following:

23 (a) A single-trade project of public works for which the estimated project cost
24 of completion is less than \$48,000 or a multiple-trade project of public works for
25 which the estimated project cost of completion is less than \$100,000.

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1 (b) Work performed on a project of public works for which the state or the state
2 agency contracting for the project is not required to compensate any contractor,
3 subcontractor, contractor's or subcontractor's agent, or individual for performing the
4 work.

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

7 (f) A public highway, street, or bridge project.

8 (g) A project of public works involving the erection, construction, repair,
9 remodeling, or demolition of a residential property containing 2 dwelling units or
10 less.

11 (h) A road, street, bridge, sanitary sewer, or water main project that is a part
12 of a development in which not less than 90 percent of the lots contain or will contain
13 2 dwelling units or less, as determined by the local governmental unit at the time of
14 approval of the development, and that, on completion, is acquired by, or dedicated to,
15 the state for ownership or maintenance by the state.

16 **(4r) COMPLIANCE.** (a) When the department finds that a state agency has not
17 requested a determination under sub. (3) (a) or that a state agency, contractor, or
18 subcontractor has not physically incorporated a determination into a contract or
19 subcontract as required under sub. (2) or has not notified a minor subcontractor of
20 a determination in the manner prescribed by the department by rule promulgated
21 under sub. (2), the department shall notify the state agency, contractor, or
22 subcontractor of the noncompliance and shall file the determination with the state
23 agency, contractor, or subcontractor within 30 days after the notice.

24 (b) Upon completion of a project of public works and before receiving final
25 payment for his or her work on the project, each agent or subcontractor shall furnish

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1 the contractor with an affidavit stating that the agent or subcontractor has complied
2 fully with the requirements of this section. A contractor may not authorize final
3 payment until the affidavit is filed in proper form and order.

4 (c) Upon completion of a project of public works and before receiving final
5 payment for his or her work on the project, each contractor shall file with the state
6 agency authorizing the work an affidavit stating that the contractor has complied
7 fully with the requirements of this section and that the contractor has received an
8 affidavit under par. (b) from each of the contractor's agents and subcontractors. A
9 state agency may not authorize a final payment until the affidavit is filed in proper
10 form and order. If a state agency authorizes a final payment before an affidavit is
11 filed in proper form and order or if the department determines, based on the greater
12 weight of the credible evidence, that any person performing the work specified in sub.
13 (2m) has been or may have been paid less than the prevailing wage rate or less than
14 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing
15 hours of labor and requests that the state agency withhold all or part of the final
16 payment, but the state agency fails to do so, the state agency is liable for all back
17 wages payable up to the amount of the final payment.

18 **(5) RECORDS; INSPECTION; ENFORCEMENT.** (a) Each contractor, subcontractor, or
19 contractor's or subcontractor's agent that performs work on a project of public works
20 that is subject to this section shall keep full and accurate records clearly indicating
21 the name and trade or occupation of every individual performing the work described
22 in sub. (2m) and an accurate record of the number of hours worked by each of those
23 individuals and the actual wages paid for the hours worked.

24 (b) The department shall enforce this section. The department may demand
25 and examine, and every contractor, subcontractor, and contractor's and

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1 subcontractor's agent shall keep, and furnish upon request by the department,
2 copies of payrolls and other records and information relating to the wages paid to
3 individuals performing the work described in sub. (2m) for work to which this section
4 applies. The department may inspect records in the manner provided in this chapter.
5 Every contractor, subcontractor, or agent performing work on a project of public
6 works that is subject to this section is subject to the requirements of this chapter
7 relating to the examination of records. Section 111.322 (2m) applies to discharge and
8 other discriminatory acts arising in connection with any proceeding under this
9 section.

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

23 **(6m)** LIABILITY AND PENALTIES. (ag) 1. A contractor, subcontractor, or
24 contractor's or subcontractor's agent who fails to pay the prevailing wage rate
25 determined by the department under sub. (3) or who pays less than 1.5 times the

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1 hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor
2 is liable to any affected employee in the amount of his or her unpaid wages or his or
3 her unpaid overtime compensation and in an additional amount as liquidated
4 damages as provided in subd. 2. or 3., whichever is applicable.

5 2. If the department determines upon inspection under sub. (5) (b) or (c) that
6 a contractor, subcontractor, or contractor's or subcontractor's agent has failed to pay
7 the prevailing wage rate determined by the department under sub. (3) or has paid
8 less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the
9 prevailing hours of labor, the department shall order the contractor to pay to any
10 affected employee the amount of his or her unpaid wages or his or her unpaid
11 overtime compensation and an additional amount equal to 100 percent of the amount
12 of those unpaid wages or that unpaid overtime compensation as liquidated damages
13 within a period specified by the department in the order.

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

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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 (am) Except as provided in pars. (b), (d), and (f), 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 a violation continues is a separate offense.

10 (b) Whoever induces an individual who seeks to be or is employed on any project
11 of public works that is subject to this section to give up, waive, or return any part of
12 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 (c) Any individual who is employed on a project of public works that is subject
20 to this 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

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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 (d) 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 (e) 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 (f) Paragraph (am) 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) (a) or (am).

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

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

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

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

16 (d) Any person submitting a bid on a project of public works that is subject to
17 this section shall, on the date the person submits the bid, identify any construction
18 business in which the person, or a shareholder, officer, or partner of the person if the
19 person is a business, owns or has owned at least a 25 percent interest on the date the
20 person submits the bid or at any other time within 3 years preceding the date the
21 person submits the bid, if the business has been found to have failed to pay the
22 prevailing wage rate determined under sub. (3) or to have paid less than 1.5 times
23 the hourly basic rate of pay for all hours worked in excess of the prevailing hours of
24 labor.

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

ASSEMBLY BILL 43**SECTION 1832**

1 **SECTION 1832.** 103.50 of the statutes is created to read:

2 **103.50 Highway contracts. (1) DEFINITIONS.** In this section:

3 (a) “Area” means the county in which a proposed project that is subject to this
4 section is located or, if the department determines that there is insufficient wage
5 data in that county, “area” means those counties that are contiguous to that county
6 or, if the department determines that there is insufficient wage data in those
7 counties, “area” means those counties that are contiguous to those counties or, if the
8 department determines that there is insufficient wage data in those counties, “area”
9 means the entire state.

10 (b) “Hourly basic rate of pay” has the meaning given in s. 103.49 (1) (b).

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

12 (c) “Prevailing hours of labor” has the meaning given in s. 103.49 (1) (c).

13 (d) 1. Except as provided in subd. 2., “prevailing wage rate” for any trade or
14 occupation in any area means the hourly basic rate of pay, plus the hourly
15 contribution for health insurance benefits, vacation benefits, pension benefits, and
16 any other bona fide economic benefit, paid directly or indirectly, for a majority of the
17 hours worked in the trade or occupation in the area.

18 2. If there is no rate at which a majority of the hours worked in the trade or
19 occupation in the area is paid, “prevailing wage rate” means the average hourly basic
20 rate of pay, weighted by the number of hours worked, plus the average hourly
21 contribution, weighted by the number of hours worked, for health insurance benefits,
22 vacation benefits, pension benefits, and any other bona fide economic benefit, paid
23 directly or indirectly for all hours worked at the hourly basic rate of pay of the
24 highest-paid 51 percent of hours worked in that trade or occupation in that area.

25 (e) “Truck driver” has the meaning given in s. 103.49 (1) (g).

ASSEMBLY BILL 43**SECTION 1832**

1 **(2) PREVAILING WAGE RATES AND HOURS OF LABOR.** No contractor, subcontractor,
2 agent, or other person performing any work on a project under a contract based on
3 bids as provided in s. 84.06 (2) to which the state is a party for the construction or
4 improvement of any highway may do any of the following:

5 (a) Pay an individual performing the work described in sub. (2m) less than the
6 prevailing wage rate in the area in which the work is to be done determined under
7 sub. (3).

8 (b) Allow an individual performing the work described in sub. (2m) to work a
9 greater number of hours per day or per week than the prevailing hours of labor,
10 unless the contractor, subcontractor, or contractor's or subcontractor's agent pays
11 the individual for all hours worked in excess of the prevailing hours of labor at a rate
12 of at least 1.5 times the individual's hourly basic rate of pay.

13 **(2g) NONAPPLICABILITY.** This section does not apply to a single-trade project of
14 public works, as defined in s. 103.49 (1) (em), for which the estimated project cost of
15 completion is less than \$48,000 or a multiple-trade project of public works, as
16 defined in s. 103.49 (1) (br), for which the estimated project cost of completion is less
17 than \$100,000.

18 **(2m) COVERED EMPLOYEES.** (a) Subject to par. (b), any person subject to this
19 section shall pay all of the following employees the prevailing wage rate determined
20 under sub. (3) and may not allow such employees to work a greater number of hours
21 per day or per week than the prevailing hours of labor, unless the person pays for all
22 hours worked in excess of the prevailing hours of labor at a rate of at least 1.5 times
23 the employees' hourly basic rate of pay:

24 1. All laborers, workers, mechanics, and truck drivers employed on the site of
25 a project that is subject to this section.

ASSEMBLY BILL 43**SECTION 1832**

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

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

14 1. The laborer, worker, mechanic, or truck driver is employed to go to the source
15 of mineral aggregate such as sand, gravel, or stone and deliver that mineral
16 aggregate to the site of a project that is subject to this section by depositing the
17 material directly in final place, from the transporting vehicle or through spreaders
18 from the transporting vehicle.

19 2. The laborer, worker, mechanic, or truck driver is employed to go to the site
20 of a project that is subject to this section, pick up excavated material or spoil from
21 the site of the project, and transport that excavated material or spoil away from the
22 site of the project and return to the site of the project.

23 (c) A contractor, subcontractor, agent, or other person performing work on a
24 project subject to this section shall pay a truck driver who is an owner-operator of
25 a truck separately for his or her work and for the use of his or her truck.

ASSEMBLY BILL 43**SECTION 1832**

1 **(3)** INVESTIGATIONS; DETERMINATIONS. The department shall conduct
2 investigations and hold public hearings necessary to define the trades or occupations
3 that are commonly employed in the highway construction industry and to inform the
4 department of the prevailing wage rates in all areas of the state for those trades or
5 occupations, in order to ascertain and determine the prevailing wage rates
6 accordingly.

7 **(4)** CERTIFICATION OF PREVAILING WAGE RATES. The department of workforce
8 development shall, by May 1 of each year, certify to the department of transportation
9 the prevailing wage rates in each area for all trades or occupations commonly
10 employed in the highway construction industry. The certification shall, in addition
11 to the current prevailing wage rates, include future prevailing wage rates when such
12 prevailing wage rates can be determined for any such trade or occupation in any area
13 and shall specify the effective date of those future prevailing wage rates. The
14 certification shall also include wage rates for work performed on Sundays or the
15 holidays specified in s. 103.49 (1) (c) and shift differentials based on the time of day
16 or night when work is performed. If a construction project extends into more than
17 one area, the department shall determine only one standard of prevailing wage rates
18 for the entire project.

19 **(4m)** WAGE RATE DATA. In determining prevailing wage rates for projects that
20 are subject to this section, the department shall use data from projects that are
21 subject to this section, s. 66.0903 or 103.49, or 40 USC 3142. In determining
22 prevailing wage rates for those projects, the department may not use data from any
23 construction work that is performed by a state agency or a local governmental unit,
24 as defined in s. 66.0903 (1) (d).

ASSEMBLY BILL 43**SECTION 1832**

1 **(5) APPEALS TO GOVERNOR.** If the department of transportation considers any
2 determination of the department of workforce development of the prevailing wage
3 rates in an area to be incorrect, it may appeal to the governor, whose determination
4 is final.

5 **(6) CONTENTS OF CONTRACTS.** The department of transportation shall include
6 a reference to the prevailing wage rates determined under sub. (3) and the prevailing
7 hours of labor in the notice published for the purpose of securing bids for a project.
8 Except as otherwise provided in this subsection, if any contract or subcontract for a
9 project that is subject to this section is entered into, the prevailing wage rates
10 determined under sub. (3) and the prevailing hours of labor shall be physically
11 incorporated into and made a part of the contract or subcontract. For a minor
12 subcontract, as determined by the department of workforce development, that
13 department shall prescribe by rule the method of notifying the minor subcontractor
14 of the prevailing wage rates and prevailing hours of labor applicable to the minor
15 subcontract. The prevailing wage rates and prevailing hours of labor applicable to
16 a contract or subcontract may not be changed during the time that the contract or
17 subcontract is in force. The department of transportation shall post the prevailing
18 wage rates determined by the department, the prevailing hours of labor, and the
19 provisions of subs. (2) and (7) in at least one conspicuous place that is easily
20 accessible to the employees on the site of the project.

21 **(7) PENALTIES.** (a) Except as provided in pars. (b), (d), and (f), any contractor,
22 subcontractor, or contractor's or subcontractor's agent who violates this section may
23 be fined not more than \$200 or imprisoned for not more than 6 months or both. Each
24 day that a violation continues is a separate offense.

ASSEMBLY BILL 43**SECTION 1832**

1 (b) Whoever induces any individual who seeks to be or is employed on any
2 project that is subject to this section to give up, waive, or return any part of the wages
3 to which the individual is entitled under the contract governing the project, or who
4 reduces the hourly basic rate of pay normally paid to an individual for work on a
5 project that is not subject to this section during a week in which the individual works
6 both on a project that is subject to this section and on a project that is not subject to
7 this section, by threat not to employ, by threat of dismissal from employment, or by
8 any other means is guilty of an offense under s. 946.15 (1).

9 (c) Any individual employed on a project that is subject to this section who
10 knowingly allows a contractor, subcontractor, or contractor's or subcontractor's
11 agent to pay him or her less than the prevailing wage rate set forth in the contract
12 governing the project, who gives up, waives, or returns any part of the compensation
13 to which he or she is entitled under the contract, or who gives up, waives, or returns
14 any part of the compensation to which he or she is normally entitled for work on a
15 project that is not subject to this section during a week in which the individual works
16 both on a project that is subject to this section and on a project that is not subject to
17 this section, is guilty of an offense under s. 946.15 (2).

18 (d) Whoever induces any individual who seeks to be or is employed on any
19 project that is subject to this section to allow any part of the wages to which the
20 individual is entitled under the contract governing the project to be deducted from
21 the individual's pay is guilty of an offense under s. 946.15 (3), unless the deduction
22 would be allowed under 29 CFR 3.5 or 3.6 from an individual who is working on a
23 project that is subject to 40 USC 3142.

24 (e) Any individual employed on a project that is subject to this section who
25 knowingly allows any part of the wages to which he or she is entitled under the

ASSEMBLY BILL 43**SECTION 1832**

1 contract governing the project to be deducted from his or her pay is guilty of an
2 offense under s. 946.15 (4), unless the deduction would be allowed under 29 CFR 3.5
3 or 3.6 from an individual who is working on a project that is subject to 40 USC 3142.

4 (f) Paragraph (a) does not apply to any individual who fails to provide any
5 information to the department to assist the department in determining prevailing
6 wage rates under sub. (3) or (4).

7 **(8) ENFORCEMENT AND PROSECUTION.** The department of transportation shall
8 require adherence to subs. (2), (2m), and (6). The department of transportation may
9 demand and examine, and every contractor, subcontractor, and contractor's or
10 subcontractor's agent shall keep and furnish upon request by the department of
11 transportation, copies of payrolls and other records and information relating to
12 compliance with this section. Upon request of the department of transportation or
13 upon complaint of alleged violation, the district attorney of the county in which the
14 work is located shall investigate as necessary and prosecute violations in a court of
15 competent jurisdiction. Section 111.322 (2m) applies to discharge and other
16 discriminatory acts arising in connection with any proceeding under this section.

17 **SECTION 1833.** 103.503 (1) (a) of the statutes is amended to read:

18 103.503 (1) (a) "Accident" means an incident caused, contributed to, or
19 otherwise involving an employee that resulted or could have resulted in death,
20 personal injury, or property damage and that occurred while the employee was
21 performing the work described in s. 66.0903 (4), ~~2013 stats.,~~ or s. ~~16.856~~ 103.49 (2m),
22 ~~2015 stats.,~~ on a project of public works or while the employee was performing work
23 on a public utility project.

24 **SECTION 1834.** 103.503 (1) (e) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1834**

1 103.503 (1) (e) “Employee” means a laborer, worker, mechanic, or truck driver
2 who performs the work described in s. 66.0903 (4), ~~2013 stats.~~, or s. ~~16.856~~ 103.49
3 (2m), ~~2015 stats.~~, on a project of public works or on a public utility project.

4 **SECTION 1835.** 103.503 (1) (g) of the statutes is repealed and recreated to read:

5 103.503 (1) (g) “Project of public works” means a project of public works that
6 is subject to s. 66.0903 or 103.49.

7 **SECTION 1836.** 103.503 (2) of the statutes is amended to read:

8 103.503 (2) SUBSTANCE ABUSE PROHIBITED. No employee may use, possess,
9 attempt to possess, distribute, deliver, or be under the influence of a drug, or use or
10 be under the influence of alcohol, while performing the work described in s. 66.0903
11 (4), ~~2013 stats.~~, or s. ~~16.856~~ 103.49 (2m), ~~2015 stats.~~, on a project of public works or
12 while performing work on a public utility project. An employee is considered to be
13 under the influence of alcohol for purposes of this subsection if he or she has an
14 alcohol concentration that is equal to or greater than the amount specified in s.
15 885.235 (1g) (d).

16 **SECTION 1837.** 103.503 (3) (a) 2. of the statutes is amended to read:

17 103.503 (3) (a) 2. A requirement that employees performing the work described
18 in s. 66.0903 (4), ~~2013 stats.~~, or s. ~~16.856~~ 103.49 (2m), ~~2015 stats.~~, on a project of
19 public works or performing work on a public utility project submit to random,
20 reasonable suspicion, and post-accident drug and alcohol testing and to drug and
21 alcohol testing before commencing work on the project, except that testing of an
22 employee before commencing work on a project is not required if the employee has
23 been participating in a random testing program during the 90 days preceding the
24 date on which the employee commenced work on the project.

25 **SECTION 1838.** 104.001 (3) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1838**

1 104.001 (3) This section does not affect an ordinance that, subject to s. 66.0903,
2 requires an employee of a city, village, town, or county, an employee who performs
3 work under a contract for the provision of services to a city, village, town, or county,
4 or an employee who performs work that is funded by financial assistance from a city,
5 village, town, or county to be paid at a minimum wage rate specified in the ordinance.

6 **SECTION 1839.** 104.001 (4) of the statutes is created to read:

7 104.001 (4) This section does not affect the requirement that employees
8 employed on a public works project contracted for by a city, village, town, or county
9 be paid at the prevailing wage rate, as defined in s. 66.0903 (1) (g), as required under
10 s. 66.0903.

11 **SECTION 1840.** 104.01 (1h) of the statutes is created to read:

12 104.01 (1h) “Consumer price index” means the average of the consumer price
13 index over each 12-month period for all urban consumers, U.S. city average, all
14 items, not seasonally adjusted, as determined by the bureau of labor statistics of the
15 U.S. department of labor.

16 **SECTION 1841.** 104.035 (1) (a) of the statutes is renumbered 104.035 (1) (a)
17 (intro.) and amended to read:

18 104.035 (1) (a) *Minimum rates.* (intro.) Except as provided in subs. (2) to (8)
19 (8m), the minimum wage is as follows:

20 1. For wages earned prior to the effective date of this subdivision [LRB
21 inserts date], \$7.25 per hour.

22 **SECTION 1842.** 104.035 (1) (a) 2. of the statutes is created to read:

23 104.035 (1) (a) 2. For wages earned on or after the effective date of this
24 subdivision [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

25 **SECTION 1843.** 104.035 (1) (a) 3. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1843**

1 104.035 (1) (a) 3. For wages earned on or after January 1, 2025, and prior to
2 January 1, 2026, \$9.25.

3 **SECTION 1844.** 104.035 (1) (a) 4. of the statutes is created to read:

4 104.035 (1) (a) 4. For wages earned on or after January 1, 2026, and prior to
5 January 1, 2027, \$10.25.

6 **SECTION 1845.** 104.035 (2) (a) of the statutes is renumbered 104.035 (2) (a)
7 (intro.) and amended to read:

8 104.035 (2) (a) *Minimum rates.* (intro.) Except as provided in subs. (2m) to ~~(8)~~
9 ~~(8m)~~, the minimum wage for a minor employee is as follows:

10 1. For wages earned prior to the effective date of this subdivision ... [LRB
11 inserts date], \$7.25 per hour.

12 **SECTION 1846.** 104.035 (2) (a) 2. of the statutes is created to read:

13 104.035 (2) (a) 2. For wages earned on or after the effective date of this
14 subdivision ... [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

15 **SECTION 1847.** 104.035 (2) (a) 3. of the statutes is created to read:

16 104.035 (2) (a) 3. For wages earned on or after January 1, 2025, and prior to
17 January 1, 2026, \$9.25.

18 **SECTION 1848.** 104.035 (2) (a) 4. of the statutes is created to read:

19 104.035 (2) (a) 4. For wages earned on or after January 1, 2026, and prior to
20 January 1, 2027, \$10.25.

21 **SECTION 1849.** 104.035 (2m) (a) of the statutes is renumbered 104.035 (2m) (a)
22 (intro.) and amended to read:

23 104.035 (2m) (a) *Minimum rates.* (intro.) Except as provided in subs. (3) to ~~(8)~~
24 ~~(8m)~~, the minimum wage for an opportunity employee is as follows:

ASSEMBLY BILL 43**SECTION 1849**

1 1. For wages earned prior to the effective date of this subdivision [LRB
2 inserts date], \$5.90 per hour.

3 **SECTION 1850.** 104.035 (2m) (a) 2. of the statutes is created to read:

4 104.035 **(2m)** (a) 2. For wages earned on or after the effective date of this
5 subdivision [LRB inserts date], and prior to January 1, 2025, \$6.71 per hour.

6 **SECTION 1851.** 104.035 (2m) (a) 3. of the statutes is created to read:

7 104.035 **(2m)** (a) 3. For wages earned on or after January 1, 2025, and prior to
8 January 1, 2026, \$7.52.

9 **SECTION 1852.** 104.035 (2m) (a) 4. of the statutes is created to read:

10 104.035 **(2m)** (a) 4. For wages earned on or after January 1, 2026, and prior to
11 January 1, 2027, \$8.33.

12 **SECTION 1853.** 104.035 (3) (a) (intro.) of the statutes is amended to read:

13 104.035 **(3)** (a) *Minimum rates.* (intro.) Except as provided in subs. (4) to ~~(8)~~
14 ~~(8m)~~, if an employer of a tipped employee establishes by the employer's payroll
15 records that, when adding the tips received by the tipped employee in a week to the
16 wages paid to the tipped employee in that week, the tipped employee receives not less
17 than the applicable minimum wage specified in sub. (1), (2), or (2m), the minimum
18 wage for the tipped employee is as follows:

19 **SECTION 1854.** 104.035 (3) (a) 1. of the statutes is amended to read:

20 104.035 **(3)** (a) 1. For wages earned by a tipped employee who is not an
21 opportunity employee prior to the effective date of this subdivision [LRB inserts
22 date], \$2.33 per hour.

23 **SECTION 1855.** 104.035 (3) (a) 1d. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1855**

1 104.035 (3) (a) 1d. For wages earned by a tipped employee who is not an
2 opportunity employee, on or after the effective date of this subdivision ... [LRB
3 inserts date], and prior to January 1, 2025, \$2.65 per hour.

4 **SECTION 1856.** 104.035 (3) (a) 1h. of the statutes is created to read:

5 104.035 (3) (a) 1h. For wages earned by a tipped employee who is not an
6 opportunity employee, on or after January 1, 2025, and prior to January 1, 2026,
7 \$2.97 per hour.

8 **SECTION 1857.** 104.035 (3) (a) 1p. of the statutes is created to read:

9 104.035 (3) (a) 1p. For wages earned by a tipped employee who is not an
10 opportunity employee, on or after January 1, 2026, and prior to January 1, 2027,
11 \$3.29 per hour.

12 **SECTION 1858.** 104.035 (3) (a) 2. of the statutes is amended to read:

13 104.035 (3) (a) 2. For wages earned by a tipped employee who is an opportunity
14 employee prior to the effective date of this subdivision ... [LRB inserts date], \$2.13
15 per hour.

16 **SECTION 1859.** 104.035 (3) (a) 2d. of the statutes is created to read:

17 104.035 (3) (a) 2d. For wages earned by a tipped employee who is an
18 opportunity employee, on or after the effective date of this subdivision ... [LRB
19 inserts date], and prior to January 1, 2025, \$2.42 per hour.

20 **SECTION 1860.** 104.035 (3) (a) 2h. of the statutes is created to read:

21 104.035 (3) (a) 2h. For wages earned by a tipped employee who is an
22 opportunity employee, on or after January 1, 2025, and prior to January 1, 2026,
23 \$2.71 per hour.

24 **SECTION 1861.** 104.035 (3) (a) 2p. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1861**

1 104.035 (3) (a) 2p. For wages earned by a tipped employee who is an
2 opportunity employee, on or after January 1, 2026, and prior to January 1, 2027,
3 \$3.00 per hour.

4 **SECTION 1862.** 104.035 (4) (a) of the statutes is renumbered 104.035 (4) (a)
5 (intro.) and amended to read:

6 104.035 (4) (a) *Minimum rates.* (intro.) Except as provided in subs. (7) and (8)
7 to (8m), the minimum wage for an agricultural employee is as follows:

8 1. For wages earned prior to the effective date of this subdivision [LRB
9 inserts date], \$7.25 per hour.

10 **SECTION 1863.** 104.035 (4) (a) 2. of the statutes is created to read:

11 104.035 (4) (a) 2. For wages earned on or after the effective date of this
12 subdivision [LRB inserts date], and prior to January 1, 2025, \$8.25 per hour.

13 **SECTION 1864.** 104.035 (4) (a) 3. of the statutes is created to read:

14 104.035 (4) (a) 3. For wages earned on or after January 1, 2025, and prior to
15 January 1, 2026, \$9.25 per hour.

16 **SECTION 1865.** 104.035 (4) (a) 4. of the statutes is created to read:

17 104.035 (4) (a) 4. For wages earned on or after January 1, 2026, and prior to
18 January 1, 2027, \$10.25 per hour.

19 **SECTION 1866.** 104.035 (5) of the statutes is renumbered 104.035 (5) (intro.)
20 and amended to read:

21 104.035 (5) **CAMP COUNSELORS.** (intro.) The Except as provided in sub. (8m), the
22 minimum wage for a counselor at a seasonal recreational or educational camp,
23 including a day camp, is as follows:

ASSEMBLY BILL 43**SECTION 1866**

1 (a) Prior to the effective date of this paragraph [LRB inserts date], \$350 per
2 week if meals and lodging are not furnished, \$265 per week if only meals are
3 furnished, and \$210 per week if both meals and lodging are furnished.

4 **SECTION 1867.** 104.035 (5) (b) of the statutes is created to read:

5 104.035 (5) (b) On or after the effective date of this paragraph [LRB inserts
6 date], and prior to January 1, 2025, \$398.28 per week if meals and lodging are not
7 furnished, \$301.55 per week if only meals are furnished, and \$238.97 per week if both
8 meals and lodging are furnished.

9 **SECTION 1868.** 104.035 (5) (c) of the statutes is created to read:

10 104.035 (5) (c) On or after January 1, 2025, and prior to January 1, 2026,
11 \$446.56 per week if meals and lodging are not furnished, \$338.50 per week if only
12 meals are furnished, and \$267.94 per week if both meals and lodging are furnished.

13 **SECTION 1869.** 104.035 (5) (d) of the statutes is created to read:

14 104.035 (5) (d) On or after January 1, 2026, and prior to January 1, 2027,
15 \$494.84 per week if meals and lodging are not furnished, \$375.09 per week if only
16 meals are furnished, and \$296.91 per week if both meals and lodging are furnished.

17 **SECTION 1870.** 104.035 (6) of the statutes is renumbered 104.035 (6) (intro.)
18 and amended to read:

19 104.035 (6) GOLF CADDIES. (intro.) The Except as provided in sub. (8m), the
20 minimum wage for a golf caddy is as follows:

21 (a) Prior to the effective date of this paragraph [LRB inserts date], \$10.50
22 for caddying 18 holes and \$5.90 for caddying 9 holes.

23 **SECTION 1871.** 104.035 (6) (b) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1871**

1 104.035 (6) (b) On or after the effective date of this paragraph [LRB inserts
2 date], and prior to January 1, 2025, \$11.95 for caddying 18 holes and \$6.71 for
3 caddying 9 holes.

4 **SECTION 1872.** 104.035 (6) (c) of the statutes is created to read:

5 104.035 (6) (c) On or after January 1, 2025, and prior to January 1, 2026, \$13.40
6 for caddying 18 holes and \$7.52 for caddying 9 holes.

7 **SECTION 1873.** 104.035 (6) (d) of the statutes is created to read:

8 104.035 (6) (d) On or after January 1, 2026, and prior to January 1, 2027,
9 \$14.85 for caddying 18 holes and \$8.33 for caddying 9 holes.

10 **SECTION 1874.** 104.035 (8m) of the statutes is created to read:

11 104.035 (8m) MINIMUM WAGE ADJUSTMENTS. Effective on January 1, 2027, and
12 effective on each January 1 thereafter, the department shall revise the minimum
13 wages established under subs. (1) to (6). The department shall determine the revised
14 minimum wage by calculating the percentage difference between the consumer price
15 index for the 12-month period ending on the last day of the last month for which that
16 information is available and the consumer price index for the 12-month period
17 ending on the last day of the month 12 months prior to that month, adjusting the
18 minimum wages then in effect by that percentage difference. The department shall
19 annually have the revised amount published in the Wisconsin Administrative
20 Register and on the department's website.

21 **SECTION 1875.** 106.04 of the statutes is created to read:

22 **106.04 Employment of apprentices on state public works projects. (1)**
23 DEFINITION. In this section, "project" means a project of public works that is subject
24 to s. 103.49 or 103.50 in which work is performed by employees employed in trades
25 that are apprenticeable under this subchapter.

ASSEMBLY BILL 43**SECTION 1875**

1 **(2) WAIVER.** If the department grants an exception or modification to any
2 requirement in any contract for the performance of work on a project relating to the
3 employment and training of apprentices, the department shall post that information
4 on its Internet site, together with a detailed explanation for granting the exception
5 or modification.

6 **SECTION 1876.** 106.112 of the statutes is created to read:

7 **106.112 Local workforce development boards youth service and**
8 **training grants. (1) YOUTH SERVICE GRANTS.** From the appropriation under s.
9 20.445 (1) (bj), the department shall award grants to local workforce development
10 boards established under 29 USC 3122 for youth services and training in school and
11 outside school settings. Grants awarded under this section may be used for any of
12 the following purposes:

13 (a) Tutoring, paid and unpaid work experiences, preapprenticeship programs,
14 and internships.

15 (b) On-the-job training, occupational skills training, and education offered
16 concurrently with workforce preparation and training.

17 (c) Leadership development opportunities, supportive services, mentoring,
18 follow-up services, and counseling.

19 (d) Financial literacy education and entrepreneurial skills training.

20 (e) Education related to labor market information and employment
21 information, and postsecondary education and training preparation.

22 **(2) IMPLEMENTATION.** To implement this section, the department shall do all of
23 the following:

ASSEMBLY BILL 43**SECTION 1876**

1 (a) Promulgate rules prescribing procedures and criteria for awarding grants
2 under sub. (1) and the information with respect to those grants that must be
3 contained in the reports required under sub. (3).

4 (b) Receive and review applications for grants under sub. (1) (a) to (e) and
5 prescribe the form, nature, and extent of the information that must be contained in
6 an application for such a grant.

7 (c) Require annual reports from local workforce development boards that
8 receive grants that describe how the board expended the grant moneys and the
9 outcomes the board achieved, including the number of youth who participated in the
10 programs and services funded in part or wholly by the grant moneys.

11 **(3) ANNUAL REPORT.** Annually, by December 31, the department shall submit
12 a report to the governor and the cochairpersons of the joint committee on finance
13 providing an account of the department's activities and expenditures under this
14 section during the preceding fiscal year and detailing the amounts expended for each
15 of the grants provided under sub. (2) during that fiscal year.

16 **SECTION 1877.** 106.145 of the statutes is created to read:

17 **106.145 Worker advancement initiative. (1) WORKER ADVANCEMENT**
18 **INITIATIVE.** The department shall, from the appropriation under s. 20.445 (1) (cm),
19 establish and administer a worker advancement initiative to offer participants
20 subsidized employment and skills training opportunities with local employers. The
21 department shall target the subsidized employment and skills training
22 opportunities to individuals in sectors of the workforce that have not recovered from
23 the loss of employees due to the COVID-19 pandemic.

ASSEMBLY BILL 43**SECTION 1877**

1 **(2) WORKER ADVANCEMENT INITIATIVE; HEALTH-CARE WORKFORCE OPPORTUNITY**
2 GRANTS. (a) The department shall, from the appropriation under s. 20.445 (1) (cm),
3 establish and administer a program to do all of the following:

4 1. Make grants to local workforce development boards established under 29
5 USC 3122 to assist individuals whose employment status was negatively affected by
6 the COVID-19 pandemic and whose employment status has not improved. The
7 department shall prioritize connecting individuals to health-care-related
8 employment opportunities.

9 2. Make grants to technical colleges and nursing schools to implement
10 strategies to increase the number of graduates who go on to work in
11 health-care-related fields.

12 3. Provide solutions to reduce barriers to employment in health-care-related
13 fields and create ways to attract individuals to employment in health-care-related
14 fields. Solutions to reduce barriers to employment may include services to fulfill
15 clinical requirements, career navigation services, transportation services, and the
16 provision of supplies.

17 (b) During the 2023-25 fiscal biennium, of the moneys in the appropriation
18 under s. 20.445 (1) (cm), the department shall allocate \$2,500,000 in each fiscal year
19 of the 2023-25 fiscal biennium for establishing and administering the program
20 under par. (a).

21 **(3) WORKER ADVANCEMENT INITIATIVE; LOCAL CDL TRAINING GRANTS.** The
22 department shall, from the appropriation under s. 20.445 (1) (cm), make grants to
23 local workforce development boards established under 29 USC 3122 to provide
24 sector-based training programs related to increasing the number of individuals
25 obtaining commercial driver licenses, as defined in s. 340.01 (7m).

ASSEMBLY BILL 43**SECTION 1877**

1 (4) **WORKER ADVANCEMENT INITIATIVE; ROBUST PROGRAM.** (a) The department
2 shall, from the appropriation under s. 20.445 (1) (cm), establish and administer a
3 program for reengaging out-of-work, barriered, and underserved individuals
4 through system transformation. Through the program, the department shall find
5 methods to more effectively reach and serve population groups that are underserved
6 and disconnected from the labor force.

7 (b) During the 2023-25 fiscal biennium, of the moneys in the appropriation
8 under s. 20.445 (1) (cm), the department shall allocate \$4,500,000 in fiscal year
9 2023-24 for establishing and administering the program under par. (a).

10 (5) **IMPLEMENTATION.** (a) *Duties.* To implement this section, the department
11 shall receive and review applications for grants under subs. (2) and (3) and prescribe
12 the form, nature, and extent of the information that must be contained in an
13 application for a grant under sub. (2) or (3).

14 (b) *Powers.* In addition to the duties described in par. (a), the department shall
15 have all other powers necessary and convenient to implement this section, including
16 the power to audit and inspect the records of grant recipients.

17 **SECTION 1878.** 106.27 (title) of the statutes is amended to read:

18 **106.27 (title) Workforce training program programs.**

19 **SECTION 1879.** 106.27 (1p) of the statutes is created to read:

20 **106.27 (1p) WISCONSIN GREEN JOBS TRAINING PROGRAM.** (a) In this subsection,
21 “green jobs” means jobs that produce goods or provide services that benefit the
22 environment or conserve natural resources.

23 (b) From the appropriation under s. 20.445 (1) (bp), the department shall award
24 grants to public or private organizations for the development and implementation
25 of green jobs training programs in this state. As a condition of receiving a grant

ASSEMBLY BILL 43**SECTION 1879**

1 under this subsection, the department may require a public or private organization
2 to provide matching funds at a percentage to be determined by the department.

3 **SECTION 1880.** 106.27 (2g) (a) 1. of the statutes is amended to read:

4 106.27 (2g) (a) 1. Promulgate rules prescribing procedures and criteria for
5 awarding grants under ~~sub~~ subs. (1) and (1p) and the information with respect to
6 those grants that must be contained in the reports required under subd. 3.

7 **SECTION 1881.** 106.27 (2g) (a) 2. of the statutes is amended to read:

8 106.27 (2g) (a) 2. Receive and review applications for grants under subs. (1),
9 (1g), ~~and (1j) (am),~~ and (1p) and prescribe the form, nature, and extent of the
10 information that must be contained in an application for a grant under ~~sub.~~ subs. (1),
11 (1g), ~~or (1j) (am),~~ and (1p).

12 **SECTION 1882.** 106.28 of the statutes is created to read:

13 **106.28 Clean energy training and reemployment program.** The
14 department shall, from the appropriation under s. 20.445 (1) (bq), establish and
15 administer a clean energy training and reemployment program to connect workers
16 with employers and use other apprenticeship and technical college programs to
17 deliver training for clean energy jobs.

18 **SECTION 1883.** 106.29 of the statutes is created to read:

19 **106.29 Workforce innovation grant program. (1) WORKFORCE INNOVATION**
20 **GRANTS.** The department shall, from the appropriation under s. 20.445 (1) (bw),
21 establish and operate a program to provide grants to regional organizations to design
22 and implement plans to address their region's workforce challenges that arose
23 during or were exacerbated by the COVID-19 pandemic.

24 **(2) IMPLEMENTATION.** (a) *Duties.* To implement this section, the department
25 shall receive and review applications for grants under sub. (1) and prescribe the

ASSEMBLY BILL 43**SECTION 1883**

1 form, nature, and extent of the information that must be contained in an application
2 for a grant under sub. (1).

3 (b) *Powers*. In addition to the duties described in par. (a), the department shall
4 have all other powers necessary and convenient to implement this section, including
5 the power to audit and inspect the records of grant recipients.

6 **SECTION 1884.** 106.30 (1) of the statutes is amended to read:

7 106.30 (1) DEFINITION. In this section, “nurse” means a registered nurse
8 licensed under s. 441.06 or permitted under s. 441.08, a licensed practical nurse
9 licensed or permitted under s. 441.10, or an advanced practice registered nurse
10 ~~prescriber certified under s. 441.16 (2), or a nurse-midwife licensed under s. 441.15~~
11 441.09.

12 **SECTION 1885.** 106.30 (2) of the statutes is amended to read:

13 106.30 (2) SURVEY FORM. ~~Each odd-numbered year~~ Biennially, the department
14 of workforce development shall develop and submit to the department of safety and
15 professional services a survey form to gather data under s. 441.01 (7) (a) 1. to assist
16 the department of workforce development in evaluating the supply of, demand for,
17 and turnover among nurses in this state and in determining whether there are any
18 regional shortages of nurses, shortages of nurses in any speciality areas, or
19 impediments to entering the nursing profession in this state.

20 **SECTION 1886.** 106.50 (1) of the statutes is amended to read:

21 106.50 (1) INTENT. It is the intent of this section to render unlawful
22 discrimination in housing. It is the declared policy of this state that all persons shall
23 have an equal opportunity for housing regardless of sex, race, color, sexual
24 orientation, disability, religion, national origin, marital status, family status, status
25 as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of

ASSEMBLY BILL 43**SECTION 1886**

1 domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry
2 and it is the duty of the political subdivisions to assist in the orderly prevention or
3 removal of all discrimination in housing through the powers granted under ss.
4 66.0125 and 66.1011. The legislature hereby extends the state law governing equal
5 housing opportunities to cover single-family residences that are owner-occupied.
6 The legislature finds that the sale and rental of single-family residences constitute
7 a significant portion of the housing business in this state and should be regulated.
8 This section shall be considered an exercise of the police powers of the state for the
9 protection of the welfare, health, peace, dignity, and human rights of the people of
10 this state.

11 **SECTION 1887.** 106.50 (1m) (h) of the statutes is amended to read:

12 106.50 (1m) (h) “Discriminate” means to segregate, separate, exclude, or treat
13 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
14 because of sex, race, color, sexual orientation, disability, religion, national origin,
15 marital status, family status, status as a holder or nonholder of a license under s.
16 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, lawful
17 source of income, age, or ancestry.

18 **SECTION 1888.** 106.50 (1m) (nm) of the statutes is amended to read:

19 106.50 (1m) (nm) “Member of a protected class” means a group of natural
20 persons, or a natural person, who may be categorized because of sex, race, color,
21 disability, sexual orientation, religion, national origin, marital status, family status,
22 status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim
23 of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.

24 **SECTION 1889.** 106.50 (5m) (f) 1. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1889**

1 106.50 **(5m)** (f) 1. Nothing in this section prohibits an owner or agent from
2 requiring that a person who seeks to buy or rent housing supply information
3 concerning family status, and marital, financial, and business status but not
4 concerning race, color, disability, sexual orientation, ancestry, national origin,
5 religion, creed, status as a holder or nonholder of a license under s. 343.03 (3r), status
6 as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd. 2., age.

7 **SECTION 1890.** 106.52 (3) (a) 1. of the statutes is amended to read:

8 106.52 **(3)** (a) 1. Deny to another or charge another a higher price than the
9 regular rate for the full and equal enjoyment of any public place of accommodation
10 or amusement because of sex, race, color, creed, disability, sexual orientation,
11 national origin, or ancestry or because a person holds or does not hold a license under
12 s. 343.03 (3r).

13 **SECTION 1891.** 106.52 (3) (a) 2. of the statutes is amended to read:

14 106.52 **(3)** (a) 2. Give preferential treatment to some classes of persons in
15 providing services or facilities in any public place of accommodation or amusement
16 because of sex, race, color, creed, sexual orientation, national origin, or ancestry or
17 because a person holds or does not hold a license under s. 343.03 (3r).

18 **SECTION 1892.** 106.52 (3) (a) 3. of the statutes is amended to read:

19 106.52 **(3)** (a) 3. Directly or indirectly publish, circulate, display or mail any
20 written communication which the communicator knows is to the effect that any of
21 the facilities of any public place of accommodation or amusement will be denied to
22 any person by reason of sex, race, color, creed, disability, sexual orientation, national
23 origin, or ancestry or because a person holds or does not hold a license under s. 343.03
24 (3r) or that the patronage of a person is unwelcome, objectionable or unacceptable
25 for any of those reasons.

ASSEMBLY BILL 43**SECTION 1893**

1 **SECTION 1893.** 106.52 (3) (a) 4. of the statutes is amended to read:

2 106.52 **(3)** (a) 4. Refuse to furnish or charge another a higher rate for any
3 automobile insurance because of race, color, creed, disability, national origin, or
4 ancestry or because a person holds or does not hold a license under s. 343.03 (3r).

5 **SECTION 1894.** 106.52 (3) (a) 5. of the statutes is amended to read:

6 106.52 **(3)** (a) 5. Refuse to rent, charge a higher price than the regular rate or
7 give preferential treatment, because of sex, race, color, creed, sexual orientation,
8 national origin, or ancestry or because a person holds or does not hold a license under
9 s. 343.03 (3r), regarding the use of any private facilities commonly rented to the
10 public.

11 **SECTION 1895.** 106.54 (11) of the statutes is created to read:

12 106.54 **(11)** The division shall receive complaints under s. 103.135 (1) (a) and
13 (2) (a) to (c) and shall process the complaints in the same manner that employment
14 discrimination complaints are processed under s. 111.39.

15 **SECTION 1896.** 108.02 (18r) of the statutes is created to read:

16 108.02 **(18r)** MARIJUANA. "Marijuana" has the meaning given in s. 111.32 (11m).

17 **SECTION 1897.** 108.04 (2) (h) of the statutes is amended to read:

18 108.04 **(2)** (h) A claimant shall, when the claimant first files a claim for benefits
19 under this chapter and during each subsequent week the claimant files for benefits
20 under this chapter, inform the department whether he or she is receiving social
21 security disability insurance payments, as defined in ~~sub. (12) (f) 2m~~ s. 108.05 (7m)
22 (b). If the claimant is receiving social security disability insurance payments, the
23 claimant shall, in the manner prescribed by the department, report to the
24 department the amount of the social security disability insurance payments.

25 **SECTION 1898.** 108.04 (5m) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1898**

1 108.04 **(5m)** DISCHARGE FOR USE OF MARIJUANA. (a) Notwithstanding sub. (5),
2 “misconduct,” for purposes of sub. (5), does not include the employee’s use of
3 marijuana off the employer’s premises during nonworking hours or a violation of the
4 employer’s policy concerning such use, unless termination of the employee because
5 of that use is permitted under s. 111.35.

6 (b) Notwithstanding sub. (5g), “substantial fault,” for purposes of sub. (5g), does
7 not include the employee’s use of marijuana off the employer’s premises during
8 nonworking hours or a violation of the employer’s policy concerning such use, unless
9 termination of the employee because of that use is permitted under s. 111.35.

10 **SECTION 1899.** 108.04 (12) (f) 1m. and 2m. of the statutes are renumbered
11 108.05 (7m) (a) and (b) and amended to read:

12 108.05 **(7m)** (a) The intent of the legislature in enacting this ~~paragraph~~
13 subsection is to prevent the payment of duplicative government benefits for the
14 replacement of lost earnings or income, regardless of an individual’s ability to work.

15 (b) In this ~~paragraph~~ subsection, “social security disability insurance payment”
16 means a payment of social security disability insurance benefits under 42 USC ch.
17 7 subch. II.

18 **SECTION 1900.** 108.04 (12) (f) 3. of the statutes is repealed.

19 **SECTION 1901.** 108.04 (12) (f) 4. of the statutes is renumbered 108.05 (7m) (e).

20 **SECTION 1902.** 108.05 (7m) (title), (c) and (d) of the statutes are created to read:

21 108.05 **(7m)** (title) SOCIAL SECURITY DISABILITY INSURANCE PAYMENTS.

22 (c) If a monthly social security disability insurance payment is issued to a
23 claimant, the department shall reduce benefits otherwise payable to the claimant for
24 a given week in accordance with par. (d). This subsection does not apply to a lump

ASSEMBLY BILL 43**SECTION 1902**

1 sum social security disability insurance payment in the nature of a retroactive
2 payment or back pay.

3 (d) The department shall allocate a monthly social security disability insurance
4 payment by allocating to each week the fraction of the payment attributable to that
5 week.

6 **SECTION 1903.** 108.05 (9) of the statutes is amended to read:

7 108.05 (9) ROUNDING OF BENEFIT AMOUNTS. Notwithstanding sub. (1), benefits
8 payable for a week of unemployment as a result of applying sub. (1m), (3) or, (7), or
9 (7m) or s. 108.04 (11) or (12), 108.06 (1), 108.13 (4) or (5) or 108.135 shall be rounded
10 down to the next lowest dollar.

11 **SECTION 1904.** 108.05 (10) (intro.) of the statutes is amended to read:

12 108.05 (10) DEDUCTIONS FROM BENEFIT PAYMENTS. (intro.) After calculating the
13 benefit payment due to be paid for a week under subs. (1) to ~~(7)~~ (7m), the department
14 shall make deductions from that payment to the extent that the payment is sufficient
15 to make the following payments in the following order:

16 **SECTION 1905.** 108.221 (1) (a) of the statutes is renumbered 108.221 (1) (a)
17 (intro.) and amended to read:

18 108.221 (1) (a) (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged~~
19 ~~in the painting or drywall finishing of buildings or other structures~~ who knowingly
20 and intentionally provides false information to the department for the purpose of
21 misclassifying or attempting to misclassify an individual who is an employee of the
22 employer as a nonemployee shall, for each incident, be assessed a penalty by the
23 department as follows:

ASSEMBLY BILL 43**SECTION 1905**

1 1. For each act occurring before the date of the first determination of a violation
2 of this subsection, the employer shall be assessed a penalty in the amount of \$500
3 for each employee who is misclassified, ~~but not to exceed \$7,500 per incident.~~

4 **SECTION 1906.** 108.221 (1) (a) 2. of the statutes is created to read:

5 108.221 (1) (a) 2. For each act occurring after the date of the first determination
6 of a violation of this subsection, the employer shall be assessed a penalty in the
7 amount of \$1,000 for each employee who is misclassified.

8 **SECTION 1907.** 108.221 (2) of the statutes is renumbered 108.221 (2) (intro.)
9 and amended to read:

10 108.221 (2) (intro.) Any employer ~~described in s. 108.18 (2) (c) or engaged in the~~
11 ~~painting or drywall finishing of buildings or other structures~~ who, through coercion,
12 requires an individual to adopt the status of a nonemployee shall be assessed a
13 penalty by the department as follows:

14 (a) For each act occurring before the date of the first determination of a
15 violation of this subsection, the employer shall be assessed a penalty in the amount
16 of \$1,000 for each individual so coerced, ~~but not to exceed \$10,000 per calendar year.~~

17 **SECTION 1908.** 108.221 (2) (b) of the statutes is created to read:

18 108.221 (2) (b) For each act occurring after the date of the first determination
19 of a violation of this subsection, the employer shall be assessed a penalty in the
20 amount of \$2,000 for each individual so coerced.

21 **SECTION 1909.** 108.24 (2m) of the statutes is amended to read:

22 108.24 (2m) Any employer ~~described in s. 108.18 (2) (c) or engaged in the~~
23 ~~painting or drywall finishing of buildings or other structures~~ who, after having
24 previously been assessed an administrative penalty by the department under s.

ASSEMBLY BILL 43**SECTION 1909**

1 108.221 (1), knowingly and intentionally provides false information to the
2 department for the purpose of misclassifying or attempting to misclassify an
3 individual who is an employee of the employer as a nonemployee shall be fined \$1,000
4 for each employee who is misclassified, subject to a maximum fine of \$25,000 for each
5 violation. The department may, regardless of whether an employer has been subject
6 to any administrative assessment under s. 108.221 or any other penalty or
7 assessment under this chapter, refer violations of this subsection for prosecution by
8 the department of justice or the district attorney for the county in which the violation
9 occurred.

10 **SECTION 1910.** 109.03 (1) (b) of the statutes is amended to read:

11 109.03 (1) (b) School district employees, cooperative educational service agency
12 employees, and private school employees who voluntarily request payment over a
13 12-month period for personal services performed during the school year, unless, ~~with~~
14 ~~respect to private school employees~~, the employees are covered under a valid
15 collective bargaining agreement which precludes this method of payment.

16 **SECTION 1911.** 109.09 (1) of the statutes is amended to read:

17 109.09 (1) The department shall investigate and attempt equitably to adjust
18 controversies between employers and employees as to regarding alleged wage
19 claims. The department may receive and investigate any wage claim that is filed
20 with the department, or received by the department under s. 109.10 (4), no later than
21 2 years after the date the wages are due. The department may, after receiving a wage
22 claim, investigate any wages due from the employer against whom the claim is filed
23 to any employee during the period commencing 2 years before the date the claim is
24 filed. The department shall enforce this chapter and s. ss. 66.0903, 2013 stats., s.
25 103.49, 2013 stats., s. 229.8275, 2013 stats., and s. 16.856, 2015 stats., and ss. 103.02,

ASSEMBLY BILL 43**SECTION 1911**

1 103.49, 103.82, and 104.12, and 229.8275. In pursuance of this duty, the department
2 may sue the employer on behalf of the employee to collect any wage claim or wage
3 deficiency and ss. 109.03 (6) and 109.11 (2) and (3) shall apply to such actions. Except
4 for actions under s. 109.10, the department may refer such an action to the district
5 attorney of the county in which the violation occurs for prosecution and collection and
6 the district attorney shall commence an action in the circuit court having appropriate
7 jurisdiction. Any number of wage claims or wage deficiencies against the same
8 employer may be joined in a single proceeding, but the court may order separate
9 trials or hearings. In actions that are referred to a district attorney under this
10 subsection, any taxable costs recovered by the district attorney shall be paid into the
11 general fund of the county in which the violation occurs and used by that county to
12 meet its financial responsibility under s. 978.13 (2) (b) for the operation of the office
13 of the district attorney who prosecuted the action.

14 **SECTION 1912.** 109.09 (3) of the statutes is repealed.

15 **SECTION 1913.** 110.07 (1) (a) (intro.) of the statutes is amended to read:

16 110.07 (1) (a) (intro.) The secretary shall employ not more than ~~399~~ 434 traffic
17 officers. The state traffic patrol consists of the traffic officers, the person designated
18 to head them whose position shall be in the classified service and, if certified under
19 s. 165.85 (4) (a) 1. as qualified to be a law enforcement officer, the division
20 administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include
21 supervising the state traffic patrol. The division administrator may not be counted
22 under this paragraph. Members of the state traffic patrol shall:

23 **SECTION 1914.** 111.01 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1914**

1 **111.01 Declaration of policy.** The public policy of the state as to employment
2 relations and collective bargaining, in the furtherance of which this subchapter is
3 enacted, is declared to be as follows:

4 **(1)** It recognizes that there are 3 major interests involved, namely: the public,
5 the employee, and the employer. These 3 interests are to a considerable extent
6 interrelated. It is the policy of the state to protect and promote each of these interests
7 with due regard to the situation and to the rights of the others.

8 **(2)** Industrial peace, regular and adequate income for the employee, and
9 uninterrupted production of goods and services are promotive of all of these
10 interests. They are largely dependent upon the maintenance of fair, friendly, and
11 mutually satisfactory employment relations and the availability of suitable
12 machinery for the peaceful adjustment of whatever controversies may arise. It is
13 recognized that certain employers, including farmers, farmer cooperatives, and
14 unincorporated farmer cooperative associations, in addition to their general
15 employer problems, face special problems arising from perishable commodities and
16 seasonal production that require adequate consideration. It is also recognized that
17 whatever may be the rights of disputants with respect to each other in any
18 controversy regarding employment relations, they should not be permitted, in the
19 conduct of their controversy, to intrude directly into the primary rights of 3rd parties
20 to earn a livelihood, transact business, and engage in the ordinary affairs of life by
21 any lawful means and free from molestation, interference, restraint, or coercion.

22 **(3)** Negotiations of terms and conditions of work should result from voluntary
23 agreement between employer and employee. For the purpose of such negotiation an
24 employee has the right, if the employee desires, to associate with others in organizing

ASSEMBLY BILL 43**SECTION 1914**

1 and bargaining collectively through representatives of the employee's own choosing,
2 without intimidation or coercion from any source.

3 (4) It is the policy of the state, in order to preserve and promote the interests
4 of the public, the employee, and the employer alike, to establish standards of fair
5 conduct in employment relations and to provide a convenient, expeditious, and
6 impartial tribunal by which these interests may have their respective rights and
7 obligations adjudicated. While limiting individual and group rights of aggression
8 and defense, the state substitutes processes of justice for the more primitive methods
9 of trial by combat.

10 **SECTION 1915.** 111.04 (1) and (2) of the statutes are consolidated, renumbered
11 111.04 and amended to read:

12 **111.04 Rights of employees.** Employees shall have the right of
13 self-organization and the right to form, join or assist labor organizations, to bargain
14 collectively through representatives of their own choosing, and to engage in lawful,
15 concerted activities for the purpose of collective bargaining or other mutual aid or
16 protection. ~~(2) Employees shall also have the right to refrain from self-organization;~~
17 ~~forming, joining, or assisting labor organizations; bargaining collectively through~~
18 ~~representatives; or engaging in activities for the purpose of collective bargaining or~~
19 ~~other mutual aid or protection such activities.~~

20 **SECTION 1916.** 111.04 (3) of the statutes is repealed.

21 **SECTION 1917.** 111.06 (1) (c) of the statutes is amended to read:

22 111.06 (1) (c) To encourage or discourage membership in any labor
23 organization, employee agency, committee, association, or representation plan by
24 discrimination in regard to hiring, tenure, or other terms or conditions of
25 employment except in a collective bargaining unit where an all-union agreement is

ASSEMBLY BILL 43**SECTION 1917**

1 in effect. An employer may enter into an all-union agreement with the voluntarily
2 recognized representative of the employees in a collective bargaining unit, where at
3 least a majority of such employees voting have voted affirmatively, by secret ballot,
4 in favor of the all-union agreement in a referendum conducted by the commission,
5 except that where the bargaining representative has been certified by either the
6 commission or the national labor relations board as the result of a representation
7 election, no referendum is required to authorize the entry into an all-union
8 agreement. An authorization of an all-union agreement continues, subject to the
9 right of either party to the all-union agreement to petition the commission to conduct
10 a new referendum on the subject. Upon receipt of the petition, if the commission
11 determines there is reasonable ground to believe that the employees concerned have
12 changed their attitude toward the all-union agreement, the commission shall
13 conduct a referendum. If the continuance of the all-union agreement is supported
14 on a referendum by a vote at least equal to that provided in this paragraph for its
15 initial authorization, it may continue, subject to the right to petition for a further
16 vote by the procedure under this paragraph. If the continuance of the all-union
17 agreement is not supported on a referendum, it terminates at the expiration of the
18 contract of which it is then a part or at the end of one year from the date of the
19 announcement by the commission of the result of the referendum, whichever is
20 earlier. The commission shall declare any all-union agreement terminated
21 whenever it finds that the labor organization involved has unreasonably refused to
22 receive as a member any employee of such employer. An interested person may, as
23 provided in s. 111.07, request the commission to perform this duty.

24 **SECTION 1918.** 111.06 (1) (e) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1918**

1 111.06 (1) (e) To bargain collectively with the representatives of less than a
2 majority of the employer's employees in a collective bargaining unit, or to enter into
3 an all-union agreement except in the manner provided in par. (c).

4 **SECTION 1919.** 111.06 (1) (i) of the statutes is amended to read:

5 111.06 (1) (i) To deduct labor organization dues or assessments from an
6 employee's earnings, unless the employer has been presented with an individual
7 order therefor, signed by the employee personally, and terminable at the end of any
8 year of its life by the employee giving to the employer at least 30 days' written notice
9 of the termination. ~~This paragraph applies to the extent permitted under federal law~~
10 unless there is an all-union agreement in effect. The employer shall give notice to
11 the labor organization of receipt of a notice of termination.

12 **SECTION 1920.** 111.31 (1) of the statutes is amended to read:

13 111.31 (1) The legislature finds that the practice of unfair discrimination in
14 employment against properly qualified individuals by reason of their age, race,
15 creed, color, disability, marital status, sex, national origin, ancestry, sexual
16 orientation, gender expression, gender identity, arrest record, conviction record,
17 military service, status as a holder or nonholder of a license under s. 343.03 (3r), use
18 or nonuse of lawful products off the employer's premises during nonworking hours,
19 or declining to attend a meeting or to participate in any communication about
20 religious matters or political matters, substantially and adversely affects the general
21 welfare of the state. Employers, labor organizations, employment agencies, and
22 licensing agencies that deny employment opportunities and discriminate in
23 employment against properly qualified individuals solely because of their age, race,
24 creed, color, disability, marital status, sex, national origin, ancestry, sexual
25 orientation, gender expression, gender identity, arrest record, conviction record,

ASSEMBLY BILL 43**SECTION 1920**

1 military service, status as a holder or nonholder of a license under s. 343.03 (3r), use
2 or nonuse of lawful products off the employer's premises during nonworking hours,
3 or declining to attend a meeting or to participate in any communication about
4 religious matters or political matters, deprive those individuals of the earnings that
5 are necessary to maintain a just and decent standard of living.

6 **SECTION 1921.** 111.31 (2) of the statutes is amended to read:

7 111.31 (2) It is the intent of the legislature to protect by law the rights of all
8 individuals to obtain gainful employment and to enjoy privileges free from
9 employment discrimination because of age, race, creed, color, disability, marital
10 status, sex, national origin, ancestry, sexual orientation, gender expression, gender
11 identity, arrest record, conviction record, military service, status as a holder or
12 nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the
13 employer's premises during nonworking hours, or declining to attend a meeting or
14 to participate in any communication about religious matters or political matters, and
15 to encourage the full, nondiscriminatory utilization of the productive resources of the
16 state to the benefit of the state, the family, and all the people of the state. It is the
17 intent of the legislature in promulgating this subchapter to encourage employers to
18 evaluate an employee or applicant for employment based upon the individual
19 qualifications of the employee or applicant rather than upon a particular class to
20 which the individual may belong.

21 **SECTION 1922.** 111.31 (3) of the statutes is amended to read:

22 111.31 (3) In the interpretation and application of this subchapter, and
23 otherwise, it is declared to be the public policy of the state to encourage and foster
24 to the fullest extent practicable the employment of all properly qualified individuals
25 regardless of age, race, creed, color, disability, marital status, sex, national origin,

ASSEMBLY BILL 43**SECTION 1922**

1 ancestry, sexual orientation, gender expression, gender identity, arrest record,
2 conviction record, military service, status as a holder or nonholder of a license under
3 s. 343.03 (3r), use or nonuse of lawful products off the employer's premises during
4 nonworking hours, or declining to attend a meeting or to participate in any
5 communication about religious matters or political matters. Nothing in this
6 subsection requires an affirmative action program to correct an imbalance in the
7 work force. This subchapter shall be liberally construed for the accomplishment of
8 this purpose.

9 **SECTION 1923.** 111.32 (7j) of the statutes is created to read:

10 111.32 (7j) "Gender expression" means an individual's actual or perceived
11 gender-related appearance, behavior, or expression, regardless of whether these
12 traits are stereotypically associated with the individual's assigned sex at birth.

13 **SECTION 1924.** 111.32 (7k) of the statutes is created to read:

14 111.32 (7k) "Gender identity" means an individual's internal understanding
15 of the individual's gender, or the individual's perceived gender identity.

16 **SECTION 1925.** 111.32 (9m) of the statutes is created to read:

17 111.32 (9m) "Lawful product" includes marijuana.

18 **SECTION 1926.** 111.32 (11m) of the statutes is created to read:

19 111.32 (11m) "Marijuana" means all parts of the plants of the genus Cannabis,
20 whether growing or not; the seeds thereof; the resin extracted from any part of the
21 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
22 of the plant, its seeds or resin, including tetrahydrocannabinols.

23 **SECTION 1927.** 111.32 (12) of the statutes is amended to read:

24 111.32 (12) "Marital status" means the status of being married, single,
25 divorced, separated, or widowed a surviving spouse.

ASSEMBLY BILL 43**SECTION 1928**

1 **SECTION 1928.** 111.321 of the statutes is amended to read:

2 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
3 111.365, no employer, labor organization, employment agency, licensing agency, or
4 other person may engage in any act of employment discrimination as specified in s.
5 111.322 against any individual on the basis of age, race, creed, color, disability,
6 marital status, sex, national origin, ancestry, sexual orientation, gender expression,
7 gender identity, arrest record, conviction record, military service, status as a holder
8 or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful products off the
9 employer's premises during nonworking hours, or declining to attend a meeting or
10 to participate in any communication about religious matters or political matters.

11 **SECTION 1929.** 111.322 (2m) (a) of the statutes is amended to read:

12 111.322 (2m) (a) The individual files a complaint or attempts to enforce any
13 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.28, 103.32, 103.34,
14 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to
15 101.599 or 103.64 to 103.82.

16 **SECTION 1930.** 111.322 (2m) (a) of the statutes, as affected by 2023 Wisconsin
17 Act (this act), is amended to read:

18 111.322 (2m) (a) The individual files a complaint or attempts to enforce any
19 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.135, 103.28, 103.32,
20 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss.
21 101.58 to 101.599 or 103.64 to 103.82.

22 **SECTION 1931.** 111.322 (2m) (b) of the statutes is amended to read:

23 111.322 (2m) (b) The individual testifies or assists in any action or proceeding
24 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,

ASSEMBLY BILL 43**SECTION 1931**

1 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075, 146.997, or
2 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

3 **SECTION 1932.** 111.322 (2m) (b) of the statutes, as affected by 2023 Wisconsin
4 Act (this act), is amended to read:

5 111.322 **(2m)** (b) The individual testifies or assists in any action or proceeding
6 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,
7 103.135, 103.28, 103.32, 103.34, 103.455, 103.50, 104.12, 109.03, 109.07, 109.075,
8 146.997, or 995.55, or ss. 101.58 to 101.599 or 103.64 to 103.82.

9 **SECTION 1933.** 111.322 (2m) (c) of the statutes is created to read:

10 111.322 **(2m)** (c) The individual files a complaint or attempts to enforce a right
11 under s. 66.0903, 103.49, or 229.8275 or testifies or assists in any action or
12 proceeding under s. 66.0903, 103.49, or 229.8275.

13 **SECTION 1934.** 111.335 (3) (a) of the statutes is renumbered 111.335 (3) (ar).

14 **SECTION 1935.** 111.335 (3) (ag) of the statutes is created to read:

15 111.335 **(3)** (ag) 1. Employment discrimination because of conviction record
16 includes a prospective employer requesting an applicant for employment, on an
17 application form or otherwise, to supply information regarding the conviction record
18 of the applicant, or otherwise inquiring into or considering the conviction record of
19 an applicant for employment, before the applicant has been selected for an interview
20 by the prospective employer.

21 2. Subdivision 1. does not prohibit a prospective employer from notifying
22 applicants for employment that, subject to this section and ss. 111.321 and 111.322,
23 an individual with a particular conviction record may be disqualified by law or under
24 the employer's policies from employment in particular positions.

25 **SECTION 1936.** 111.335 (3) (ah) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1936**

1 111.335 (3) (ah) 1. Employment discrimination because of conviction record
2 includes, but is not limited to, requesting an applicant, employee, member, licensee,
3 or any other individual, on an application form or otherwise, to supply information
4 regarding a crime the record of which has been expunged under s. 973.015. A request
5 to supply information regarding criminal convictions shall not be construed as a
6 request to supply information regarding a crime the record of which has been
7 expunged under s. 973.015.

8 2. Notwithstanding par. (ar) 1., and except as provided in par. (g), it is
9 employment discrimination because of conviction record for an employer or licensing
10 agency to engage in any act of employment discrimination specified in s. 111.322 on
11 the basis of a conviction the record of which has been expunged under s. 973.015.
12 This subdivision does not apply to the extent that its application conflicts with
13 federal law.

14 **SECTION 1937.** 111.335 (3) (g) of the statutes is created to read:

15 111.335 (3) (g) Notwithstanding s. 111.322, it is not employment discrimination
16 because of conviction record for the law enforcement standards board to refuse to
17 certify, recertify, or allow to participate in a preparatory training program or to
18 decertify under s. 165.85 an individual who has a conviction the record of which has
19 been expunged under s. 973.015.

20 **SECTION 1938.** 111.335 (4) (b) of the statutes is amended to read:

21 111.335 (4) (b) It is employment discrimination because of conviction record for
22 a licensing agency to refuse to license any individual under sub. (3) (a) (ar) 1. or to
23 bar or terminate an individual from licensing under sub. (3) (a) (ar) 1. because the
24 individual was adjudicated delinquent under ch. 938 for an offense other than an
25 exempt offense.

ASSEMBLY BILL 43**SECTION 1939**

1 **SECTION 1939.** 111.335 (4) (c) 1. (intro.) of the statutes is amended to read:

2 111.335 (4) (c) 1. (intro.) If a licensing agency refuses to license an individual
3 under sub. (3) ~~(a)~~ (ar) 1. or bars or terminates an individual from licensing under sub.
4 (3) ~~(a)~~ (ar) 1., the licensing agency shall, subject to subd. 2., do all of the following:

5 **SECTION 1940.** 111.335 (4) (e) of the statutes is amended to read:

6 111.335 (4) (e) A state licensing agency that may refuse to license individuals
7 under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate an individual from licensure
8 under sub. (3) ~~(a)~~ (ar) 1. shall publish on the agency's Internet site a document
9 indicating the offenses or kinds of offenses that may result in such a refusal, bar, or
10 termination.

11 **SECTION 1941.** 111.335 (4) (f) 1. of the statutes is amended to read:

12 111.335 (4) (f) 1. A state licensing agency that may refuse to license individuals
13 under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate individuals from licensing
14 under sub. (3) ~~(a)~~ (ar) 1. shall allow an individual who does not possess a license to,
15 without submitting a full application and without paying the fees applicable to
16 applicants, apply to the agency for a determination of whether the individual would
17 be disqualified from obtaining the license due to his or her conviction record.

18 **SECTION 1942.** 111.35 (2) (e) of the statutes is amended to read:

19 111.35 (2) (e) Conflicts with any federal or state statute, rule or regulation.
20 This paragraph does not apply with respect to violations concerning marijuana or
21 tetrahydrocannabinols under 21 USC 841 to 865.

22 **SECTION 1943.** 111.36 (title) of the statutes is amended to read:

23 **111.36 (title) Sex, sexual orientation, gender expression, gender**
24 **identity; exceptions and special cases.**

25 **SECTION 1944.** 111.36 (1) (br) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1944**

1 111.36 (1) (br) Engaging in harassment that consists of unwelcome verbal or
2 physical conduct directed at another individual because of that individual's gender,
3 gender expression, or gender identity, other than the conduct described in par. (b),
4 and that has the purpose or effect of creating an intimidating, hostile, or offensive
5 work environment or has the purpose or effect of substantially interfering with that
6 individual's work performance. Under this paragraph, substantial interference with
7 an employee's work performance or creation of an intimidating, hostile, or offensive
8 work environment is established when the conduct is such that a reasonable person
9 under the same circumstances as the employee would consider the conduct
10 sufficiently severe or pervasive to interfere substantially with the person's work
11 performance or to create an intimidating, hostile, or offensive work environment.

12 **SECTION 1945.** 111.36 (1) (c) of the statutes is amended to read:

13 111.36 (1) (c) Discriminating against any ~~woman~~ individual on the basis of
14 pregnancy, childbirth, ~~maternity~~ parental leave, or related medical conditions by
15 engaging in any of the actions prohibited under s. 111.322, including, but not limited
16 to, actions concerning fringe benefit programs covering illnesses and disability.

17 **SECTION 1946.** 111.36 (1) (d) 1. of the statutes is amended to read:

18 111.36 (1) (d) 1. ~~For any employer, labor organization, licensing agency or~~
19 ~~employment agency or other person to refuse~~ Refusing to hire, employ, admit or
20 license, ~~or to bar or terminate~~ any individual; barring or terminating from
21 employment, membership, or licensure any individual,; or ~~to discriminate~~
22 discriminating against an any individual in promotion, in compensation, or in the
23 terms, conditions, or privileges of employment because of the individual's sexual
24 orientation; ~~or, gender expression, or gender identity.~~

25 **SECTION 1947.** 111.36 (1) (d) 2. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1947**

1 111.36 (1) (d) 2. ~~For any employer, labor organization, licensing agency or~~
2 ~~employment agency or other person to discharge~~ Discharging or otherwise
3 ~~discriminate~~ discriminating against any person because ~~he or she~~ the person has
4 opposed any discriminatory practices under this paragraph or because ~~he or she~~ the
5 person has made a complaint, testified or assisted in any proceeding under this
6 paragraph.

7 **SECTION 1948.** 111.36 (4) of the statutes is created to read:

8 111.36 (4) Notwithstanding s. 111.322, it is not employment discrimination for
9 an employer to require an employee to adhere to reasonable workplace appearance,
10 grooming, and dress standards not precluded by other provisions of state or federal
11 law, provided that an employer shall allow an employee to appear or dress
12 consistently with the employee's gender identity or gender expression.

13 **SECTION 1949.** 111.39 (4) (d) of the statutes is amended to read:

14 111.39 (4) (d) The department shall serve a certified copy of the findings and
15 order on the respondent, the order to have the same force as other orders of the
16 department and be enforced as provided in s. 103.005. The department shall also
17 serve a certified copy of the findings and order on the complainant, together with a
18 notice advising the complainant about the right to seek, and the time for seeking,
19 review by the commission under sub. (5); about the right to bring, and the time for
20 bringing, an action for judicial review under s. 111.395; and about the right to bring,
21 and the time for bringing, an action under s. 111.397 (1) (a). Any person aggrieved
22 by noncompliance with the order may have the order enforced specifically by suit in
23 equity. If the examiner finds that the respondent has not engaged in discrimination,
24 unfair honesty testing, or unfair genetic testing as alleged in the complaint, the

ASSEMBLY BILL 43**SECTION 1949**

1 department shall serve a certified copy of the examiner's findings on the
2 complainant, together with an order dismissing the complaint.

3 **SECTION 1950.** 111.39 (5) (b) of the statutes is amended to read:

4 111.39 (5) (b) If ~~no petition is filed~~ the respondent or complainant does not file
5 a petition under par. (a) within 21 days from the date that a copy of the findings and
6 order of the examiner is ~~mailed to the last-known address of the respondent~~ served
7 on that party, the findings and order shall be considered final for purposes of
8 enforcement under sub. (4) (d). If a timely petition is filed, the commission, on review,
9 may either affirm, reverse, or modify the findings or order in whole or in part, or set
10 aside the findings and order and remand to the department for further proceedings.
11 Such actions shall be based on a review of the evidence submitted. If the commission
12 is satisfied that a respondent or complainant has been prejudiced because of
13 exceptional delay in the receipt of a copy of any findings and order ~~it~~, the commission
14 may extend the time another 21 days for filing the petition with the department.

15 **SECTION 1951.** 111.39 (5) (d) of the statutes is created to read:

16 111.39 (5) (d) The commission shall serve a certified copy of the commission's
17 decision on the respondent. The commission shall also serve a certified copy of the
18 commission's decision on the complainant, together with a notice advising the
19 complainant about the right to bring, and the time for bringing, an action for judicial
20 review under s. 111.395 and about the right to bring, and the time for bringing, an
21 action under s. 111.397 (1) (a).

22 **SECTION 1952.** 111.397 of the statutes is created to read:

23 **111.397 Civil action. (1) (a)** Except as provided in this paragraph, the
24 department or an individual alleged or found to have been discriminated against or
25 subjected to unfair honesty testing or unfair genetic testing may bring an action in

ASSEMBLY BILL 43**SECTION 1952**

1 circuit court requesting the relief described in sub. (2) (a) against an employer, labor
2 organization, or employment agency that is alleged or found to have engaged in that
3 discrimination, unfair honesty testing, or unfair genetic testing. The department or
4 an individual alleged or found to have been discriminated against or subjected to
5 unfair honesty testing or unfair genetic testing may not bring an action under this
6 paragraph against a local governmental unit, as defined in s. 19.42 (7u), or against
7 an employer, labor organization, or employment agency that employs fewer than 15
8 individuals for each working day in each of 20 or more calendar weeks in the current
9 or preceding year.

10 (b) If a petition for judicial review of the findings and order of the commission
11 concerning the same violation as the violation giving rise to the action under par. (a)
12 is filed, the circuit court shall consolidate the proceeding for judicial review and the
13 action under par. (a).

14 (c) An individual alleged or found to have been discriminated against or
15 subjected to unfair honesty testing or unfair genetic testing is not required to file a
16 complaint under s. 111.39 or seek review under s. 111.395 in order for the department
17 or the individual to bring an action under par. (a).

18 (d) An action under par. (a) shall be commenced within 300 days after the
19 alleged discrimination, unfair honesty testing, or unfair genetic testing occurred.

20 **(2)** (a) Subject to pars. (b) and (c), in an action under sub. (1) (a), if the circuit
21 court finds that discrimination, unfair honesty testing, or unfair genetic testing has
22 occurred, or if such a finding has been made by an examiner or the commission and
23 not been further appealed, the circuit court may order any relief that an examiner
24 would be empowered to order under s. 111.39 (4) (c) after a hearing on a complaint
25 filed under s. 111.39. In addition, the circuit court shall order the defendant to pay

ASSEMBLY BILL 43**SECTION 1952**

1 to the individual discriminated against or subjected to unfair honesty testing or
2 unfair genetic testing any other compensatory damages, and punitive damages
3 under s. 895.043 that the circuit court or jury finds appropriate, plus reasonable costs
4 and attorney fees incurred in the action. If any relief was ordered under s. 111.39 or
5 111.395, the circuit court shall specify whether the relief ordered under this
6 paragraph is in addition to or replaces the relief ordered under s. 111.39 or 111.395.
7 The sum of the amount of compensatory damages for future economic losses and for
8 pain and suffering, emotional distress, mental anguish, loss of enjoyment of life, and
9 other noneconomic losses and the amount of punitive damages that a circuit court
10 may order may not exceed the following:

11 1. In the case of a defendant that employs 100 or fewer employees for each
12 working day in each of 20 or more calendar weeks in the current or preceding year,
13 \$50,000.

14 2. In the case of a defendant that employs more than 100 but fewer than 201
15 employees for each working day in each of 20 or more calendar weeks in the current
16 or preceding year, \$100,000.

17 3. In the case of a defendant that employs more than 200 but fewer than 501
18 employees for each working day in each of 20 or more calendar weeks in the current
19 or preceding year, \$200,000.

20 4. In the case of a defendant that employs more than 500 employees for each
21 working day in each of 20 or more calendar weeks in the current or preceding year,
22 \$300,000.

23 (b) If the circuit court orders a payment under par. (a) because of a violation of
24 s. 111.321, 111.37, or 111.372 by an individual employed by an employer, the
25 employer of that individual is liable for the payment.

ASSEMBLY BILL 43**SECTION 1952**

1 (c) 1. In this paragraph, “consumer price index” means the average of the
2 consumer price index for all urban consumers, U.S. city average, as determined by
3 the bureau of labor statistics of the federal department of labor.

4 2. Except as provided in this subdivision, beginning on July 1, 2024, and on
5 each July 1 after that, the department shall adjust the amounts specified in par. (a)
6 1., 2., 3., and 4. by calculating the percentage difference between the consumer price
7 index for the 12-month period ending on December 31 of the preceding year and the
8 consumer price index for the 12-month period ending on December 31 of the year
9 before the preceding year and adjusting those amounts by that percentage
10 difference. The department shall publish the adjusted amounts calculated under
11 this subdivision in the Wisconsin Administrative Register, and the adjusted amounts
12 shall apply to actions commenced under sub. (1) (a) beginning on July 1 of the year
13 of publication. This subdivision does not apply if the consumer price index for the
14 12-month period ending on December 31 of the preceding year did not increase over
15 the consumer price index for the 12-month period ending on December 31 of the year
16 before the preceding year.

17 **SECTION 1953.** 111.70 (1) (a) of the statutes is amended to read:

18 111.70 (1) (a) “Collective bargaining” means the performance of the mutual
19 obligation of a municipal employer, through its officers and agents, and the
20 representative of its municipal employees in a collective bargaining unit, to meet and
21 confer at reasonable times, in good faith, with the intention of reaching an
22 agreement, or to resolve questions arising under such an agreement, with respect to
23 wages, hours, and conditions of employment for public safety employees ~~or, for~~
24 transit employees and, or for municipal employees in a collective bargaining unit
25 that contains a frontline worker; with respect to wages for general municipal

ASSEMBLY BILL 43**SECTION 1953**

1 employees, who are in a collective bargaining unit that does not contain a frontline
2 worker; and with respect to a requirement of the municipal employer for a municipal
3 employee to perform law enforcement and fire fighting services under s. 60.553,
4 61.66, or 62.13 (2e), except as provided in sub. (4) (mb) and (mc) and s. 40.81 (3) and
5 except that a municipal employer shall not meet and confer with respect to any
6 proposal to diminish or abridge the rights guaranteed to any public safety employees
7 under ch. 164. Collective bargaining includes the reduction of any agreement
8 reached to a written and signed document.

9 **SECTION 1954.** 111.70 (1) (f) of the statutes is amended to read:

10 111.70 (1) (f) “Fair-share agreement” means an agreement between a
11 municipal employer and a labor organization that represents public safety
12 employees ~~or~~, transit employees, or a frontline worker under which all or any of the
13 public safety employees or transit employees in the collective bargaining unit or all
14 or any of the employees in a collective bargaining unit containing a frontline worker
15 are required to pay their proportionate share of the cost of the collective bargaining
16 process and contract administration measured by the amount of dues uniformly
17 required of all members.

18 **SECTION 1955.** 111.70 (1) (fd) of the statutes is created to read:

19 111.70 (1) (fd) “Frontline worker” means a municipal employee who is
20 determined to be a frontline worker under sub. (4) (bm) 2.

21 **SECTION 1956.** 111.70 (1) (fm) of the statutes is amended to read:

22 111.70 (1) (fm) “General municipal employee” means a municipal employee
23 who is not a public safety employee ~~or~~, a transit employee, or a frontline worker.

24 **SECTION 1957.** 111.70 (1) (n) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1957**

1 111.70 (1) (n) “Referendum” means a proceeding conducted by the commission
2 in which public safety employees or transit employees in a collective bargaining unit
3 or municipal employees in a collective bargaining unit containing a frontline worker
4 may cast a secret ballot on the question of authorizing a labor organization and the
5 employer to continue a fair-share agreement.

6 **SECTION 1958.** 111.70 (1) (p) of the statutes is amended to read:

7 111.70 (1) (p) “Transit employee” means a municipal employee who is
8 determined to be a transit employee under sub. (4) (bm) 1.

9 **SECTION 1959.** 111.70 (2) of the statutes is renumbered 111.70 (2) (a) and
10 amended to read:

11 111.70 (2) (a) Municipal employees have the right of self-organization, and the
12 right to form, join, or assist labor organizations, to bargain collectively through
13 representatives of their own choosing, and to engage in lawful, concerted activities
14 for the purpose of collective bargaining or other mutual aid or protection. Municipal
15 employees have the right to refrain from any and all such activities. A general
16 municipal employee may not be covered by a fair-share agreement unless the
17 general municipal employee is in a collective bargaining unit containing a frontline
18 worker. Unless the general municipal employee is covered by a fair-share
19 agreement, a general municipal employee has the right to refrain from paying dues
20 while remaining a member of a collective bargaining unit. A public safety employee
21 ~~or, a transit employee, however, or a municipal employee in a collective bargaining~~
22 unit containing a frontline worker may be covered by a fair-share agreement and be
23 required to pay dues in the manner provided in ~~a~~ the fair-share agreement; a
24 fair-share agreement ~~covering a public safety employee or a transit employee~~ must
25 contain a provision requiring the municipal employer to deduct the amount of dues

ASSEMBLY BILL 43**SECTION 1959**

1 as certified by the labor organization from the earnings of the employee affected by
2 the fair-share agreement and to pay the amount deducted to the labor organization.
3 A fair-share agreement ~~covering a public safety employee or transit employee~~ is
4 subject to the right of the municipal employer or a labor organization to petition the
5 commission to conduct a referendum. Such petition must be supported by proof that
6 at least 30 percent of the employees in the collective bargaining unit desire that the
7 fair-share agreement be terminated. Upon so finding, the commission shall conduct
8 a referendum. If the continuation of the agreement is not supported by at least the
9 majority of the eligible employees, it shall terminate. The commission shall declare
10 any fair-share agreement suspended upon such conditions and for such time as the
11 commission decides whenever it finds that the labor organization involved has
12 refused on the basis of race, color, sexual orientation, creed, or sex to receive as a
13 member any ~~public safety employee or transit~~ eligible municipal employee of the
14 ~~municipal employer~~ in the bargaining unit involved, and such agreement is subject
15 to this duty of the commission. Any of the parties to such agreement or any ~~public~~
16 ~~safety employee or transit~~ municipal employee covered by the agreement may come
17 before the commission, as provided in s. 111.07, and ask the performance of this duty.

18 **SECTION 1960.** 111.70 (2) (b) of the statutes is created to read:

19 111.70 (2) (b) General municipal employees who are not in a collective
20 bargaining unit containing a frontline worker have the right to have their municipal
21 employer consult with them, through a representative of their own choosing, with no
22 intention of reaching an agreement, with respect to wages, hours, and conditions of
23 employment. The right may be exercised either when the municipal employer
24 proposes or implements policy changes affecting wages, hours, or conditions of
25 employment or, if no policy changes are proposed or implemented, at least quarterly.

ASSEMBLY BILL 43**SECTION 1961**

1 **SECTION 1961.** 111.70 (3) (a) 3. of the statutes is amended to read:

2 111.70 (3) (a) 3. To encourage or discourage a membership in any labor
3 organization by discrimination in regard to hiring, tenure, or other terms or
4 conditions of employment; but the prohibition shall not apply to a fair-share
5 agreement ~~that covers public safety employees or transit employees.~~

6 **SECTION 1962.** 111.70 (3) (a) 5. of the statutes is amended to read:

7 111.70 (3) (a) 5. To violate any collective bargaining agreement previously
8 agreed upon by the parties with respect to wages, hours, and conditions of
9 employment affecting public safety employees ~~or~~, transit employees, or municipal
10 employees in a collective bargaining unit containing a frontline worker, including an
11 agreement to arbitrate questions arising as to the meaning or application of the
12 terms of a collective bargaining agreement or to accept the terms of such arbitration
13 award, where previously the parties have agreed to accept such award as final and
14 binding upon them or to violate any collective bargaining agreement affecting a
15 collective bargaining unit containing only general municipal employees, that was
16 previously agreed upon by the parties with respect to wages.

17 **SECTION 1963.** 111.70 (3) (a) 6. of the statutes is amended to read:

18 111.70 (3) (a) 6. To deduct labor organization dues from the earnings of a public
19 safety employee ~~or~~, a transit employee, or a municipal employee who is in a collective
20 bargaining unit containing a frontline worker unless the municipal employer has
21 been presented with an individual order therefor, signed by the employee personally,
22 and terminable by at least the end of any year of its life or earlier by the ~~public safety~~
23 ~~employee or transit~~ municipal employee giving at least 30 days' written notice of such
24 termination to the municipal employer and to the representative organization,
25 except when a fair-share agreement is in effect.

ASSEMBLY BILL 43**SECTION 1964**

1 **SECTION 1964.** 111.70 (3) (a) 9. of the statutes is amended to read:

2 111.70 (3) (a) 9. If the collective bargaining unit contains a public safety
3 employee ~~or~~, transit employee, or frontline worker, after a collective bargaining
4 agreement expires and before another collective bargaining agreement takes effect,
5 to fail to follow any fair-share agreement in the expired collective bargaining
6 agreement.

7 **SECTION 1965.** 111.70 (3g) of the statutes is amended to read:

8 111.70 (3g) WAGE DEDUCTION PROHIBITION. A municipal employer may not
9 deduct labor organization dues from the earnings of a general municipal employee,
10 unless the general municipal employee is in a collective bargaining unit that
11 contains a frontline worker, or from the earnings of a supervisor.

12 **SECTION 1966.** 111.70 (4) (bm) (title) of the statutes is amended to read:

13 111.70 (4) (bm) (title) *Transit employee or frontline worker determination.*

14 **SECTION 1967.** 111.70 (4) (bm) of the statutes is renumbered 111.70 (4) (bm) 1.

15 **SECTION 1968.** 111.70 (4) (bm) 2. of the statutes is created to read:

16 111.70 (4) (bm) 2. The commission shall determine that a municipal employee
17 is a frontline worker if the commission finds that the municipal employee has regular
18 job duties that include interacting with members of the public or with large
19 populations of people or that directly involve the maintenance of public works. The
20 commission may not determine that a public safety employee or a transit employee
21 is a frontline worker.

22 **SECTION 1969.** 111.70 (4) (cg) (title), 1., 2., 3., 4. and 5. of the statutes are
23 amended to read:

24 111.70 (4) (cg) (title) *Methods for peaceful settlement of disputes; transit*
25 *employees and municipal employees in a collective bargaining unit containing a*

ASSEMBLY BILL 43**SECTION 1969**

1 *frontline worker*. 1. 'Notice of commencement of contract negotiations.' To advise the
2 commission of the commencement of contract negotiations involving a collective
3 bargaining unit containing transit employees or a collective bargaining unit
4 containing a frontline worker, whenever either party requests the other to reopen
5 negotiations under a binding collective bargaining agreement, or the parties
6 otherwise commence negotiations if no collective bargaining agreement exists, the
7 party requesting negotiations shall immediately notify the commission in writing.
8 Upon failure of the requesting party to provide notice, the other party may provide
9 notice to the commission. The notice shall specify the expiration date of the existing
10 collective bargaining agreement, if any, and shall provide any additional information
11 the commission may require on a form provided by the commission.

12 2. 'Presentation of initial proposals; open meetings.' The meetings between
13 parties to a collective bargaining agreement or proposed collective bargaining
14 agreement under this subchapter that involve a collective bargaining unit
15 containing a transit employee or a frontline worker and that are held to present
16 initial bargaining proposals, along with supporting rationale, are open to the public.
17 Each party shall submit its initial bargaining proposals to the other party in writing.
18 Failure to comply with this subdivision does not invalidate a collective bargaining
19 agreement under this subchapter.

20 3. 'Mediation.' The commission or its designee shall function as mediator in
21 labor disputes involving transit employees or municipal employees in a collective
22 bargaining unit containing a frontline worker upon request of one or both of the
23 parties, or upon initiation of the commission. The function of the mediator is to
24 encourage voluntary settlement by the parties. No mediator has the power of
25 compulsion.

ASSEMBLY BILL 43**SECTION 1969**

1 4. ‘Grievance arbitration.’ Parties to a dispute pertaining to the meaning or
2 application of the terms of a written collective bargaining agreement involving a
3 collective bargaining unit containing a transit employee or a frontline worker may
4 agree in writing to have the commission or any other appropriate agency serve as
5 arbitrator or may designate any other competent, impartial, and disinterested
6 person to serve as an arbitrator.

7 5. ‘Voluntary impasse resolution procedures.’ In addition to the other impasse
8 resolution procedures provided in this paragraph, a municipal employer that
9 employs a transit employee or a municipal employee in a collective bargaining unit
10 containing a frontline worker and a labor organization may at any time, as a
11 permissive subject of bargaining, agree in writing to a dispute settlement procedure,
12 including binding interest arbitration, which is acceptable to the parties for
13 resolving an impasse over terms of any collective bargaining agreement under this
14 subchapter. The parties shall file a copy of the agreement with the commission. If
15 the parties agree to any form of binding interest arbitration, the arbitrator shall give
16 weight to the factors enumerated under subds. 7. and 7g.

17 **SECTION 1970.** 111.70 (4) (cg) 6. a. of the statutes is amended to read:

18 111.70 (4) (cg) 6. a. If, in any collective bargaining unit containing transit
19 employees or a frontline worker, a dispute has not been settled after a reasonable
20 period of negotiation and after mediation by the commission under subd. 3. and other
21 settlement procedures, if any, established by the parties have been exhausted, and
22 the parties are deadlocked with respect to any dispute between them over wages,
23 hours, or conditions of employment to be included in a new collective bargaining
24 agreement, either party, or the parties jointly, may petition the commission, in
25 writing, to initiate compulsory, final, and binding arbitration, as provided in this

ASSEMBLY BILL 43**SECTION 1970**

1 paragraph. At the time the petition is filed, the petitioning party shall submit in
2 writing to the other party and the commission its preliminary final offer containing
3 its latest proposals on all issues in dispute. Within 14 calendar days after the date
4 of that submission, the other party shall submit in writing its preliminary final offer
5 on all disputed issues to the petitioning party and the commission. If a petition is
6 filed jointly, both parties shall exchange their preliminary final offers in writing and
7 submit copies to the commission when the petition is filed.

8 **SECTION 1971.** 111.70 (4) (cg) 7r. d., e. and f. of the statutes are amended to read:

9 111.70 (4) (cg) 7r. d. Comparison of wages, hours, and conditions of employment
10 of the transit municipal employees involved in the arbitration proceedings with the
11 wages, hours, and conditions of employment of other employees performing similar
12 services.

13 e. Comparison of the wages, hours, and conditions of employment of the transit
14 municipal employees involved in the arbitration proceedings with the wages, hours,
15 and conditions of employment of other employees generally in public employment in
16 the same community and in comparable communities.

17 f. Comparison of the wages, hours, and conditions of employment of the transit
18 municipal employees involved in the arbitration proceedings with the wages, hours,
19 and conditions of employment of other employees in private employment in the same
20 community and in comparable communities.

21 **SECTION 1972.** 111.70 (4) (cg) 7r. h. of the statutes is amended to read:

22 111.70 (4) (cg) 7r. h. The overall compensation presently received by the transit
23 municipal employees involved in the arbitration proceedings, including direct wage
24 compensation, vacation, holidays, and excused time, insurance and pensions,

ASSEMBLY BILL 43**SECTION 1972**

1 medical and hospitalization benefits, the continuity and stability of employment,
2 and all other benefits received.

3 **SECTION 1973.** 111.70 (4) (cg) 8m. of the statutes is amended to read:

4 111.70 (4) (cg) 8m. "Term of agreement; reopening of negotiations." Except for
5 the initial collective bargaining agreement between the parties and except as the
6 parties otherwise agree, every collective bargaining agreement covering transit
7 employees or a frontline worker shall be for a term of 2 years, but in no case may a
8 collective bargaining agreement for any collective bargaining unit ~~consisting of~~
9 ~~transit employees~~ subject to this paragraph be for a term exceeding 3 years. No
10 arbitration award involving transit employees or a frontline worker may contain a
11 provision for reopening of negotiations during the term of a collective bargaining
12 agreement, unless both parties agree to such a provision. The requirement for
13 agreement by both parties does not apply to a provision for reopening of negotiations
14 with respect to any portion of an agreement that is declared invalid by a court or
15 administrative agency or rendered invalid by the enactment of a law or promulgation
16 of a federal regulation.

17 **SECTION 1974.** 111.70 (4) (d) 1. of the statutes is amended to read:

18 111.70 (4) (d) 1. A representative chosen for the purposes of collective
19 bargaining by a majority of the ~~public safety employees or transit~~ municipal
20 employees voting in a collective bargaining unit shall be the exclusive representative
21 of all employees in the unit for the purpose of collective bargaining. ~~A representative~~
22 ~~chosen for the purposes of collective bargaining by at least 51 percent of the general~~
23 ~~municipal employees in a collective bargaining unit shall be the exclusive~~
24 ~~representative of all employees in the unit for the purpose of collective bargaining.~~
25 Any individual employee, or any minority group of employees in any collective

ASSEMBLY BILL 43**SECTION 1974**

1 bargaining unit, shall have the right to present grievances to the municipal employer
2 in person or through representatives of their own choosing, and the municipal
3 employer shall confer with the employee in relation thereto, if the majority
4 representative has been afforded the opportunity to be present at the conferences.
5 Any adjustment resulting from these conferences may not be inconsistent with the
6 conditions of employment established by the majority representative and the
7 municipal employer.

8 **SECTION 1975.** 111.70 (4) (d) 2. a. of the statutes is amended to read:

9 111.70 (4) (d) 2. a. The commission shall determine the appropriate collective
10 bargaining unit for the purpose of collective bargaining and shall whenever possible
11 avoid fragmentation by maintaining as few collective bargaining units as practicable
12 in keeping with the size of the total municipal workforce. The commission may
13 decide whether, in a particular case, the municipal employees in the same or several
14 departments, divisions, institutions, crafts, professions, or other occupational
15 groupings constitute a collective bargaining unit. Before making its determination,
16 the commission may provide an opportunity for the municipal employees concerned
17 to determine, by secret ballot, whether they desire to be established as a separate
18 collective bargaining unit. The commission may not decide, however, that any group
19 of municipal employees constitutes an appropriate collective bargaining unit if the
20 group includes both professional employees and nonprofessional employees, unless
21 a majority of the professional employees vote for inclusion in the unit. The
22 commission may not decide that any group of municipal employees constitutes an
23 appropriate collective bargaining unit if the group includes both school district
24 employees and general municipal employees who are not school district employees.
25 ~~The commission may not decide that any group of municipal employees constitutes~~

ASSEMBLY BILL 43**SECTION 1975**

1 ~~an appropriate collective bargaining unit if the group includes both public safety~~
2 ~~employees and general municipal employees, if the group includes both transit~~
3 ~~employees and general municipal employees, or if the group includes both transit~~
4 ~~employees and public safety employees place public safety employees in a collective~~
5 ~~bargaining unit with employees who are not public safety employees or place transit~~
6 ~~employees in a collective bargaining unit with employees who are not transit~~
7 ~~employees. The commission may place frontline workers in a collective bargaining~~
8 ~~unit with municipal employees who are not frontline workers if the commission~~
9 ~~determines it is appropriate; if the commission places in a collective bargaining unit~~
10 ~~frontline workers and municipal employees who are not frontline workers, the~~
11 ~~collective bargaining unit is treated as if all employees in the collective bargaining~~
12 ~~unit are frontline workers. The commission may not decide that any group of~~
13 ~~municipal employees constitutes an appropriate collective bargaining unit if the~~
14 ~~group includes both craft employees and noncraft employees unless a majority of the~~
15 ~~craft employees vote for inclusion in the unit. The commission shall place the~~
16 ~~professional employees who are assigned to perform any services at a charter school,~~
17 ~~as defined in s. 115.001 (1), in a separate collective bargaining unit from a unit that~~
18 ~~includes any other professional employees whenever at least 30 percent of those~~
19 ~~professional employees request an election to be held to determine that issue and a~~
20 ~~majority of the professional employees at the charter school who cast votes in the~~
21 ~~election decide to be represented in a separate collective bargaining unit.~~

22 **SECTION 1976.** 111.70 (4) (d) 3. a. and c. of the statutes are consolidated and
23 renumbered 111.70 (4) (d) 3.

24 **SECTION 1977.** 111.70 (4) (d) 3. b. of the statutes is repealed.

25 **SECTION 1978.** 111.70 (4) (mb) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1978**

1 111.70 (4) (mb) *Prohibited subjects of bargaining; general municipal employees.*
2 (intro.) The municipal employer is prohibited from bargaining collectively with a
3 collective bargaining unit containing ~~a~~ only general municipal employee employees
4 with respect to any of the following:

5 **SECTION 1979.** 111.70 (4) (mbb) of the statutes is amended to read:

6 111.70 (4) (mbb) *Consumer price index change.* For purposes of determining
7 compliance with par. (mb), the commission shall provide, upon request, to a
8 municipal employer or to any representative of a collective bargaining unit
9 containing ~~a~~ only general municipal employee employees, the consumer price index
10 change during any 12-month period. The commission may get the information from
11 the department of revenue.

12 **SECTION 1980.** 111.70 (4) (p) of the statutes is amended to read:

13 111.70 (4) (p) *Permissive subjects of collective bargaining; public safety ~~and~~*
14 *employees, transit employees, and municipal employees in a collective bargaining*
15 *unit containing a frontline worker.* A municipal employer is not required to bargain
16 with public safety employees ~~or~~, transit employees, or municipal employees in a
17 collective bargaining unit containing a frontline worker on subjects reserved to
18 management and direction of the governmental unit except insofar as the manner
19 of exercise of such functions affects the wages, hours, and conditions of employment
20 of the public safety employees ~~or~~ in a collective bargaining unit, of the transit
21 employees in a collective bargaining unit, or of the municipal employees in the
22 collective bargaining unit containing a frontline worker, whichever is appropriate.

23 **SECTION 1981.** 111.70 (7m) (c) 1. a. of the statutes is amended to read:

24 111.70 (7m) (c) 1. a. Any labor organization that represents public safety
25 employees ~~or~~, transit employees, or a frontline worker which violates sub. (4) (L) may

ASSEMBLY BILL 43**SECTION 1981**

1 not collect any dues under a collective bargaining agreement or under a fair-share
2 agreement from any employee covered by either agreement for a period of one year.
3 At the end of the period of suspension, any such agreement shall be reinstated unless
4 the labor organization is no longer authorized to represent the ~~public safety~~
5 ~~employees or transit~~ municipal employees covered by the collective bargaining
6 agreement or fair-share agreement or the agreement is no longer in effect.

7 **SECTION 1982.** 111.81 (1) of the statutes is renumbered 111.81 (1s) and
8 amended to read:

9 111.81 (1s) "Collective bargaining" means the performance of the mutual
10 obligation of the state as an employer, by its officers and agents, and the
11 representatives of its employees, to meet and confer at reasonable times, in good
12 faith, with respect to the subjects of bargaining provided in s. 111.91 (1), ~~with respect~~
13 ~~to~~ for public safety employees, with respect to the subjects of bargaining provided in
14 s. 111.91 (1w) for employees in a collective bargaining unit containing a frontline
15 worker, and with respect to the subjects of bargaining provided in s. 111.91 (3), with
16 respect to ~~for~~ general employees who are in a collective bargaining unit that does not
17 contain a frontline worker, with the intention of reaching an agreement, or to resolve
18 questions arising under such an agreement. The duty to bargain, however, does not
19 compel either party to agree to a proposal or require the making of a concession.
20 Collective bargaining includes the reduction of any agreement reached to a written
21 and signed document.

22 **SECTION 1983.** 111.81 (1d) of the statutes is created to read:

23 111.81 (1d) "Authority" means a body created under subch. II of ch. 114 or ch.
24 231, 232, 233, 234, 237, 238, or 279.

25 **SECTION 1984.** 111.81 (7) (ag) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 1984**

1 111.81 (7) (ag) An employee of an authority.

2 **SECTION 1985.** 111.81 (8) of the statutes is amended to read:

3 111.81 (8) “Employer” means the state of Wisconsin and includes an authority.

4 **SECTION 1986.** 111.81 (9) of the statutes is amended to read:

5 111.81 (9) “Fair-share agreement” means an agreement between the employer
6 and a labor organization representing public safety employees or a frontline worker
7 under which all of the public safety employees in the collective bargaining unit or all
8 of the employees in a collective bargaining unit containing a frontline worker are
9 required to pay their proportionate share of the cost of the collective bargaining
10 process and contract administration measured by the amount of dues uniformly
11 required of all members.

12 **SECTION 1987.** 111.81 (9b) of the statutes is created to read:

13 111.81 (9b) “Frontline worker” means an employee who is determined to be a
14 frontline worker under s. 111.817.

15 **SECTION 1988.** 111.81 (9g) of the statutes is amended to read:

16 111.81 (9g) “General employee” means an employee who is not a public safety
17 employee or a frontline worker.

18 **SECTION 1989.** 111.81 (12) (intro.) of the statutes is amended to read:

19 111.81 (12) (intro.) “Labor organization” means any employee organization
20 whose purpose is to represent employees in collective bargaining with the employer,
21 or its agents, on matters that are subject to collective bargaining under s. 111.91 (1),
22 (1w), or (3), whichever is applicable; but the term shall not include any organization:

23 **SECTION 1990.** 111.81 (12) (b) of the statutes is amended to read:

24 111.81 (12) (b) Which discriminates with regard to the terms or conditions of
25 membership because of race, color, creed, sex, age, sexual orientation, gender

ASSEMBLY BILL 43**SECTION 1990**

1 expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32 (7k),
2 or national origin.

3 **SECTION 1991.** 111.81 (12m) of the statutes is amended to read:

4 111.81 (12m) “Maintenance of membership agreement” means an agreement
5 between the employer and a labor organization representing public safety employees
6 or a frontline worker which requires that all of the public safety employees or
7 employees who are in a collective bargaining unit containing a frontline worker
8 whose dues are being deducted from earnings under s. 20.921 (1) or 111.84 (1) (f) at
9 the time the agreement takes effect shall continue to have dues deducted for the
10 duration of the agreement, and that dues shall be deducted from the earnings of all
11 ~~public safety~~ such employees who are hired on or after the effective date of the
12 agreement.

13 **SECTION 1992.** 111.81 (16) of the statutes is amended to read:

14 111.81 (16) “Referendum” means a proceeding conducted by the commission in
15 which public safety employees in a collective bargaining unit or all employees in a
16 collective bargaining unit containing a frontline worker may cast a secret ballot on
17 the question of directing the labor organization and the employer to enter into a
18 fair-share or maintenance of membership agreement or to terminate such an
19 agreement.

20 **SECTION 1993.** 111.815 (1) of the statutes is amended to read:

21 111.815 (1) In the furtherance of this subchapter, the state shall be considered
22 as a single employer and employment relations policies and practices throughout the
23 state service shall be as consistent as practicable. The division shall negotiate and
24 administer collective bargaining agreements. To coordinate the employer position
25 in the negotiation of agreements, the division shall maintain close liaison with the

ASSEMBLY BILL 43**SECTION 1993**

1 legislature relative to the negotiation of agreements and the fiscal ramifications of
2 those agreements. Except with respect to the collective bargaining units specified
3 in s. 111.825 (1r) and (1t), the division is responsible for the employer functions of the
4 executive branch under this subchapter, and shall coordinate its collective
5 bargaining activities with operating state agencies on matters of agency concern and
6 with operating authorities on matters of authority concern. The legislative branch
7 shall act upon those portions of tentative agreements negotiated by the division that
8 require legislative action. With respect to the collective bargaining units specified
9 in s. 111.825 (1r), the Board of Regents of the University of Wisconsin System is
10 responsible for the employer functions under this subchapter. With respect to the
11 collective bargaining units specified in s. 111.825 (1t), the chancellor of the
12 University of Wisconsin-Madison is responsible for the employer functions under
13 this subchapter. With respect to the collective bargaining unit specified in s. 111.825
14 (1r) (ef), the governing board of the charter school established by contract under s.
15 118.40 (2r) (cm), 2013 stats., is responsible for the employer functions under this
16 subchapter.

17 **SECTION 1994.** 111.817 of the statutes is created to read:

18 **111.817 Duty of commission; determination of frontline workers.** The
19 commission shall determine that an employee is a frontline worker if the commission
20 finds that the employee has regular job duties that include interacting with members
21 of the public or with large populations of people or that directly involve the
22 maintenance of public works. The commission may not determine that a public
23 safety employee is a frontline worker.

24 **SECTION 1995.** 111.82 of the statutes is renumbered 111.82 (1) and amended
25 to read:

ASSEMBLY BILL 43**SECTION 1995**

1 111.82 (1) Employees have the right of self-organization and the right to form,
2 join, or assist labor organizations, to bargain collectively through representatives of
3 their own choosing under this subchapter, and to engage in lawful, concerted
4 activities for the purpose of collective bargaining or other mutual aid or protection.
5 Employees also have the right to refrain from any or all of such activities. A general
6 employee may not be covered by a fair-share agreement unless the general employee
7 is in a collective bargaining unit containing a frontline worker. Unless the general
8 employee is covered by a fair-share agreement, a general employee has the right to
9 refrain from paying dues while remaining a member of a collective bargaining unit.

10 **SECTION 1996.** 111.82 (2) of the statutes is created to read:

11 111.82 (2) General employees who are not in a collective bargaining unit
12 containing a frontline worker have the right to have their employer consult with
13 them, through a representative of their own choosing, with no intention of reaching
14 an agreement, with respect to wages, hours, and conditions of employment. The
15 right may be exercised either when the employer proposes or implements policy
16 changes affecting wages, hours, or conditions of employment or, if no policy changes
17 are proposed or implemented, at least quarterly.

18 **SECTION 1997.** 111.825 (1) (intro.) of the statutes is amended to read:

19 111.825 (1) (intro.) It is the legislative intent that in order to foster meaningful
20 collective bargaining, units must be structured in such a way as to avoid excessive
21 fragmentation whenever possible. In accordance with this policy, collective
22 bargaining units for employees in the classified service of the state and for employees
23 of authorities are structured on a statewide basis with one collective bargaining unit
24 for each of the following occupational groups:

25 **SECTION 1998.** 111.825 (3) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 1998**

1 111.825 (3) The commission shall assign employees to the appropriate
2 collective bargaining units set forth in subs. (1), (1r), (1t), and (2). The commission
3 may place frontline workers in a collective bargaining unit with employees who are
4 not frontline workers if the commission determines it is appropriate; if the
5 commission places in a collective bargaining unit frontline workers and employees
6 who are not frontline workers, the collective bargaining unit is treated as if all
7 employees in the collective bargaining unit are frontline workers and may bargain
8 as provided in s. 111.91 (1w).

9 **SECTION 1999.** 111.825 (5) of the statutes is amended to read:

10 111.825 (5) Although supervisors are not considered employees for purposes
11 of this subchapter, the commission may consider a petition for a statewide collective
12 bargaining unit of professional supervisors or a statewide unit of nonprofessional
13 supervisors in the classified service, but the representative of supervisors may not
14 be affiliated with any labor organization representing employees. For purposes of
15 this subsection, affiliation does not include membership in a national, state, county
16 or municipal federation of national or international labor organizations. The
17 certified representative of supervisors who are not public safety employees or
18 frontline workers may not bargain collectively with respect to any matter other than
19 wages as provided in s. 111.91 (3), and the certified representative of supervisors who
20 are public safety employees may not bargain collectively with respect to any matter
21 other than wages and fringe benefits as provided in s. 111.91 (1), and the certified
22 representative of supervisors who are frontline workers may bargain as provided in
23 s. 111.91 (1w).

24 **SECTION 2000.** 111.83 (1) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2000**

1 111.83 (1) ~~Except as provided in sub. (5), a representative chosen for the~~
2 ~~purposes of collective bargaining by at least 51 percent of the general employees in~~
3 ~~a collective bargaining unit shall be the exclusive representative of all of the~~
4 ~~employees in such unit for the purposes of collective bargaining. A representative~~
5 ~~chosen for the purposes of collective bargaining by a majority of the public safety~~
6 ~~employees voting in a collective bargaining unit shall be the exclusive representative~~
7 ~~of all of the employees in such unit for the purposes of collective bargaining. Any~~
8 ~~individual employee, or any minority group of employees in any collective bargaining~~
9 ~~unit, may present grievances to the employer in person, or through representatives~~
10 ~~of their own choosing, and the employer shall confer with the employee or group of~~
11 ~~employees in relation thereto if the majority representative has been afforded the~~
12 ~~opportunity to be present at the conference. Any adjustment resulting from such a~~
13 ~~conference may not be inconsistent with the conditions of employment established~~
14 ~~by the majority representative and the employer.~~

15 **SECTION 2001.** 111.83 (3) (a) of the statutes is renumbered 111.83 (3).

16 **SECTION 2002.** 111.83 (3) (b) of the statutes is repealed.

17 **SECTION 2003.** 111.83 (4) of the statutes is amended to read:

18 111.83 (4) Whenever an election has been conducted under sub. (3) (a) in which
19 the name of more than one proposed representative appears on the ballot and results
20 in no conclusion, the commission may, if requested by any party to the proceeding
21 within 30 days from the date of the certification of the results of the election, conduct
22 a runoff election. In that runoff election, the commission shall drop from the ballot
23 the name of the representative who received the least number of votes at the original
24 election. The commission shall drop from the ballot the privilege of voting against

ASSEMBLY BILL 43**SECTION 2003**

1 any representative if the least number of votes cast at the first election was against
2 representation by any named representative.

3 **SECTION 2004.** 111.84 (1) (d) of the statutes is amended to read:

4 111.84 (1) (d) To refuse to bargain collectively on matters set forth in s. 111.91
5 (1), (1w), or (3), whichever is appropriate, with a representative of a majority of its
6 employees in an appropriate collective bargaining unit. Where the employer has a
7 good faith doubt as to whether a labor organization claiming the support of a majority
8 of its employees in appropriate collective bargaining unit does in fact have that
9 support, it may file with the commission a petition requesting an election as to that
10 claim. It is not deemed to have refused to bargain until an election has been held and
11 the results thereof certified to it by the commission. A violation of this paragraph
12 includes, but is not limited to, the refusal to execute a collective bargaining
13 agreement previously orally agreed upon.

14 **SECTION 2005.** 111.84 (1) (f) of the statutes is amended to read:

15 111.84 (1) (f) To deduct labor organization dues from the earnings of a public
16 safety employee or an employee who is in a collective bargaining unit containing a
17 frontline worker, unless the employer has been presented with an individual order
18 therefor, signed by the ~~public safety~~ employee personally, and terminable by at least
19 the end of any year of its life or earlier by the ~~public safety~~ employee giving at least
20 30 but not more than 120 days' written notice of such termination to the employer
21 and to the representative labor organization, except if there is a fair-share or
22 maintenance of membership agreement in effect. The employer shall give notice to
23 the labor organization of receipt of such notice of termination.

24 **SECTION 2006.** 111.84 (2) (c) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2006**

1 111.84 (2) (c) To refuse to bargain collectively on matters set forth in s. 111.91
2 (1), (1w), or (3), whichever is appropriate, with the duly authorized officer or agent
3 of the employer which is the recognized or certified exclusive collective bargaining
4 representative of employees specified in s. 111.81 (7) (a) or (ag) in an appropriate
5 collective bargaining unit or with the certified exclusive collective bargaining
6 representative of employees specified in s. 111.81 (7) (ar) to (f) in an appropriate
7 collective bargaining unit. Such refusal to bargain shall include, but not be limited
8 to, the refusal to execute a collective bargaining agreement previously orally agreed
9 upon.

10 **SECTION 2007.** 111.85 (1) of the statutes is amended to read:

11 111.85 (1) (a) No fair-share or maintenance of membership agreement
12 covering public safety employees under this subchapter may become effective unless
13 authorized by a referendum. The commission shall order a referendum whenever it
14 receives a petition supported by proof that at least 30 percent of the public safety
15 employees in a collective bargaining unit or at least 30 percent of the employees in
16 a collective bargaining unit containing a frontline worker desire that a fair-share or
17 maintenance of membership agreement be entered into between the employer and
18 a labor organization. A petition may specify that a referendum is requested on a
19 maintenance of membership agreement only, in which case the ballot shall be limited
20 to that question.

21 (b) For a fair-share agreement to be authorized, at least two-thirds of the
22 eligible public safety employees voting in a referendum shall vote in favor of the
23 agreement or at least two-thirds of the employees in a collective bargaining unit
24 containing a frontline worker shall vote in favor of the agreement. For a
25 maintenance of membership agreement to be authorized, at least a majority of the

ASSEMBLY BILL 43**SECTION 2007**

1 eligible public safety employees voting in a referendum shall vote in favor of the
2 agreement or at least a majority of the employees in a collective bargaining unit
3 containing a frontline worker shall vote in favor of the agreement. In a referendum
4 on a fair-share agreement, if less than two-thirds but more than one-half of the
5 eligible ~~public safety~~ employees vote in favor of the agreement, a maintenance of
6 membership agreement is authorized.

7 (c) If a fair-share or maintenance of membership agreement is authorized in
8 a referendum ordered under par. (a), the employer shall enter into such an
9 agreement with the labor organization named on the ballot in the referendum. Each
10 fair-share or maintenance of membership agreement shall contain a provision
11 requiring the employer to deduct the amount of dues as certified by the labor
12 organization from the earnings of the ~~public safety~~ employees affected by the
13 agreement and to pay the amount so deducted to the labor organization. Unless the
14 parties agree to an earlier date, the agreement shall take effect 60 days after
15 certification by the commission that the referendum vote authorized the agreement.
16 The employer shall be held harmless against any claims, demands, suits and other
17 forms of liability made by ~~public safety~~ the employees affected by the agreement or
18 by local labor organizations which may arise for actions taken by the employer in
19 compliance with this section. All such lawful claims, demands, suits, and other forms
20 of liability are the responsibility of the labor organization entering into the
21 agreement.

22 (d) Under each fair-share or maintenance of membership agreement, ~~a public~~
23 ~~safety~~ an employee affected by the agreement who has religious convictions against
24 dues payments to a labor organization based on teachings or tenets of a church or
25 religious body of which he or she is a member shall, on request to the labor

ASSEMBLY BILL 43**SECTION 2007**

1 organization, have his or her dues paid to a charity mutually agreed upon by the
2 ~~public safety~~ employee and the labor organization. Any dispute concerning this
3 paragraph may be submitted to the commission for adjudication.

4 **SECTION 2008.** 111.85 (2) of the statutes is amended to read:

5 111.85 (2) (a) Once authorized under sub. (1), a fair-share or maintenance of
6 membership agreement ~~covering public safety employees~~ shall continue in effect,
7 subject to the right of the employer or labor organization concerned to petition the
8 commission to conduct a new referendum. Such petition must be supported by proof
9 that at least 30 percent of the public safety employees in the collective bargaining
10 unit or at least 30 percent of the employees in a collective bargaining unit containing
11 a frontline worker desire that the fair-share or maintenance of membership
12 agreement be discontinued. Upon so finding, the commission shall conduct a new
13 referendum. If the continuance of the fair-share or maintenance of membership
14 agreement is approved in the referendum by at least the percentage of eligible voting
15 ~~public safety~~ employees required for its initial authorization, it shall be continued
16 in effect, subject to the right of the employer or labor organization to later initiate a
17 further vote following the procedure prescribed in this subsection. If the
18 continuation of the agreement is not supported in any referendum, it is ~~deemed~~
19 ~~terminated~~ terminates at the termination of the collective bargaining agreement, or
20 one year from the date of the certification of the result of the referendum, whichever
21 is earlier.

22 (b) The commission shall declare any fair-share or maintenance of
23 membership agreement suspended upon such conditions and for such time as the
24 commission decides whenever it finds that the labor organization involved has
25 refused on the basis of race, color, sexual orientation or creed to receive as a member

ASSEMBLY BILL 43**SECTION 2008**

1 any ~~public safety~~ employee in the collective bargaining unit involved, and the
2 agreement shall be made subject to the findings and orders of the commission. Any
3 of the parties to the agreement, or any ~~public safety~~ employee covered thereby, may
4 come before the commission, as provided in s. 111.07, and petition the commission
5 to make such a finding.

6 **SECTION 2009.** 111.85 (4) of the statutes is amended to read:

7 111.85 (4) The commission may, under rules adopted for that purpose, appoint
8 as its agent an official of a state agency or authority whose ~~public safety~~ employees
9 are entitled to vote in a referendum to conduct a referendum ~~provided for herein~~
10 under this section.

11 **SECTION 2010.** 111.86 (2) of the statutes is amended to read:

12 111.86 (2) The division shall charge a state department ~~or~~, agency, or authority
13 the employer's share of the cost related to grievance arbitration under sub. (1) for any
14 arbitration that involves one or more employees of the state department ~~or~~, agency,
15 or authority. Each state department ~~or~~, agency, or authority so charged shall pay the
16 amount that the division charges from the appropriation account or accounts used
17 to pay the salary of the grievant. Funds received under this subsection shall be
18 credited to the appropriation account under s. 20.505 (1) (ks).

19 **SECTION 2011.** 111.88 (1) of the statutes is amended to read:

20 111.88 (1) If a dispute has not been settled after a reasonable period of
21 negotiation and after the settlement procedures, if any, established by the parties
22 have been exhausted, the representative which has been certified by the commission
23 after an election, or, in the case of a representative of employees specified in s. 111.81
24 (7) (a) or (ag), has been duly recognized by the employer, as the exclusive
25 representative of employees in an appropriate collective bargaining unit, and the

ASSEMBLY BILL 43**SECTION 2011**

1 employer, its officers and agents, after a reasonable period of negotiation, are
2 deadlocked with respect to any dispute between them arising in the collective
3 bargaining process, the parties jointly, may petition the commission, in writing, to
4 initiate fact-finding under this section, and to make recommendations to resolve the
5 deadlock.

6 **SECTION 2012.** 111.90 (1) of the statutes is amended to read:

7 111.90 (1) Carry out the statutory mandate and goals assigned to a state agency
8 or authority by the most appropriate and efficient methods and means and utilize
9 personnel in the most appropriate and efficient manner possible.

10 **SECTION 2013.** 111.90 (2) of the statutes is amended to read:

11 111.90 (2) Manage the employees of a state agency or authority; hire, promote,
12 transfer, assign or retain employees in positions within the agency or authority; and
13 in that regard establish reasonable work rules.

14 **SECTION 2014.** 111.91 (1w) of the statutes is created to read:

15 111.91 (1w) (a) Except as provided in pars. (b) and (c), with regard to a collective
16 bargaining unit that contains at least one frontline worker, matters subject to
17 collective bargaining to the point of impasse are wage rates, consistent with sub. (2),
18 the assignment and reassignment of classifications to pay ranges, determination of
19 an incumbent's pay status resulting from position reallocation or reclassification,
20 and pay adjustments upon temporary assignment of classified employees to duties
21 of a higher classification or downward reallocations of a classified employee's
22 position; fringe benefits consistent with sub. (2); hours and conditions of
23 employment.

24 (b) With regard to a collective bargaining unit that contains at least one
25 frontline worker, the employer is not required to bargain on management rights

ASSEMBLY BILL 43**SECTION 2014**

1 under s. 111.90, except that procedures for the adjustment or settlement of
2 grievances or disputes arising out of any type of disciplinary action referred to in s.
3 111.90 (3) shall be a subject of bargaining.

4 (c) The employer is prohibited from bargaining on matters contained in sub. (2)
5 with a collective bargaining unit that contains at least one frontline worker.

6 **SECTION 2015.** 111.91 (2) (intro.) of the statutes is amended to read:

7 111.91 (2) (intro.) The employer is prohibited from bargaining with a collective
8 bargaining unit under s. 111.825 (1) (g) or with a collective bargaining unit that
9 contains a frontline worker with respect to all of the following:

10 **SECTION 2016.** 111.91 (3) (intro.) of the statutes is amended to read:

11 111.91 (3) (intro.) The employer is prohibited from bargaining with a collective
12 bargaining unit containing ~~a~~ only general employee employees with respect to any
13 of the following:

14 **SECTION 2017.** 111.91 (3q) of the statutes is amended to read:

15 111.91 (3q) For purposes of determining compliance with sub. (3), the
16 commission shall provide, upon request, to the employer or to any representative of
17 a collective bargaining unit containing ~~a~~ only general employee employees, the
18 consumer price index change during any 12-month period. The commission may get
19 the information from the department of revenue.

20 **SECTION 2018.** 111.91 (4) of the statutes is amended to read:

21 111.91 (4) The administrator of the division, in connection with the
22 development of tentative collective bargaining agreements to be submitted under s.
23 111.92 (1) (a) 1., shall endeavor to obtain tentative agreements with each recognized
24 or certified labor organization representing employees or supervisors of employees
25 specified in s. 111.81 (7) (a) or (ag) and with each certified labor organization

ASSEMBLY BILL 43**SECTION 2018**

1 representing employees specified in s. 111.81 (7) (b) to (e) which do not contain any
2 provision for the payment to any employee of a cumulative or noncumulative amount
3 of compensation in recognition of or based on the period of time an employee has been
4 employed by the state.

5 **SECTION 2019.** 111.92 (3) (a) of the statutes is amended to read:

6 111.92 (3) (a) Agreements covering a collective bargaining unit specified under
7 s. 111.825 (1) (g) or a collective bargaining unit containing a frontline worker shall
8 coincide with the fiscal year or biennium.

9 **SECTION 2020.** 111.92 (3) (b) of the statutes is amended to read:

10 111.92 (3) (b) No agreements covering a collective bargaining unit containing
11 ~~a~~ only general employee employees may be for a period that exceeds one year, and
12 each agreement must coincide with the fiscal year. Agreements covering a collective
13 bargaining unit containing ~~a~~ only general employee employees may not be extended.

14 **SECTION 2021.** 111.93 (3) (a) of the statutes is amended to read:

15 111.93 (3) (a) If a collective bargaining agreement exists between the employer
16 and a labor organization representing employees in a collective bargaining unit
17 under s. 111.825 (1) (g) or in a collective bargaining unit containing a frontline
18 worker, the provisions of that agreement shall supersede the provisions of civil
19 service and other applicable statutes, ~~as well as~~ rules and policies of the University
20 of Wisconsin-Madison and the board of regents of the University of Wisconsin
21 System, and policies or determinations of an authority, that are related to wages,
22 fringe benefits, hours, and conditions of employment, whether or not the matters
23 contained in those statutes, rules, ~~and policies,~~ and determinations are set forth in
24 the collective bargaining agreement.

25 **SECTION 2022.** 111.93 (3) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2022**

1 111.93 (3) (b) If a collective bargaining agreement exists between the employer
2 and a labor organization representing only general employees in a collective
3 bargaining unit, the provisions of that agreement shall supersede the provisions of
4 civil service and other applicable statutes, as well as rules and policies of the board
5 of regents of the University of Wisconsin System, related to wages, whether or not
6 the matters contained in those statutes, rules, and policies are set forth in the
7 collective bargaining agreement.

8 **SECTION 2023.** 114.09 (2) (bm) 1. (intro.) of the statutes is amended to read:

9 114.09 (2) (bm) 1. (intro.) Except as provided in subd. 1. a. or b., the court shall
10 order the person violating sub. (1) (b) 1. or 1m. to submit to and comply with an
11 assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for
12 examination of the person's use of alcohol, tetrahydrocannabinols, controlled
13 substances, or controlled substance analogs and development of an airman safety
14 plan for the person. The court shall notify the person, the department, and the proper
15 federal agency of the assessment order. The assessment order shall:

16 **SECTION 2024.** 114.09 (2) (bm) 4. of the statutes is amended to read:

17 114.09 (2) (bm) 4. The assessment report shall order compliance with an
18 airman safety plan. The report shall inform the person of the fee provisions under
19 s. 46.03 (18) (f). The safety plan may include a component that makes the person
20 aware of the effect of his or her offense on a victim and a victim's family. The safety
21 plan may include treatment for the person's misuse, abuse, or dependence on alcohol,
22 tetrahydrocannabinols, controlled substances, or controlled substance analogs. If
23 the plan requires inpatient treatment, the treatment shall not exceed 30 days. An
24 airman safety plan under this paragraph shall include a termination date consistent
25 with the plan that shall not extend beyond one year. The county department under

ASSEMBLY BILL 43**SECTION 2024**

1 s. 51.42 shall assure notification of the department of transportation and the person
2 of the person's compliance or noncompliance with assessment and treatment.

3 **SECTION 2025.** 115.28 (7) (b) of the statutes is amended to read:

4 115.28 (7) (b) Subject to the same rules and laws concerning qualifications of
5 applicants and granting and revocation of licenses or certificates under par. (a), the
6 state superintendent shall grant certificates and licenses to teachers in private
7 schools and tribal schools, except that teaching experience requirements for such
8 certificates and licenses may be fulfilled by teaching experience in public, private,
9 or tribal schools. An applicant is not eligible for a license or certificate unless the
10 state superintendent finds that the private school or tribal school in which the
11 applicant taught offered an adequate educational program during the period of the
12 applicant's teaching therein. Private Except as provided in ss. 115.7915 (2) (i), 118.60
13 (2) (a) 6m., and 119.23 (2) (a) 6m., private schools are not obligated to employ only
14 licensed or certified teachers.

15 **SECTION 2026.** 115.28 (28) of the statutes is created to read:

16 115.28 (28) RECOLLECTION WISCONSIN. Annually distribute the amount
17 appropriated under s. 20.255 (3) (s) to Wisconsin Library Services, Inc., to support
18 the digitization of historic materials in public libraries throughout the state.

19 **SECTION 2027.** 115.28 (29) of the statutes is created to read:

20 115.28 (29) COMPUTER SCIENCE EDUCATION GRANTS. Annually award grants to
21 school boards to expand computer science educational opportunities in all grade
22 levels operated by the school district. For purposes of awarding grants under this
23 subsection, expanding computer science educational opportunities includes
24 providing professional development, the application of programming or coding

ASSEMBLY BILL 43**SECTION 2027**

1 concepts or integration of computer science fundamentals into other subjects, and
2 purchasing curricula and related materials.

3 **SECTION 2028.** 115.28 (45) of the statutes is amended to read:

4 115.28 (45) GRANTS FOR BULLYING PREVENTION. From the appropriation under
5 s. 20.255 (3) (eb), award grants to a nonprofit organization, as defined in s. 108.02
6 (19), to provide training and an online bullying prevention curriculum for pupils in
7 grades kindergarten to ~~8~~ 12.

8 **SECTION 2029.** 115.28 (63) (intro.) of the statutes is amended to read:

9 115.28 (63) MENTAL HEALTH TRAINING PROGRAM. (intro.) Establish a mental
10 health training support program under which the department provides training on
11 all of the following evidence-based strategies related to addressing mental health
12 issues in schools to school district staff and, instructional staff of charter schools
13 under s. 118.40 (2r) or (2x), and individuals employed by an out-of-school-time
14 program, as defined in s. 115.449 (1), on evidence-based strategies related to
15 addressing mental health needs and suicide prevention in schools, including all of
16 the following:

17 **SECTION 2030.** 115.28 (66) of the statutes is created to read:

18 115.28 (66) GENERAL EDUCATIONAL DEVELOPMENT TEST FEE PAYMENTS. (a) Subject
19 to pars. (b) and (c), from the appropriation under s. 20.255 (3) (bm), pay to GED
20 Testing Service LLC the \$30 testing service fee for an eligible individual who takes
21 a content area test given under the general educational development test. In this
22 subsection, "eligible individual" means an individual who satisfies all of the
23 following conditions before taking the content area test:

ASSEMBLY BILL 43**SECTION 2030**

1 1. The individual meets the eligibility requirements promulgated by the
2 department by rule for a high school equivalency diploma or certificate of general
3 educational development.

4 2. The individual takes and receives a passing score on a practice test for the
5 content area that is developed by GED Testing Service LLC.

6 (b) For each eligible individual under par. (a), pay for no more than one testing
7 service fee for each content area test taken in a calendar year.

8 (c) Pay the testing service fee for a content area test under par. (a) only if the
9 eligible individual takes the test on or after January 1, 2024, at a testing site in this
10 state that is approved by the state superintendent.

11 **SECTION 2031.** 115.28 (67) of the statutes is created to read:

12 115.28 **(67)** SEAL OF BILITERACY. From the appropriation under s. 20.255 (1) (fc),
13 annually award grants to reimburse school boards and charter schools established
14 under s. 118.40 (2r) or (2x) for the costs of assessments required for pupils to be
15 eligible for a state seal of biliteracy under s. 115.29 (9) and costs related to training
16 instructional staff to conduct the assessments.

17 **SECTION 2032.** 115.28 (68) of the statutes is created to read:

18 115.28 **(68)** GRADUATION ALLIANCE. Annually distribute the amounts
19 appropriated under s. 20.255 (3) (fv) to Graduation Alliance, Inc., a Utah corporation,
20 to support pupils and their families through a coaching program designed to improve
21 school engagement and academic performance known as Engage Wisconsin.

22 **SECTION 2033.** 115.28 (69) of the statutes is created to read:

23 115.28 **(69)** MENTOR GREATER MILWAUKEE. From the appropriation under s.
24 20.255 (3) (fw), award grants to Mentor Greater Milwaukee, Inc., to expand access
25 to quality youth mentoring in Milwaukee County.

ASSEMBLY BILL 43**SECTION 2034**

1 **SECTION 2034.** 115.28 (70) of the statutes is created to read:

2 **115.28 (70) REACH OUT AND READ.** Annually distribute the amounts
3 appropriated under s. 20.255 (3) (ft) to Reach Out and Read, Inc., a Massachusetts
4 nonstock corporation, for the early literacy program operated in this state by its
5 affiliate, known as Reach Out and Read Wisconsin.

6 **SECTION 2035.** 115.28 (71) of the statutes is created to read:

7 **115.28 (71) THE LITERACY LAB.** Annually distribute the amounts appropriated
8 under s. 20.255 (3) (fs) to The Literacy Lab, a Virginia nonstock corporation, to
9 provide an evidence-based literacy intervention program in public schools located
10 in the cities of Milwaukee and Racine.

11 **SECTION 2036.** 115.28 (72) of the statutes is created to read:

12 **115.28 (72) FINANCIAL LITERACY CURRICULUM GRANT PROGRAM.** Award grants to
13 school boards and charter schools established under s. 118.40 (2r) or (2x) for the
14 purpose of developing, implementing, or improving financial literacy curricula. In
15 awarding grants under this subsection, the state superintendent shall prioritize
16 grant applications related to innovative financial literacy curricula, as determined
17 by the state superintendent.

18 **SECTION 2037.** 115.29 (9) of the statutes is created to read:

19 **115.29 (9) STATE SEAL OF BILITERACY.** Establish a state seal of biliteracy to
20 recognize high school pupils who demonstrate through various assessments
21 advanced achievement in bilingualism, biliteracy, and sociocultural competence.

22 **SECTION 2038.** 115.341 of the statutes is amended to read:

23 **115.341 School breakfast program. (1)** From the appropriation under s.
24 20.255 (2) (cm), the state superintendent shall reimburse each school board, each
25 operator of a charter school under s. 118.40 (2r) or (2x), each operator of a residential

ASSEMBLY BILL 43**SECTION 2038**

1 care center for children and youth, as defined in s. 115.76 (14g), the director of the
2 program under s. 115.52, and the director of the center under s. 115.525 15 cents for
3 each breakfast served at a school, as defined in 7 CFR 220.2, that meets the
4 requirements of 7 CFR 220.8 ~~or 220.8a, whichever is applicable~~, and shall reimburse
5 each governing body of a private school or tribal school 15 cents for each breakfast
6 served at the private school or tribal school that meets the requirements of 7 CFR
7 220.8 ~~or 220.8a, whichever is applicable~~.

8 (2) If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient
9 to pay the full amount of aid under this section, the state superintendent shall
10 prorate state aid payments among the school boards, operators, directors, and
11 governing bodies of ~~private schools and tribal schools~~ entitled to the aid under sub.
12 (1).

13 **SECTION 2039.** 115.341 (3) of the statutes is created to read:

14 115.341 (3) Notwithstanding sub. (1), the state superintendent may not
15 reimburse the operator of a charter school under s. 118.40 (2r) or (2x), the operator
16 of a residential care center for children and youth, as defined in s. 115.76 (14g), the
17 director of the program under s. 115.52, the director of the center under s. 115.525,
18 or the governing body of a private or tribal school for any breakfast served at a school,
19 as defined in 7 CFR 220.2, during the prior school year if the school ceased operations
20 during that prior school year.

21 **SECTION 2040.** 115.3415 of the statutes is created to read:

22 **115.3415 Supplemental nutrition aid. (1) DEFINITIONS.** In this section:

23 (a) “Educational agency” means a school board, an operator of a charter school
24 under s. 118.40 (2r) or (2x), a private school, a tribal school, an operator of a
25 residential care center for children and youth, as defined in s. 115.76 (14g), the

ASSEMBLY BILL 43**SECTION 2040**

1 director of the program under s. 115.52, and the director of the center under s.
2 115.525.

3 (b) “Eligible pupil” means a pupil who satisfies the income eligibility criteria
4 for a reduced-price lunch under 42 USC 1758 (b) (1).

5 (c) “Federal school breakfast program” means the program under 42 USC 1773.

6 (d) “Federal school lunch program” means the program under 42 USC 1751 to
7 1769j.

8 (e) “Free-meal reimbursement amount” means the reimbursement amount in
9 the previous school year for a school meal provided to a pupil who satisfies the income
10 eligibility for a free lunch under the federal school lunch program.

11 (f) “Ineligible pupil” means a pupil who does not satisfy the income eligibility
12 criteria for a free or reduced-price lunch under 42 USC 1758 (b) (1).

13 (g) “Paid-meal reimbursement amount” means the reimbursement amount in
14 the previous school year for a school meal provided to an ineligible pupil.

15 (h) “Reduced-price-meal reimbursement amount” means the reimbursement
16 amount in the previous school year for a school meal provided to an eligible pupil.

17 (i) “Reimbursement amount” means the national average payment rate for a
18 school meal, as announced by the food and nutrition service of the federal
19 department of agriculture in the federal register.

20 (j) “School meal” means a lunch made available under the federal school lunch
21 program, a meal supplement made available under the federal school lunch
22 program, or a breakfast made available under the federal school breakfast program.

23 **(2) ELIGIBILITY.** An educational agency is eligible for payments under this
24 section if the educational agency does not charge pupils for school meals for which

ASSEMBLY BILL 43**SECTION 2040**

1 the educational agency receives reimbursement under the federal school breakfast
2 program or the federal school lunch program.

3 (3) ANNUAL PAYMENT. From the appropriation under s. 20.255 (2) (co), in the
4 2024-25 school year and each school year thereafter, the state superintendent shall
5 pay to each educational agency the sum of all of the following:

6 (a) The total number of lunches provided by the educational agency to eligible
7 pupils under the federal school lunch program in the previous school year multiplied
8 by the difference between the reduced-price-meal reimbursement amount for a
9 lunch and the free-meal reimbursement amount for a lunch.

10 (b) The total number of lunches provided by the educational agency to ineligible
11 pupils under the federal school lunch program in the previous school year multiplied
12 by the difference between the paid-meal reimbursement amount for a lunch and the
13 free-meal reimbursement amount for a lunch.

14 (c) The total number of breakfasts provided by the educational agency to
15 eligible pupils under the federal school breakfast program in the previous school year
16 multiplied by the difference between the reduced-price-meal reimbursement
17 amount for a breakfast and the free-meal reimbursement amount for a breakfast.

18 (d) The total number of breakfasts provided by the educational agency to
19 ineligible pupils under the federal school breakfast program in the previous school
20 year multiplied by the difference between the paid-meal reimbursement amount for
21 a breakfast and the free-meal reimbursement amount for a breakfast.

22 (e) The total number of meal supplements provided by the educational agency
23 to eligible pupils under the federal school lunch program in the previous school year
24 multiplied by the difference between the reduced-price-meal reimbursement

ASSEMBLY BILL 43**SECTION 2040**

1 amount for a meal supplement and the free-meal reimbursement amount for a meal
2 supplement.

3 (f) The total number of meal supplements provided by the educational agency
4 to ineligible pupils under the federal school lunch program in the previous school
5 year multiplied by the difference between the paid-meal reimbursement amount for
6 a meal supplement and the free-meal reimbursement amount for a meal
7 supplement.

8 **SECTION 2041.** 115.342 of the statutes is created to read:

9 **115.342 Grants for milk coolers and dispensers. (1)** In this section:

10 (a) "Educational agency" means a school board, an operator of a charter school
11 under s. 118.40 (2r) or (2x), a private school, a tribal school, an operator of a
12 residential care center for children and youth, as defined in s. 115.76 (14g), the
13 director of the program under s. 115.52, and the director of the center under s.
14 115.525.

15 (a) "Eligible milk equipment" means a milk cooler or dispenser that has a
16 purchase price of less than \$5,000.

17 **(2)** From the appropriation under s. 20.255 (2) (bj), the department shall
18 awards grants to educational agencies participating in the federal school lunch
19 program under 42 USC 1751 to 1769j for the purpose of purchasing eligible milk
20 equipment. An educational agency shall specify in its application for a grant under
21 this section the eligible milk equipment that it intends to purchase with the grant
22 and the cost of each unit. The department may award a grant under this section of
23 up to \$5,000 per unit of eligible milk equipment.

ASSEMBLY BILL 43**SECTION 2041**

1 **(3)** If the appropriation under s. 20.255 (2) (bj) in any fiscal year is insufficient
2 to pay the full amount requested by all applicants under sub. (2), the department
3 shall prorate the payments among the applicants.

4 **(4)** The department may promulgate rules to implement and administer this
5 section.

6 **SECTION 2042.** 115.344 of the statutes is created to read:

7 **115.344 Locally sourced food incentive payments. (1)** In this section:

8 (a) “Federal school breakfast program” means the program under 42 USC 1773.

9 (b) “Federal school lunch program” means the program under 42 USC 1751 to
10 1769j.

11 (c) “Locally sourced food” means food that is raised, produced, aggregated,
12 sorted, processed, and distributed within this state.

13 (d) “School food authority” means all of the following that participate in the
14 federal school lunch program:

15 1. A school district.

16 2. A charter school under s. 118.40 (2r) or (2x).

17 3. A private school.

18 4. A tribal school.

19 5. A residential care center for children and youth, as defined in s. 115.76 (14g).

20 6. The program under s. 115.52.

21 7. The center under s. 115.525.

22 (e) “School meal” means a lunch made available under the federal school lunch
23 program, a meal supplement made available under the federal school lunch
24 program, or a breakfast made available under the federal school breakfast program.

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1 (2) Beginning in the 2024-25 school year and subject to sub. (3), the
2 department shall reimburse a school food authority 10 cents for each school meal the
3 school food authority provided in the previous school year that included a locally
4 sourced food.

5 (3) If the appropriation under s. 20.255 (2) (bk) in any fiscal year is insufficient
6 to pay the full amount of aid under this section, the department shall prorate
7 payments among the school food authorities entitled to the aid.

8 **SECTION 2043.** 115.35 (1) of the statutes is renumbered 115.35 (1) (a) (intro.)
9 and amended to read:

10 115.35 (1) (a) (intro.) A critical health problems education program is
11 established in the department. The program shall be a systematic and integrated
12 program designed to provide appropriate learning experiences based on scientific
13 knowledge of the human organism as it functions within its environment and
14 designed to favorably influence the health, understanding, attitudes and practices
15 of the individual child which will enable him or her to adapt to changing health
16 problems of our society. The program shall be designed to educate youth with regard
17 to critical health problems and shall include, but not be limited to, the following
18 topics as the basis for comprehensive education curricula in all elementary and
19 secondary schools: ~~controlled~~

20 1. Controlled substances, as defined in s. 961.01 (4); controlled substance
21 analogs, as defined in s. 961.01 (4m); alcohol; and tobacco; ~~mental.~~

22 2. Mental health; ~~sexually.~~

23 3. Sexually transmitted diseases, including acquired immunodeficiency
24 syndrome; ~~human.~~

25 4. Human growth and development; ~~and.~~

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1 5. Other related health and safety topics as determined by the department.

2 **(b)** Participation in the human growth and development topic of the curricula
3 described in par. (a) shall be entirely voluntary. The department may not require a
4 school board to use a specific human growth and development curriculum.

5 **SECTION 2044.** 115.363 (2) (b) of the statutes is amended to read:

6 115.363 (2) (b) The school board shall pay to each nonprofit corporation with
7 which it contracts under par. (a) an amount that is no more than the amount paid
8 per pupil under s. 118.40 (2r) (e) ~~2m., 2n., or 2p.~~ 2q. in the current school year
9 multiplied by the number of pupils participating in the program under the contract.

10 **SECTION 2045.** 115.364 (title) of the statutes is amended to read:

11 **115.364** (title) **Aid for school school-based mental health programs**
12 **professionals; staff.**

13 **SECTION 2046.** 115.364 (1) (intro.) of the statutes is renumbered 115.364 (1) and
14 amended to read:

15 115.364 (1) In this section:, “pupil services professional” means a school
16 counselor, school social worker, school psychologist, or school nurse.

17 **SECTION 2047.** 115.364 (1) (a), (am) and (b) of the statutes are repealed.

18 **SECTION 2048.** 115.364 (2) (a) (intro.) and 1. of the statutes are consolidated,
19 renumbered 115.364 (2) (a) and amended to read:

20 115.364 (2) (a) Beginning in the ~~2018-19~~ 2023-24 school year and annually
21 thereafter, the state superintendent shall ~~do all of the following:~~ 1. Subject, subject
22 to par. (b), from the appropriation under s. 20.255 (2) (da), pay to an eligible (db),
23 reimburse a school district board, the operator of a charter school established under
24 s. 118.40 (2r) or (2x), or the governing body of a private school participating in a
25 program under s. 118.60 or 119.23 for an amount equal to 50 percent of the amount

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1 ~~by which the school district increased its expenditures made by the school board,~~
2 ~~operator, or governing body in the preceding school year to employ, hire, or retain~~
3 ~~social workers over the amount it expended in the school year immediately preceding~~
4 ~~the preceding school year to employ, hire, or retain social workers~~ pupil services
5 professionals, including pupil services professionals who provided telehealth
6 services.

7 **SECTION 2049.** 115.364 (2) (a) 2. and 3. of the statutes are repealed.

8 **SECTION 2050.** 115.364 (2) (b) 1. of the statutes is renumbered 115.364 (2) (b)
9 and amended to read:

10 115.364 (2) (b) If the appropriation under s. 20.255 (2) ~~(da)~~ (db) in any fiscal
11 year is insufficient to pay the full amount of aid under par. (a), the state
12 superintendent shall prorate state aid payments among the school districts, ~~private~~
13 ~~schools, and independent charter schools~~ boards, operators of charter schools
14 established under s. 118.40 (2r) and (2x), and governing bodies of private schools
15 participating in a program under s. 118.60 or 119.23 that are eligible for the aid.

16 **SECTION 2051.** 115.364 (2) (b) 2. of the statutes is repealed.

17 **SECTION 2052.** 115.366 (3) of the statutes is amended to read:

18 115.366 (3) AWARDS. ~~Beginning in the 2020-21 school year, from~~ From the
19 appropriation under s. 20.255 (2) (du), the department shall award up to ~~\$1,000~~
20 \$6,000 for each school for which a grant is awarded under sub. (1).

21 **SECTION 2053.** 115.367 of the statutes is repealed.

22 **SECTION 2054.** 115.369 of the statutes is created to read:

23 **115.369 Aid for comprehensive school mental health services. (1)**
24 Beginning in the 2023-24 school year and annually thereafter, the state
25 superintendent shall, from the appropriation under s. 20.255 (2) (dc), reimburse a

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1 school board or the operator of a charter school established under s. 118.40 (2r) or (2x)
2 for expenditures relating to mental health services during in-school or out-of-school
3 time. The annual amount reimbursed under this subsection may not exceed
4 \$100,000 plus \$100 for each pupil enrolled in the school district or charter school in
5 the prior school year. Mental health services that are eligible for reimbursement
6 under this subsection may include any of the following:

7 (a) Mental health evidence-based improvement strategies.

8 (b) Mental health literacy and stigma reduction programs for pupils and
9 adults.

10 (c) Collaborating or contracting with community mental health providers,
11 consultants, organizations, cooperative educational service agencies, and other
12 experts to provide consultation, training, mentoring, and coaching.

13 (d) Parent training and informational events.

14 (e) Assistance programs for pupils and families.

15 (f) Mental health navigators.

16 (g) Mental health system planning.

17 (h) Translator and interpreter services.

18 (i) Offsetting the costs associated with school-employed mental health
19 professionals accessible to all pupils.

20 (j) The costs of the setting up spaces and purchasing equipment suitable for
21 mental health telehealth service delivery.

22 (k) The costs of projects designed to assist minors experiencing problems
23 resulting from the use of alcohol or other drugs or to prevent alcohol or other drug
24 use by minors.

25 (L) Telehealth services, as defined in s. 440.01 (1) (hm).

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1 **(2)** The following costs are ineligible for reimbursement under sub. (1):

2 (a) Payments for direct treatment services or insurance deductibles.

3 (b) Nonmental health–related training.

4 (c) Staff salaries for nonmental health–related positions.

5 (d) Indirect costs of regular school operations such as existing overhead
6 expenses.

7 **(3)** If the appropriation under s. 20.255 (2) (dc) in any fiscal year is insufficient
8 to pay the full amount of aid requested under sub. (1), the state superintendent shall
9 prorate state aid payments among the school boards and the operators of charter
10 schools established under s. 118.40 (2r) and (2x) that are eligible for the aid.

11 **SECTION 2055.** 115.39 of the statutes is created to read:

12 **115.39 Literacy coaching program. (1) DEFINITIONS.** In this section:

13 (a) “CESA region” means the geographic territory within the boundaries of a
14 cooperative educational service agency.

15 (b) “Local educational agency” means a school district or a charter school
16 established under s. 118.40 (2r) or (2x).

17 (c) “Urban school district” means a school district in which the number of pupils
18 enrolled, as defined in s. 121.004 (7), in the previous school year was at least 16,000.

19 **(2) LITERACY COACHING PROGRAM.** The department shall establish a literacy
20 coaching program to improve literacy outcomes in this state. The literacy coaching
21 program established under this subsection shall include all of the following:

22 (a) Literacy coaches who support the implementation of evidence–based
23 literacy instructional practices in grades kindergarten to 12 in local educational
24 agencies in this state. Coaches under this paragraph shall collaborate with local
25 educational agencies to establish goals for literacy outcomes for specific grade levels

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1 and literacy areas and provide ongoing support to local educational agencies to meet
2 those goals.

3 (b) Literacy coaches who focus on early literacy instructional transitions by
4 providing in-person trainings for teachers who teach 4-year-old kindergarten,
5 5-year-old kindergarten, or first grade in local educational agencies. Coaches under
6 this paragraph shall provide in-person trainings to evaluate existing early literacy
7 curricula and goals and to assist local educational agencies to create local,
8 standards-aligned, and developmentally appropriate curricula and instruction for
9 4-year-old kindergarten to first grade pupils.

10 (c) Trainings for literacy coaches under par. (a) on how to identify
11 evidence-based literacy instructional practices.

12 (d) Trainings for literacy coaches under par. (b) on how to facilitate regional
13 trainings focused on early literacy instructional coherence.

14 **(3) REGIONAL LITERACY COACHES.** (a) 1. The department shall contract with
15 individuals who demonstrate knowledge and expertise in evidence-based literacy
16 instructional practices and instructional experience in grades 4-year-old
17 kindergarten to 12 to serve as literacy coaches under sub. (2) (a).

18 2. The department shall contract with individuals who demonstrate knowledge
19 and expertise in early literacy instructional practices and instructional experience
20 in grades 4-year-old kindergarten to one to serve as literacy coaches under sub. (2)
21 (b).

22 3. The department shall contract for the total number of literacy coaches
23 required under par. (b).

24 (b) To ensure that literacy coaching services are provided statewide, the
25 department shall assign literacy coaches as follows:

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1 1. To each urban school district, one literacy coach under sub. (2) (a) and one
2 literacy coach under sub. (2) (b).

3 2. To each CESA region, as follows:

4 a. If the total number of pupils enrolled in local educational agencies other than
5 urban school districts located in the CESA region in the previous school year was
6 40,000 or fewer, one literacy coach under sub. (2) (a) and one literacy coach under sub.
7 (2) (b).

8 b. If the total number of pupils enrolled in local educational agencies other than
9 urban school districts located in the CESA region in the previous school year was
10 40,001 to 80,000, 2 literacy coaches under sub. (2) (a) and 2 literacy coaches under
11 sub. (2) (b).

12 c. If the total number of pupils enrolled in local educational agencies other than
13 urban school districts located in the CESA region in the previous school year was
14 80,001 to 120,000, 3 literacy coaches under sub. (2) (a) and 3 literacy coaches under
15 sub. (2) (b).

16 d. If the total number of pupils enrolled in local educational agencies other than
17 urban school districts located in the CESA region in the previous school year was
18 greater than 120,000, 4 literacy coaches under sub. (2) (a) and 4 literacy coaches
19 under sub. (2) (b).

20 **(4) PARTICIPATION; LOCAL EDUCATIONAL AGENCIES.** (a) Except as provided in par.
21 (b), the department may not require a local educational agency to participate in the
22 program under sub. (2).

23 (b) Each urban school district shall participate in the program under sub. (2).

24 **(5) PAYMENTS.** (a) From the appropriation under s. 20.255 (2) (er), the
25 department shall pay to each urban school district and each local educational agency

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1 that elects to work with a literacy coach under sub. (2) (a) an annual payment of
2 \$7,000.

3 (b) From the appropriation under s. 20.255 (2) (er), the department shall pay
4 to each urban school district and each local educational agency that participates in
5 a regional training led by a literacy coach under sub. (2) (b) an annual payment of
6 \$6,000.

7 **SECTION 2056.** 115.41 of the statutes is renumbered 115.41 (1).

8 **SECTION 2057.** 115.41 (2) of the statutes is created to read:

9 115.41 (2) From the appropriation account under s. 20.255 (3) (ci), beginning
10 in the 2024-25 school year, the department shall provide payments, in the amount
11 of \$9,600 per individual per semester, to prospective teachers who are participating
12 in the program under sub. (1). The department may promulgate rules to implement
13 this subsection.

14 **SECTION 2058.** 115.421 of the statutes is created to read:

15 **115.421 Student teacher stipends.** From the appropriation account under
16 s. 20.255 (3) (cs), beginning in the 2024-25 school year, the department shall provide
17 payments, in the amount of \$2,500 per individual per semester, to an individual who
18 is completing student teaching as part of a teacher preparatory program approved
19 by the state superintendent under s. 115.28 (7) (a). The department may promulgate
20 rules to implement this section.

21 **SECTION 2059.** 115.422 of the statutes is created to read:

22 **115.422 Grow your own programs; teacher pipeline capacity building.**

23 (1) In this section, “grow your own program” means a program to encourage
24 individuals to pursue a career in teaching or to facilitate teacher licensure. “Grow
25 your own programs” include high school clubs that encourage careers in teaching,

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1 payment of costs associated with current staff acquiring education needed for
2 licensure, support for career pathways using dual enrollment, support for
3 partnerships focused on attracting or developing new teachers, or incentives for
4 paraprofessionals to gain licensure.

5 (2) Beginning in the 2024-25 school year, from the appropriation under s.
6 20.255 (2) (ch), the department shall award grants to a school district or the operator
7 of a charter school under s. 118.40 (2r) or (2x) to reimburse the school district or
8 charter school for costs associated with grow your own programs.

9 (3) The department shall promulgate rules to implement and administer this
10 section, including criteria for awarding a grant.

11 **SECTION 2060.** 115.424 of the statutes is created to read:

12 **115.424 Cooperating teacher stipends.** From the appropriation account
13 under s. 20.255 (3) (ct), beginning in the 2024-25 school year, the department shall
14 provide payments, in the amount of \$1,000 per teacher per semester, to a cooperating
15 teacher who is overseeing an individual who is completing student teaching. The
16 department may promulgate rules to implement this section.

17 **SECTION 2061.** 115.436 (3) (am) of the statutes is renumbered 115.436 (3) (am)
18 1. and amended to read:

19 115.436 (3) (am) 1. ~~Beginning in the 2017-18 school year, from~~ From the
20 appropriation under s. 20.255 (2) (ae), the department shall, subject to par. (b), pay
21 to each school district that received aid under ~~this section~~ par. (a) in the previous
22 school year but ~~does not satisfy the requirement under sub. (2) (a) or (2m) (a) is~~
23 ineligible to receive aid under pars. (a) and (c) in the current school year 50 percent
24 of the amount received by the school district under par. (a) in the previous school year.

25 **SECTION 2062.** 115.436 (3) (am) 2. of the statutes is created to read:

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1 115.436 **(3)** (am) 2. From the appropriation under s. 20.255 (2) (ae), the
2 department shall, subject to par. (b), pay to each school district that received aid
3 under par. (c) in the previous school year but is ineligible to receive aid under pars.
4 (a) and (c) in the current school year 50 percent of the amount received by the school
5 district under par. (c) in the previous school year.

6 **SECTION 2063.** 115.437 (1) of the statutes is amended to read:

7 115.437 **(1)** In this section, “number of pupils enrolled” has the meaning given
8 in s. 121.90 (1) (intro.) and includes 40 percent of the summer enrollment. “Number
9 of pupils enrolled” does not include pupils described in the exception under s. 121.90
10 (1) ~~(f)~~ **(g)**.

11 **SECTION 2064.** 115.437 (2) (a) of the statutes is renumbered 115.437 (2) and
12 amended to read:

13 115.437 **(2)** ~~Except as provided in par. (b), annually~~ Annually, on the 4th
14 Monday of March, the department shall pay to each school district an amount equal
15 to the average of the number of pupils enrolled in the school district in the current
16 and 2 preceding school years multiplied by ~~\$75 in the 2013-14 school year, by \$150~~
17 ~~in the 2014-15 and 2015-16 school years, by \$250 in the 2016-17 school year, by \$450~~
18 ~~in the 2017-18 school year, by \$654~~ \$766 in the 2018-19 2023-24 school year; ~~and~~
19 ~~by \$679 and \$63 in~~ \$811 in the 2024-25 school year and each school year thereafter.
20 The department shall make the payments from the appropriation under s. 20.255 (2)
21 (aq).

22 **SECTION 2065.** 115.437 (2) (b) of the statutes is repealed.

23 **SECTION 2066.** 115.449 of the statutes is created to read:

24 **115.449 Out-of-school-time programs; grants.** **(1)** In this section,
25 “out-of-school-time program” means any of the following:

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1 (a) A program that provides programming, activities, learning support, and
2 supervision for pupils in grades kindergarten to 12 before school, after school, or both
3 before and after school.

4 (b) A day camp licensed by the department of children and families.

5 (c) A recreational or educational camp licensed by the department of
6 agriculture, trade and consumer protection or a local health department under s.
7 97.67.

8 (d) A program that the department determines will help program participants
9 make progress in the following goals as appropriate for age groups served:

- 10 1. Developing a sense of connection to school and their place in it.
- 11 2. Improving academic outcomes, including homework completion, grades, and
12 study behaviors.
- 13 3. College graduation and career readiness.
- 14 4. Reducing rates of participation in risky behaviors through access to a safe
15 and welcoming environment during out-of-school-time hours.
- 16 5. Improving social and emotional skills and accessing opportunities to
17 demonstrate leadership.
- 18 6. Accessing experiences and opportunities that contribute to the development
19 of the whole child, such as civic engagement and community service.

20 **(2)** Beginning in the 2024-25 school year, from the appropriation under s.
21 20.255 (2) (dk), the department shall award grants to school boards, charter schools
22 established under s. 118.40 (2r) or (2x), and organizations to support high-quality
23 after-school programs and other out-of-school-time programs that provide services
24 to school-age children.

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1 **(3)** The department may promulgate rules to implement and administer this
2 section.

3 **SECTION 2067.** 115.76 (12) (a) 1. of the statutes is amended to read:

4 115.76 **(12)** (a) 1. A ~~biological~~ natural parent.

5 **SECTION 2068.** 115.76 (12) (a) 2. of the statutes is repealed.

6 **SECTION 2069.** 115.76 (12) (a) 3. of the statutes is repealed.

7 **SECTION 2070.** 115.76 (13) of the statutes is amended to read:

8 115.76 **(13)** “Person acting as a parent of a child” means a relative of the child
9 or a private individual allowed to act as a parent of a child by the child’s ~~biological~~
10 natural or adoptive parents or guardian, and includes the child’s grandparent,
11 neighbor, friend or private individual caring for the child with the explicit or tacit
12 approval of the child’s ~~biological~~ natural or adoptive parents or guardian. “Person
13 acting as a parent of a child” does not include any person that receives public funds
14 to care for the child if such funds exceed the cost of such care.

15 **SECTION 2071.** 115.77 (1) of the statutes is amended to read:

16 115.77 **(1)** In sub. (1m) (a) to (d), except as provided in s. 118.51 (12) ~~(b)~~, if a child
17 with a disability is attending a public school in a nonresident school district under
18 s. 118.50, 118.51, or 121.84 (1) (a) or (4), “local educational agency” means the school
19 district that the child is attending.

20 **SECTION 2072.** 115.79 (1) (b) of the statutes is amended to read:

21 115.79 **(1)** (b) An educational placement is provided to implement a child’s
22 individualized education program. Except as provided in s. 118.51 (12) ~~(b)~~, if a child
23 with a disability is attending a public school in a nonresident school district under
24 s. 118.50, 118.51, or 121.84 (1) (a) or (4), the school board of the school district that
25 the child is attending shall provide an educational placement for the child and shall

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1 pay tuition charges instead of the school district in which the child resides if required
2 by the placement.

3 **SECTION 2073.** 115.7915 (1) (a) of the statutes is renumbered 115.7915 (1) (ah).

4 **SECTION 2074.** 115.7915 (1) (ad) of the statutes is created to read:

5 115.7915 (1) (ad) “Accrediting entity” has the meaning given in s. 118.60 (1)
6 (ab).

7 **SECTION 2075.** 115.7915 (1) (ap) of the statutes is created to read:

8 115.7915 (1) (ap) “Preaccreditation” has the meaning given in s. 118.60 (1) (c).

9 **SECTION 2076.** 115.7915 (1) (at) of the statutes is created to read:

10 115.7915 (1) (at) “Preaccrediting entity” has the meaning given in s. 118.60 (1)
11 (cm).

12 **SECTION 2077.** 115.7915 (1) (aw) of the statutes is created to read:

13 115.7915 (1) (aw) “Program cap” means the total number of children who
14 attended eligible schools under the scholarship program under this section in the
15 2023-24 school year.

16 **SECTION 2078.** 115.7915 (2) (intro.) of the statutes is amended to read:

17 115.7915 (2) SCHOLARSHIP REQUIREMENTS. (intro.) Beginning in the 2016-17
18 school year, the department shall, subject to sub. (2m), provide to a child with a
19 disability a scholarship under sub. (4m) (a) to attend an eligible school if all of the
20 following apply:

21 **SECTION 2079.** 115.7915 (2) (b) of the statutes is amended to read:

22 115.7915 (2) (b) The governing body of the eligible school notified the
23 department of its intent to participate in the program under this section as provided
24 under sub. (3) (a).

25 **SECTION 2080.** 115.7915 (2) (c) (intro.) of the statutes is created to read:

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1 115.7915 (2) (c) (intro.) Any of the following applies to the eligible school:

2 **SECTION 2081.** 115.7915 (2) (c) of the statutes is renumbered 115.7915 (2) (c)

3 3. a. and amended to read:

4 115.7915 (2) (c) 3. a. ~~The~~ For the 2023-24 school year, the eligible school has
5 been either is approved as a private school by the state superintendent under s.
6 118.165 (2) or is accredited by ~~Cognia, Inc., Wisconsin Religious and Independent~~
7 ~~Schools Accreditation, the Independent Schools Association of the Central States,~~
8 ~~Wisconsin Evangelical Lutheran Synod School Accreditation, Wisconsin Association~~
9 ~~of Christian Schools, National Lutheran School Accreditation, Christian Schools~~
10 ~~International, Association of Christian Schools International, the diocese or~~
11 ~~archdiocese within which the eligible school is located, or any other organization~~
12 ~~recognized by the National Council for Private School Accreditation, as of the~~ an
13 accrediting entity on August 1 preceding the school term for which the scholarship
14 is awarded, 2023.

15 **SECTION 2082.** 115.7915 (2) (c) 1. of the statutes is created to read:

16 115.7915 (2) (c) 1. The eligible school participates in a parental choice program
17 under s. 118.60 or 119.23 for the school year for which the scholarship is awarded.

18 **SECTION 2083.** 115.7915 (2) (c) 2. of the statutes is created to read:

19 115.7915 (2) (c) 2. The eligible school is accredited by an accrediting entity by
20 August 1 of the school year for which the scholarship is awarded.

21 **SECTION 2084.** 115.7915 (2) (c) 3. (intro.) of the statutes is created to read:

22 115.7915 (2) (c) 3. (intro.) If the eligible school participates in the program
23 under this section in the 2023-24 school year, all of the following apply to the eligible
24 school:

25 **SECTION 2085.** 115.7915 (2) (c) 3. b., c. and d. of the statutes are created to read:

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1 115.7915 (2) (c) 3. b. If the eligible school is not accredited as provided under
2 subd. 3. a., the eligible school obtains preaccreditation by a preaccrediting entity by
3 August 1, 2024. The eligible school may apply for and seek to obtain preaccreditation
4 from only one preaccrediting entity. If the eligible school fails to obtain
5 preaccreditation as required under this subd. 3. b., the eligible school may not
6 participate in the program under this section in the 2024-25 school year or in any
7 school year thereafter until the eligible school obtains accreditation as provided
8 under subd. 2.

9 c. If subd. 3. b. applies to the eligible school, the eligible school applies for
10 accreditation by an accrediting entity by December 31, 2024, and obtains
11 accreditation by an accrediting entity by December 31, 2027.

12 d. This subd. 3. does not apply after the 2027-28 school year.

13 **SECTION 2086.** 115.7915 (2) (f) of the statutes is amended to read:

14 115.7915 (2) (f) The child's parent or guardian on behalf of the child, or, for a
15 child with a disability who has reached the age of 18 and has not been adjudicated
16 incompetent, the child, submitted an application for a scholarship under this section
17 as provided under sub. (3) (am) and on a form prepared by the department that
18 includes the document developed by the department under sub. (4) to the eligible
19 school that the child will attend. ~~A child's parent or guardian or a child with a~~
20 ~~disability who has reached the age of 18 may apply for a scholarship at any time~~
21 ~~during a school year and, subject to sub. (3) (b), a child may begin attending an~~
22 ~~eligible school under this section at any time during the school year.~~

23 **SECTION 2087.** 115.7915 (2) (g) of the statutes is amended to read:

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1 115.7915 (2) (g) ~~The Subject to sub. (3) (d), the eligible school, or the department~~
2 ~~on behalf of the eligible school,~~ has accepted the child's application to attend the
3 eligible school under a scholarship awarded under this section.

4 **SECTION 2088.** 115.7915 (2) (i) of the statutes is created to read:

5 115.7915 (2) (i) 1. Except as provided in subd. 2., beginning on July 1, 2026, all
6 of the eligible school's teachers have a teaching license or permit issued by the
7 department.

8 2. a. A teacher employed by the eligible school on July 1, 2026, who has been
9 teaching for at least the 5 consecutive years immediately preceding July 1, 2026, and
10 who does not satisfy the requirements under subd. 1. on July 1, 2026, may apply to
11 the department on a form prepared by the department for a temporary,
12 nonrenewable waiver from the requirements under subd. 1. The department shall
13 promulgate rules to implement this subd. 2. a., including the form of the application
14 and the process by which the waiver application will be reviewed. The application
15 form shall require the applicant to submit a plan for satisfying the requirements
16 under subd. 1. No waiver granted under this subd. 2. a. is valid after July 1, 2031.

17 b. A teacher employed by the eligible school who teaches only courses in
18 rabbinical studies is not required to hold a license or permit to teach issued by the
19 department.

20 **SECTION 2089.** 115.7915 (2m) of the statutes is created to read:

21 115.7915 (2m) PROGRAM CAP. Beginning with the 2024-25 school year, the total
22 number of children who may attend eligible schools under the scholarship program
23 under this section during a school year may not exceed the program cap.

24 **SECTION 2090.** 115.7915 (3) (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2090**

1 115.7915 (3) (title) PARTICIPATING SCHOOLS; ~~SELECTION OF PUPILS~~ APPLICATION
2 PROCESS; WAITING LIST.

3 **SECTION 2091.** 115.7915 (3) (a) of the statutes is amended to read:

4 115.7915 (3) (a) The governing body of an eligible school that intends to
5 participate in the program under this section shall notify the department of its intent
6 by the 1st Monday in March of the previous school year. The governing body of the
7 eligible school shall include in the notice under this paragraph the number of spaces
8 the eligible school has available for children receiving a scholarship under this
9 section.

10 **SECTION 2092.** 115.7915 (3) (am) of the statutes is created to read:

11 115.7915 (3) (am) The governing body of an eligible school that has submitted
12 a notice of intent to participate under par. (a) may accept applications for
13 scholarships under sub. (2) (f) for the following school year between the first weekday
14 in April and the 3rd Thursday in June.

15 **SECTION 2093.** 115.7915 (3) (b) of the statutes is repealed.

16 **SECTION 2094.** 115.7915 (3) (bm) of the statutes is amended to read:

17 115.7915 (3) (bm) Upon receipt of an application for a scholarship under sub.
18 ~~(2) (f)~~ par. (am), the governing body of the eligible school shall determine whether the
19 application satisfies the requirements under sub. (2), other than the requirement
20 under sub. (2) (d), and shall request verification from the local education agency that
21 developed the child's individualized education program or services plan that the
22 child has an individualized education program or services plan in place that meets
23 the requirement in sub. (2) (d). The governing body of the eligible school shall also
24 notify the child's resident school board that, pending verification that the
25 requirements of sub. (2) have been satisfied and subject to par. (d), the child will be

ASSEMBLY BILL 43**SECTION 2094**

1 awarded a scholarship under this section. The local education agency shall, within
2 5 business days of receiving a request under this paragraph, provide the governing
3 body of the eligible school with a copy of the child's individualized education program
4 or services plan.

5 **SECTION 2095.** 115.7915 (3) (c) of the statutes is amended to read:

6 115.7915 (3) (c) The By the first weekday in May immediately following the
7 application period under par. (am), the governing body of a private an eligible school
8 partieipating in the program under this section that received applications for
9 scholarships under par. (am) shall notify report to the department when it verifies
10 that a child has the names of children who applied under par. (am) to attend the
11 eligible school for whom the governing body has verified that an individualized
12 education program or services plan is in effect and accepts the child's application to
13 attend the private school under a scholarship awarded under this section the names
14 of those applicants who have siblings who are already attending the eligible school.

15 **SECTION 2096.** 115.7915 (3) (d) of the statutes is created to read:

16 115.7915 (3) (d) After the end of the application period described under par.
17 (am), upon receipt of the information under par. (c), the department shall determine
18 the sum of all applicants for scholarships under this section. In determining the sum,
19 the department shall count a child who has applied for more than one scholarship
20 under this section only once. If the sum of all applicants exceeds the program cap,
21 the department shall determine which applications to accept on a random basis,
22 subject to the number of available spaces each eligible school specified in its notice
23 under par. (a), except that the department shall give preference to the following in
24 accepting applications for each eligible school, in the order of preference listed:

ASSEMBLY BILL 43**SECTION 2096**

1 1. Children who attended a different eligible school under a scholarship under
2 this section during the previous school year.

3 2. Siblings of pupils who are already attending the eligible school.

4 **SECTION 2097.** 115.7915 (3) (e) of the statutes is created to read:

5 115.7915 (3) (e) No later than 60 days after the end of the application period
6 described under par. (am), the department shall notify each applicant and each
7 eligible school, in writing, whether the application submitted to the eligible school
8 has been accepted.

9 **SECTION 2098.** 115.7915 (3) (f) of the statutes is created to read:

10 115.7915 (3) (f) If the sum under par. (d) exceeds the program cap, the
11 department shall establish a waiting list in accordance with the preferences required
12 under par. (d).

13 **SECTION 2099.** 115.7915 (3) (g) of the statutes is created to read:

14 115.7915 (3) (g) The governing body of an eligible school that has accepted a
15 child under par. (d) shall notify the department whenever the governing body
16 determines that the child will not attend the eligible school under a scholarship
17 under this section. If, upon receiving notice under this paragraph, the department
18 determines that the number of children attending eligible schools under
19 scholarships under this section falls below the program cap, the department shall fill
20 any available slot with a child selected from the waiting list established under par.
21 (f), if such a waiting list exists.

22 **SECTION 2100.** 115.7915 (4c) of the statutes is repealed.

23 **SECTION 2101.** 115.7915 (4m) (a) 2. b. of the statutes is amended to read:

24 115.7915 (4m) (a) 2. b. Beginning in the 2018-19 school year and subject to
25 ~~subd. 3., ending in the 2022-23 school year,~~ the sum of the scholarship amount under

ASSEMBLY BILL 43**SECTION 2101**

1 this subdivision for the previous school year; the amount of the per pupil revenue
2 limit adjustment under s. 121.91 (2m) for the current school year, if positive; and the
3 change in the amount of statewide categorical aid per pupil between the previous
4 school year and the current school year, as determined under s. 118.40 (2r) (e) 2p.,
5 if positive, or the amount under s. 115.7915 (4m) (a) 3., 2021 stats., if applicable.

6 **SECTION 2102.** 115.7915 (4m) (a) 2. c. of the statutes is created to read:

7 115.7915 (4m) (a) 2. c. Beginning in the 2023-24 school year, the sum of the
8 scholarship amount under this subdivision for the previous school year; the amount
9 of the per pupil revenue limit adjustment under s. 121.91 (2m) for the current school
10 year, if positive; and the change in the per pupil amount under s. 115.437 (2) between
11 the previous school year and the current school year, if positive.

12 **SECTION 2103.** 115.7915 (4m) (a) 3. of the statutes is repealed.

13 **SECTION 2104.** 115.7915 (4m) (cm) of the statutes is repealed.

14 **SECTION 2105.** 115.7915 (4m) (f) 1. a. of the statutes is amended to read:

15 115.7915 (4m) (f) 1. a. Determine the ~~sum of the amount paid for each child~~
16 number of children residing in the school district for whom a payment is made under
17 par. (a) in that school year.

18 **SECTION 2106.** 115.7915 (4m) (f) 1. bm. of the statutes is created to read:

19 115.7915 (4m) (f) 1. bm. Multiply the number of children under subd. 1. a. by
20 the per pupil amount calculated under par. (a) for that school year.

21 **SECTION 2107.** 115.7915 (4m) (f) 1. e. of the statutes is amended to read:

22 115.7915 (4m) (f) 1. e. Sum the amounts calculated under subd. 1. a., bm., d.,
23 and dh.

24 **SECTION 2108.** 115.7915 (6) (L) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2108**

1 115.7915 (6) (L) Allow a child attending the private school under this section
2 to refrain from participating in any religious activity if the child's parent submits to
3 the child's teacher or the private school's principal a written request that the child
4 be exempt from such activities.

5 **SECTION 2109.** 115.881 (2) of the statutes is renumbered 115.881 (2) (intro.) and
6 amended to read:

7 115.881 (2) (intro.) For each child whose costs exceeded \$30,000 under sub. (1),
8 the department shall, from the appropriation under s. 20.255 (2) (bd), pay an eligible
9 applicant ~~in the current school year an amount equal to 0.90 multiplied by that~~
10 ~~portion at the following rates:~~

11 (a) In the 2023-34 school year, 45 percent of the cost under sub. (1) that
12 exceeded \$30,000.

13 **SECTION 2110.** 115.881 (2) (b) of the statutes is created to read:

14 115.881 (2) (b) In the 2024-25 school year and each school year thereafter, 60
15 percent of the cost under sub. (1) that exceeded \$30,000.

16 **SECTION 2111.** 115.881 (3) of the statutes is repealed.

17 **SECTION 2112.** 115.882 of the statutes is amended to read:

18 **115.882 Payment of state aid; reimbursement rate.** ~~Funds appropriated~~
19 ~~under s. 20.255 (2) (b) shall be used first for the purpose of s. 115.88 (4). Costs~~ In the
20 2023-24 school year and in each school year thereafter, costs eligible for
21 reimbursement from the appropriation under s. 20.255 (2) (b) under ss. 115.88 (1m)
22 to (3), (6), and (8), 115.93, and 118.255 (4) shall be reimbursed at ~~a rate set to~~
23 ~~distribute the full amount appropriated for reimbursement for the costs, not to~~
24 ~~exceed 100 percent~~ 60 percent of eligible costs.

25 **SECTION 2113.** 115.993 (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2113**

1 **115.993** (title) **Report Reports on bilingual-bicultural education and**
2 **pupil counts.**

3 **SECTION 2114.** 115.993 of the statutes is renumbered 115.993 (1).

4 **SECTION 2115.** 115.993 (2) of the statutes is created to read:

5 115.993 (2) Annually, on or before August 15, a school board and the operator
6 of a charter school established under s. 118.40 (2r) or (2x) shall report to the state
7 superintendent the number of limited-English proficient pupils enrolled in the
8 school district or attending the charter school in the previous school year and the
9 classification of those pupils by language group.

10 **SECTION 2116.** 115.995 (intro.) of the statutes is amended to read:

11 **115.995 State aids.** (intro.) Upon receipt of the report under s. 115.993 (1),
12 if the state superintendent is satisfied that the bilingual-bicultural education
13 program for the previous school year was maintained in accordance with this
14 subchapter, the state superintendent shall do all of the following:

15 **SECTION 2117.** 115.995 (1) of the statutes is amended to read:

16 115.995 (1) From the appropriation under s. 20.255 (2) (cc), divide
17 proportionally, based upon costs reported under s. 115.993 (1), an annual payment
18 of \$250,000 among school districts whose enrollments in the previous school year
19 were at least 15 percent limited-English proficient pupils. Aid paid under this
20 subsection does not reduce aid paid under sub. (2).

21 **SECTION 2118.** 115.995 (2) of the statutes is renumbered 115.995 (2) (intro.) and
22 amended to read:

23 115.995 (2) (intro.) Certify to the department of administration in favor of the
24 school district ~~—a sum equal to a percentage of the amount expended on~~
25 limited-English proficient pupils by the school district during the preceding year for

ASSEMBLY BILL 43**SECTION 2118**

1 salaries of personnel participating in and attributable to bilingual-bicultural
2 education programs under this subchapter, special books and equipment used in the
3 bilingual-bicultural programs and other expenses approved by the state
4 superintendent. ~~The percentage shall be determined by dividing the amount in the~~
5 ~~From the~~ appropriation under s. 20.255 (2) (cc) ~~in the current school year less~~
6 ~~\$250,000 by the total amount of aidable costs in the previous school year., the state~~
7 superintendent shall reimburse the school district the following amounts:

8 **SECTION 2119.** 115.995 (2) (a) and (b) of the statutes are created to read:

9 115.995 (2) (a) In the 2023-24 school year, 15 percent of the amount certified
10 under this subsection for the previous school year.

11 (b) In the 2024-25 school year and each school year thereafter, 20 percent of
12 the amount certified under this subsection for the previous school year.

13 **SECTION 2120.** 115.9955 of the statutes is created to read:

14 **115.9955 Aid for English language acquisition.** (1) Beginning in the
15 2024-25 school year and annually thereafter, from the appropriation under s. 20.255
16 (2) (cd), the department shall pay each school district and each operator of a charter
17 school established under s. 118.40 (2r) and (2x) the following amounts, based on the
18 report under s. 115.993 (2):

19 (a) If, in the previous school year, there was at least one but no more than 20
20 limited-English proficient pupils enrolled in the school district or attending the
21 charter school, \$10,000.

22 (b) If, in the previous school year, there were more than 20 limited-English
23 proficient pupils enrolled in the school district or attending the charter school, \$500
24 per limited-English proficient pupil.

ASSEMBLY BILL 43**SECTION 2120**

1 **(2)** Receipt of aid under s. 115.995 does not preclude receipt of aid under this
2 section.

3 **SECTION 2121.** 118.07 (1) of the statutes is renumbered 118.07 (1) (a).

4 **SECTION 2122.** 118.07 (1) (b) of the statutes is created to read:

5 118.07 **(1)** (b) Every school board shall ensure that each public school in the
6 school district, and every operator of a charter school established under s. 118.40 (2r)
7 or (2x) shall ensure that the charter school, has on-site an adequate usable supply
8 of an opioid antagonist, as defined in s. 450.01 (13v). A supply of an opioid antagonist
9 provided under this paragraph shall be in a location that is easily accessible at all
10 times.

11 **SECTION 2123.** 118.07 (6) of the statutes is created to read:

12 118.07 **(6)** (a) In this subsection:

13 1. “School premises” means all of the following:

14 a. Real property owned or rented by, or under the control of, a school board,
15 including playgrounds, athletic facilities or fields, and any other property that is
16 occupied by pupils on a regular basis.

17 b. Real property owned or rented by an operator or governing board of a charter
18 school that is used for the operation of a charter school, including playgrounds,
19 athletic facilities or fields, and any other property that is occupied on a regular basis
20 by pupils attending the charter school.

21 c. Real property owned or rented by the governing body of a private school that
22 is used for the operation of a private school, including playgrounds, athletic facilities
23 or fields, and any other property that is occupied on a regular basis by pupils
24 attending the private school.

25 2. “Vape” means to inhale or exhale vapor from a vapor product.

ASSEMBLY BILL 43**SECTION 2123**

1 3. "Vapor product" has the meaning given in s. 139.75 (14).

2 (b) No individual may vape on school premises.

3 **SECTION 2124.** 118.134 (6) of the statutes is created to read:

4 118.134 **(6)** Regardless of whether or not an objection is made under sub. (1)
5 or an order is issued under sub. (3), if a school board adopts a resolution to terminate
6 the use of a race-based nickname, logo, mascot, or team name that is associated with
7 a federally recognized American Indian tribe or American Indians, in general, the
8 state superintendent may award a grant to the school board for the costs associated
9 with adopting and implementing a nickname, logo, mascot, or team name that is not
10 race-based. The state superintendent may not award a grant under this subsection
11 in an amount that exceeds the greater of \$50,000 or a school board's actual costs to
12 adopt and implement a nickname, logo, mascot, or team name. The state
13 superintendent shall pay the awards under this subsection from the appropriation
14 under s. 20.255 (2) (kg).

15 **SECTION 2125.** 118.15 (3) (a) of the statutes is amended to read:

16 118.15 **(3)** (a) Any child who is excused by the school board because the child
17 is temporarily not in proper physical or mental condition to attend a school program
18 but who can be expected to return to a school program upon termination or
19 abatement of the illness or condition. The school attendance officer may request the
20 parent or guardian of the child to obtain a written statement from a licensed
21 physician, naturopathic doctor, dentist, chiropractor, optometrist, psychologist,
22 physician assistant, ~~or nurse practitioner, as defined in s. 255.06 (1) (d), or certified~~
23 ~~advanced practice registered nurse prescriber, or registered nurse described under~~
24 s. 255.06 (1) (f) 1. or Christian Science practitioner living and residing in this state,
25 who is listed in the Christian Science Journal, as sufficient proof of the physical or

ASSEMBLY BILL 43**SECTION 2125**

1 mental condition of the child. An excuse under this paragraph shall be in writing and
2 shall state the time period for which it is valid, not to exceed 30 days.

3 **SECTION 2126.** 118.163 (4) of the statutes is amended to read:

4 118.163 (4) A person who is ~~under 17 years of age~~ a minor on the date of
5 disposition is subject to s. 938.342.

6 **SECTION 2127.** 118.19 (1) of the statutes is amended to read:

7 118.19 (1) Except as provided in subs. (1b) and (1c) and s. 118.40 (8) (b) 1. and
8 2., any person seeking to teach in a public school, including a charter school, ~~or~~ in a
9 school or institution operated by a county or the state, in a private school
10 participating in a parental choice program under s. 118.60 or 119.23, or in a private
11 school participating in the program under s. 115.7915 shall first procure a license or
12 permit from the department.

13 **SECTION 2128.** 118.19 (1b) of the statutes is amended to read:

14 118.19 (1b) An individual may teach an online course in a subject and level in
15 a public school, including a charter school, in a private school participating in a
16 parental choice program under s. 118.60 or 119.23, or in a private school
17 participating in the program under s. 115.7915 without a license or permit from the
18 department if the individual holds a valid license or permit to teach the subject and
19 level in the state from which the online course is provided.

20 **SECTION 2129.** 118.19 (1c) (b) (intro.) of the statutes is amended to read:

21 118.19 (1c) (b) (intro.) A faculty member of an institution of higher education
22 may teach in a public high school, including a charter school that operates only high
23 school grades, in a private school participating in a parental choice program under
24 s. 118.60 or 119.23 that operates only high school grades, or in a private school
25 participating in the program under s. 115.7915 that operates only high school grades

ASSEMBLY BILL 43**SECTION 2129**

1 without a license or permit from the department if the faculty member satisfies all
2 of the following:

3 **SECTION 2130.** 118.19 (3) (a) of the statutes is amended to read:

4 118.19 (3) (a) No license to teach in any public school may be issued unless the
5 applicant possesses a bachelor's degree including such professional training as the
6 department by rule requires, except as permitted under par. (b) and ss. 115.28 (17)
7 (a), 118.191, 118.1915, 118.192, 118.193, 118.194, and 118.197. Notwithstanding s.
8 36.11 (16), no teacher preparatory program in this state may be approved by the state
9 superintendent under s. 115.28 (7) (a), unless each student in the program is
10 required to complete student teaching consisting of full days for a full semester
11 following the daily schedule and semester calendar of the cooperating school or the
12 equivalent, as determined by the state superintendent. No license to teach in any
13 public school may be granted to an applicant who completed a professional training
14 program outside this state unless the applicant completed student teaching
15 consisting of full days for a full semester following the daily schedule and semester
16 calendar of the cooperating school or the equivalent, as determined by the state
17 superintendent. The state superintendent may grant exceptions to the student
18 teaching requirements under this paragraph when the midyear calendars of the
19 institution offering the teacher preparatory program and the cooperating school
20 differ from each other and would prevent students from attending classes at the
21 institution in accordance with the institution's calendar. The state superintendent
22 shall promulgate rules to implement this subsection. If for the purpose of granting
23 a license to teach or for approving a teacher preparatory program the state
24 superintendent requires that an institution of higher education be accredited, the
25 state superintendent shall accept accreditation by a regional or national

ASSEMBLY BILL 43**SECTION 2130**

1 institutional accrediting agency recognized by the U.S. department of education or
2 by a programmatic accrediting organization.

3 **SECTION 2131.** 118.19 (3) (b) of the statutes is amended to read:

4 118.19 (3) (b) The state superintendent shall permanently certify any
5 applicant to teach Wisconsin native American languages and culture who has
6 successfully completed the university of Wisconsin-Milwaukee school of education
7 approved Wisconsin native American languages and culture project certification
8 program at any time between January 1, 1974, and December 31, 1977. ~~School~~
9 ~~districts shall~~ A school district, the governing body of a private school participating
10 in a parental choice program under s. 118.60 or 119.23, or the governing body of a
11 private school participating in the program under s. 115.7915 may not assign
12 individuals certified under this paragraph to teach courses other than Wisconsin
13 native American languages and culture, unless they qualify under par. (a).

14 **SECTION 2132.** 118.19 (10) (b) 1. of the statutes is amended to read:

15 118.19 (10) (b) 1. Conduct a background investigation of each applicant for
16 issuance or renewal of a license or permit, including a license or permit issued to a
17 pupil services professional, and for a faculty member seeking to teach in a public high
18 school without a license or permit.

19 **SECTION 2133.** 118.191 (2) (a) of the statutes is amended to read:

20 118.191 (2) (a) Notwithstanding s. 118.19 (7) to (9), the department shall grant
21 an initial teaching license to teach a technical education subject to an individual who
22 is eligible for licensure under s. 118.19 (4) and (10), who scores at least 100 points on
23 the point system under sub. (5), of which at least 25 points are from sub. (5) (a) 1. and
24 at least 25 points are from sub. (5) (a) 2., and who agrees to complete during the term
25 of the license a curriculum determined by the school board of the school district, by

ASSEMBLY BILL 43**SECTION 2133**

1 the governing body of the private school participating in a parental choice program
2 under s. 118.60 or 119.23, or by the governing body of the private school participating
3 in the program under s. 115.7915 in which the individual will teach.

4 **SECTION 2134.** 118.191 (2) (b) of the statutes is amended to read:

5 118.191 (2) (b) Notwithstanding s. 118.19 (7) to (9), the department shall grant
6 an initial teaching license to teach a vocational education subject to an individual
7 who is eligible for licensure under s. 118.19 (4) and (10), who scores at least 100 points
8 on the point system under sub. (5m), of which at least 25 points are from sub. (5m)
9 (a) 1. and at least 25 points are from sub. (5m) (a) 2., and who agrees to complete
10 during the term of the license a curriculum determined by the school board of the
11 school district, by the governing body of the private school participating in a parental
12 choice program under s. 118.60 or 119.23, or by the governing body of the private
13 school participating in the program under s. 115.7915 in which the individual will
14 teach.

15 **SECTION 2135.** 118.191 (2m) of the statutes is amended to read:

16 118.191 (2m) An initial teaching license issued under sub. (2) authorizes an
17 individual to teach only in the school district controlled by the school board, or in the
18 private school controlled by the governing body, that determined the curriculum the
19 individual agreed to complete in order to qualify for the initial teaching license.

20 **SECTION 2136.** 118.191 (3) of the statutes is amended to read:

21 118.191 (3) An initial teaching license issued under sub. (2) is valid for 3 years.
22 An initial teaching license issued under sub. (2) is void if the license holder ceases
23 to be employed as a teacher in the school district or private school in which the license
24 holder is authorized to teach under sub. (2m).

25 **SECTION 2137.** 118.191 (4) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2137**

1 118.191 (4) Upon the expiration of the 3-year term of an initial teaching license
2 issued under sub. (2), the department shall issue to the license holder a professional
3 teaching license to teach the technical education subject or vocational education
4 subject if the individual successfully completed the curriculum that the individual
5 agreed to under sub. (2), as determined by the school board of the school district, by
6 the governing body of the private school participating in a parental choice program
7 under s. 118.60 or 119.23, or by the governing body of the private school participating
8 in the program under s. 115.7915 that established the curriculum. The department
9 shall indicate on a professional teaching license issued under this subsection that the
10 license was obtained under the experience-based licensure program under this
11 section.

12 **SECTION 2138.** 118.192 (4) of the statutes is amended to read:

13 118.192 (4) A school board or private school participating in a parental choice
14 program under s. 118.60 or 119.23 that employs a person who holds a professional
15 teaching permit shall ensure that no regularly licensed teacher is removed from his
16 or her position as a result of the employment of persons holding permits.

17 **SECTION 2139.** 118.20 (1) of the statutes is amended to read:

18 118.20 (1) No discrimination because of sex, except where sex is a bona fide
19 occupational qualification as defined in s. 111.36 (2), sexual orientation, as defined
20 in s. 111.32 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as
21 defined in s. 111.32 (7k), race, nationality national origin, or political or religious
22 affiliation may be practiced in the employment of teachers or administrative
23 personnel in public schools or in their assignment or reassignment. No questions of
24 any nature or form relative to sex, except where sex is a bona fide occupational
25 qualification as defined in s. 111.36 (2), sexual orientation, as defined in s. 111.32

ASSEMBLY BILL 43**SECTION 2139**

1 (13m), gender expression, as defined in s. 111.32 (7j), gender identity, as defined in
2 s. 111.32 (7k), race, nationality national origin, or political or religious affiliation may
3 be asked applicants for teaching or administrative positions in the public schools
4 either by public school officials or employees or by teachers agencies or placement
5 bureaus.

6 **SECTION 2140.** 118.22 (4) of the statutes is created to read:

7 118.22 (4) A collective bargaining agreement under subch. IV of ch. 111 may
8 modify, waive, or replace any of the provisions of this section as they apply to teachers
9 in the collective bargaining unit, but neither the employer nor the bargaining agent
10 for the employees is required to bargain such modification, waiver, or replacement.

11 **SECTION 2141.** 118.245 (1) of the statutes is amended to read:

12 118.245 (1) If a school board wishes to increase the total base wages of its
13 general municipal employees, as defined in s. 111.70 (1) (fm), in an amount that
14 exceeds the limit under s. 111.70 (4) (mb) 2., the school board shall adopt a resolution
15 to that effect. The resolution shall specify the amount by which the proposed total
16 base wages increase will exceed the limit under s. 111.70 (4) (mb) 2. The resolution
17 may not take effect unless it is approved in a referendum called for that purpose. The
18 referendum shall occur in April for collective bargaining agreements that begin in
19 July of that year. The results of a referendum apply to the total base wages only in
20 the next collective bargaining agreement.

21 **SECTION 2142.** 118.25 (1) (a) of the statutes is amended to read:

22 118.25 (1) (a) "Practitioner" means a person licensed as a physician,
23 naturopathic doctor, or physician assistant in any state or licensed as an advanced
24 practice registered nurse or certified as an advanced practice registered nurse

ASSEMBLY BILL 43**SECTION 2142**

1 prescriber in any state. In this paragraph, “physician” has the meaning given in s.
2 448.01 (5).

3 **SECTION 2143.** 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 2144.** 118.2925 (1) (b) of the statutes is repealed.

8 **SECTION 2145.** 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 2146.** 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,

ASSEMBLY BILL 43**SECTION 2146**

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 2147.** 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 2148.** 118.40 (2r) (b) 2. m. of the statutes is created to read:

18 118.40 (2r) (b) 2. m. If the contract is for the operation of a charter school that
19 includes a grade from 9 to 12, a requirement that the charter school make available
20 to pupils in grades 9 to 12 at least one computer science course that includes concepts
21 in computer programming or coding.

22 **SECTION 2149.** 118.40 (2r) (e) 2p. (intro.) of the statutes is amended to read:

23 118.40 (2r) (e) 2p. (intro.) In Beginning in the 2015-16 school year and ~~in each~~
24 ending in the 2022-23 school year ~~thereafter~~, for a pupil attending a charter school
25 established by or under a contract with an entity under par. (b) 1., from the

ASSEMBLY BILL 43**SECTION 2149**

1 appropriation under s. 20.255 (2) (fm), the department shall pay to the operator of
2 the charter school an amount equal to the sum of the amount paid per pupil under
3 this paragraph in the previous school year; the amount of the per pupil revenue limit
4 adjustment under s. 121.91 (2m) for the current school year, if positive; and the
5 change in the amount of statewide categorical aid per pupil between the previous
6 school year and the current school year, if positive. The change in the statewide
7 categorical aid per pupil shall be determined as follows:

8 **SECTION 2150.** 118.40 (2r) (e) 2p. a. of the statutes is amended to read:

9 118.40 (2r) (e) 2p. a. Add the amounts appropriated in the current fiscal year
10 under s. 20.255 (2), except s. 20.255 (2) (ac), (aw), (az), ~~(bb)~~ (db), (dj), (du), (fm), (fp),
11 (fq), (fr), (fu), (k), and (m); and s. 20.505 (4) (es); and the amount, as determined by
12 the secretary of administration, of the ~~appropriation~~ appropriations under s. 20.505
13 (4) (c) and (s) allocated for payments to telecommunications providers under
14 contracts with school districts and cooperative educational service agencies under s.
15 16.971 (13).

16 **SECTION 2151.** 118.40 (2r) (e) 2q. of the statutes is created to read:

17 118.40 (2r) (e) 2q. Beginning in the 2023-24 school year and in each school year
18 thereafter, from the appropriation under s. 20.255 (2) (fm), for a pupil attending a
19 charter school established by or under a contract with an entity under par. (b) 1., the
20 department shall pay to the operator of the charter school an amount equal to the
21 sum of the amount paid per pupil under this paragraph in the previous school year;
22 the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for the
23 current school year, if positive; and the change in the per pupil amount under s.
24 115.437 (2) between the previous school year and the current school year, if positive.

25 **SECTION 2152.** 118.40 (2r) (g) 1. b. of the statutes is amended to read:

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1 118.40 (2r) (g) 1. b. Multiply the number of pupils under subd. 1. a. by the per
2 pupil amount calculated under par. (e) ~~2p.~~ 2q. for that school year.

3 **SECTION 2153.** 118.40 (2x) (b) 2. m. of the statutes is created to read:

4 118.40 (2x) (b) 2. m. If the contract is for the operation of a charter school that
5 includes a grade from 9 to 12, a requirement that the charter school make available
6 to pupils in grades 9 to 12 at least one computer science course that includes concepts
7 in computer programming or coding.

8 **SECTION 2154.** 118.42 (3) (a) 4. of the statutes is amended to read:

9 118.42 (3) (a) 4. Implement changes in administrative and personnel
10 structures that are consistent with applicable collective bargaining agreements
11 under subch. IV of ch. 111.

12 **SECTION 2155.** 118.42 (5) of the statutes is amended to read:

13 118.42 (5) Nothing in this section alters or otherwise affects the rights or
14 remedies afforded school districts and school district employees under federal or
15 state law or under the terms of any applicable collective bargaining agreement under
16 subch. IV of ch. 111.

17 **SECTION 2156.** 118.50 (2m) (a) 2. of the statutes is amended to read:

18 118.50 (2m) (a) 2. Beginning in the 2017-18 school year and ending in the
19 2022-23 school year, the sum of the per pupil amount under this paragraph for the
20 previous school year; the amount of the per pupil revenue limit adjustment under s.
21 121.91 (2m) for the current school year, if positive; and the change in the amount of
22 statewide categorical aid per pupil between the previous school year and the current
23 school year, as determined under s. 118.40 (2r) (e) 2p., if positive.

24 **SECTION 2157.** 118.50 (2m) (a) 3. of the statutes is created to read:

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1 118.50 **(2m)** (a) 3. Beginning in the 2023-24 school year, the sum of the per
2 pupil amount under this paragraph for the previous school year; the amount of the
3 per pupil revenue limit adjustment under s. 121.91 (2m) for the current school year,
4 if positive; and the change in the per pupil amount under s. 115.437 (2) between the
5 previous school year and the current school year, if positive.

6 **SECTION 2158.** 118.51 (1) (aj) of the statutes is repealed.

7 **SECTION 2159.** 118.51 (9) of the statutes is amended to read:

8 118.51 **(9)** APPEAL OF REJECTION. If the nonresident school board rejects an
9 application under sub. (3) (a) or (7), the resident school board prohibits a pupil from
10 attending public school in a nonresident school district under sub. (3m) (d) or the
11 nonresident school board prohibits a pupil from attending public school in the
12 nonresident school district under sub. (11), the pupil's parent may appeal the
13 decision to the department within 30 days after the decision. If the nonresident
14 school board provides notice that the special education or related service is not
15 available under sub. (12) ~~(b)~~, the pupil's parent may appeal the required transfer to
16 the department within 30 days after receipt of the notice. The department shall
17 affirm the school board's decision unless the department finds that the decision was
18 arbitrary or unreasonable.

19 **SECTION 2160.** 118.51 (12) (title) of the statutes is amended to read:

20 118.51 **(12)** (title) ~~NONRESIDENT SCHOOL DISTRICT STATEMENT OF EDUCATIONAL~~
21 ~~COSTS; SPECIAL~~ SPECIAL EDUCATION OR RELATED SERVICES.

22 **SECTION 2161.** 118.51 (12) (a) of the statutes is repealed.

23 **SECTION 2162.** 118.51 (12) (b) of the statutes is renumbered 118.51 (12).

24 **SECTION 2163.** 118.51 (16) (a) 1. of the statutes is amended to read:

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1 118.51 (16) (a) 1. For each school district, the number of nonresident pupils
2 attending public school in the school district under this section, other than pupils for
3 whom a payment is made under sub. (17) (a), or (c), ~~or (em)~~.

4 **SECTION 2164.** 118.51 (16) (a) 2. of the statutes is amended to read:

5 118.51 (16) (a) 2. For each school district, the number of resident pupils
6 attending public school in a nonresident school district under this section, other than
7 pupils for whom a payment is made under sub. (17) (a), or (c), ~~or (em)~~.

8 **SECTION 2165.** 118.51 (16) (a) 3. b. of the statutes is amended to read:

9 118.51 (16) (a) 3. b. Beginning with the amount in the 2015-16 school year and
10 ending with the amount in the 2022-23 school year, except as provided in subd. 3.
11 c., ~~in each school year thereafter~~, the sum of the amount determined under this
12 subdivision for the previous school year; the amount of the per pupil revenue limit
13 adjustment under s. 121.91 (2m) for the current school year, if positive; and the
14 change in the amount of statewide categorical aid per pupil between the previous
15 school year and the current school year, as determined under s. 118.40 (2r) (e) 2p.,
16 if positive.

17 **SECTION 2166.** 118.51 (16) (a) 3. bm. of the statutes is created to read:

18 118.51 (16) (a) 3. bm. Beginning with the amount for the 2023-24 school year
19 and in each school year thereafter, the sum of the amount determined under this
20 subdivision for the previous school year; the amount of the per pupil revenue limit
21 adjustment under s. 121.91 (2m) for the current school year, if positive; and the
22 change in the per pupil amount under s. 115.437 (2) between the previous school year
23 and the current school year, if positive.

24 **SECTION 2167.** 118.51 (16) (c) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2167**

1 118.51 (16) (c) If a pupil attends public school in a nonresident school district
2 under this section for less than a full school term, the department shall prorate the
3 state aid adjustments under this subsection and sub. (17) (c) ~~and (cm)~~ based on the
4 number of days that school is in session and the pupil attends public school in the
5 nonresident school district.

6 **SECTION 2168.** 118.51 (16) (d) of the statutes is amended to read:

7 118.51 (16) (d) The department shall ensure that the aid adjustments under
8 par. (b) and sub. (17) (c) ~~and (cm)~~ do not affect the amount determined to be received
9 by a school district as state aid under s. 121.08 for any other purpose.

10 **SECTION 2169.** 118.51 (17) (b) 2. c. of the statutes is amended to read:

11 118.51 (17) (b) 2. c. Beginning in the 2018-19 school year, ~~and subject to subd.~~
12 3. and ending in the 2022-23 school year, the per pupil transfer amount is the sum
13 of the per pupil transfer amount for the previous school year; the amount of the per
14 pupil revenue limit adjustment under s. 121.91 (2m) for the current school year, if
15 positive; and the change in the amount of statewide categorical aid per pupil between
16 the previous school year and the current school year, as determined under s. 118.40
17 (2r) (e) 2p., if positive, or the amount under s. 118.51 (17) (b) 3., 2021 stats., if
18 applicable.

19 **SECTION 2170.** 118.51 (17) (b) 2. cm. of the statutes is created to read:

20 118.51 (17) (b) 2. cm. Beginning in the 2023-24 school year, the per pupil
21 transfer amount is the sum of the per pupil transfer amount for the previous school
22 year; the amount of the per pupil revenue limit adjustment under s. 121.91 (2m) for
23 the current school year, if positive; and the change in the per pupil amount under s.
24 115.437 (2) between the previous school year and the current school year, if positive.

25 **SECTION 2171.** 118.51 (17) (b) 3. of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 2172**

1 **SECTION 2172.** 118.51 (17) (bm) of the statutes is repealed.

2 **SECTION 2173.** 118.51 (17) (c) of the statutes is amended to read:

3 118.51 (17) (c) 1. If Beginning in the 2022-23 school year, if the number
4 determined in par. (b) 1. a. is greater than the number determined in par. (b) 1. b. for
5 a school district, ~~in the 2016-17, 2017-18, and 2018-19 school years,~~ the department
6 shall increase that school district's state aid payment under s. 121.08 by an amount
7 equal to the difference multiplied by ~~an~~ the amount under par. (b) 2. ~~a., b., or c.~~ for
8 the applicable school year.

9 2. If Beginning in the 2022-23 school year, if the number determined in par.
10 (b) 1. a. is less than the number determined in par. (b) 1. b. for a school district, ~~in~~
11 ~~the 2016-17, 2017-18, and 2018-19 school years,~~ the department shall decrease that
12 school district's state aid payment under s. 121.08 by an amount equal to the
13 difference multiplied by ~~an~~ the amount under par. (b) 2. ~~a., b., or c.~~ for the applicable
14 school year. If the state aid payment under s. 121.08 is insufficient to cover the
15 reduction, the department shall decrease other state aid payments made by the
16 department to the school district by the remaining amount. If the state aid payment
17 under s. 121.08 and other state aid payments made by the department to the school
18 district are insufficient to cover the reduction, the department shall use the moneys
19 appropriated under s. 20.255 (2) (cg) to pay the balance to school districts under subd.
20 1.

21 **SECTION 2174.** 118.51 (17) (cm) of the statutes is repealed.

22 **SECTION 2175.** 118.60 (2) (a) (intro.) of the statutes is amended to read:

23 118.60 (2) (a) (intro.) Subject to pars. (ag) ~~and~~, (ar), and (bh), any pupil in grades
24 kindergarten to 12 who resides ~~within~~ in an eligible school district may attend any
25 private school under this section and, subject to pars. (ag), (ar), (be), (bh), (bm), and

ASSEMBLY BILL 43**SECTION 2175**

1 (bs), any pupil in grades kindergarten to 12 who resides in a school district, other
2 than an eligible school district or a 1st class city school district, may attend any
3 private school under this section if all of the following apply:

4 **SECTION 2176.** 118.60 (2) (a) 2. g. of the statutes is amended to read:

5 118.60 (2) (a) 2. g. If the pupil resides in a school district, other than an eligible
6 school district or a 1st class city school district, the pupil was on a waiting list under
7 sub. (3) (am) 4. or (ar) 4. in any previous school year.

8 **SECTION 2177.** 118.60 (2) (a) 6. a. of the statutes is amended to read:

9 118.60 (2) (a) 6. a. Except as provided in subd. 6. c. and d., all of the private
10 school's teachers have a teaching license issued by the department or a bachelor's
11 degree or a degree or educational credential higher than a bachelor's degree,
12 including a masters master's or doctorate, from a nationally or regionally accredited
13 institution of higher education. This subd. 6. a. does not apply after June 30, 2026.

14 **SECTION 2178.** 118.60 (2) (a) 6m. of the statutes is created to read:

15 118.60 (2) (a) 6m. a. Except as provided in subd. 6m. b., beginning on July 1,
16 2026, all of the private school's teachers have a teaching license or permit issued by
17 the department.

18 b. A teacher employed by the private school on July 1, 2026, who has been
19 teaching for at least the 5 consecutive years immediately preceding July 1, 2026, and
20 who does not satisfy the requirements under subd. 6m. a. on July 1, 2026, may apply
21 to the department on a form prepared by the department for a temporary,
22 nonrenewable waiver from the requirements under subd. 6m. a. The department
23 shall promulgate rules to implement this subd. 6m. b., including the form of the
24 application and the process by which the waiver application will be reviewed. The
25 application form shall require the applicant to submit a plan for satisfying the

ASSEMBLY BILL 43**SECTION 2178**

1 requirements under subd. 6m. a. No waiver granted under this subd. 6m. b. is valid
2 after July 1, 2031.

3 **SECTION 2179.** 118.60 (2) (a) 10. of the statutes is created to read:

4 118.60 (2) (a) 10. If the private school operates any grade from 9 to 12, the
5 private school makes available to pupils in grades 9 to 12 at least one computer
6 science course that includes concepts in computer programming or coding.

7 **SECTION 2180.** 118.60 (2) (be) 3. of the statutes is amended to read:

8 118.60 (2) (be) 3. Beginning with the 2026-27 school year, ~~there is no limit on~~
9 ~~the number of pupils who may attend private schools~~ the limits under this section
10 paragraph do not apply.

11 **SECTION 2181.** 118.60 (2) (bh) of the statutes is created to read:

12 118.60 (2) (bh) 1. In this paragraph, “program cap” means any of the following:

13 a. For an eligible school district, the total number of pupils residing in the
14 eligible school district who attended a private school under this section in the
15 2023-24 school year.

16 b. For all school districts, other than an eligible school district or a 1st class city
17 school district, the total number of pupils residing in those school districts who
18 attended a private school under this section in the 2023-24 school year.

19 2. a. Beginning with the 2024-25 school year, the total number of pupils
20 residing in an eligible school district who may attend a private school under this
21 section during a school year may not exceed the program cap under subd. 1. a.

22 b. Beginning with the 2024-25 school year, the total number of pupils residing
23 in school districts, other than an eligible school district or a 1st class city school
24 district, who may attend a private school under this section during a school year may
25 not exceed the program cap under subd. 1. b.

ASSEMBLY BILL 43**SECTION 2182**

1 **SECTION 2182.** 118.60 (2) (c) 3. of the statutes is created to read:

2 118.60 (2) (c) 3. Notwithstanding par. (a) 6m., a teacher employed by a private
3 school participating in the program under this section who teaches only courses in
4 rabbinical studies is not required to hold a license or permit to teach issued by the
5 department.

6 **SECTION 2183.** 118.60 (3) (a) (intro.) of the statutes is amended to read:

7 118.60 (3) (a) (intro.) The pupil or the pupil's parent or guardian shall submit
8 an application, on a form provided by the state superintendent, to the participating
9 private school that the pupil wishes to attend. If more than one pupil from the same
10 family applies to attend the same private school, the pupils may use a single
11 application. No later than 60 days after the end of the application period during
12 which an application is received and subject to ~~par.~~ pars. (am) and (ar), the private
13 school shall notify each applicant, in writing, whether his or her application has been
14 accepted. If the private school rejects an application, the notice shall include the
15 reason. Subject to ~~par.~~ pars. (am) and (ar), a private school may reject an applicant
16 only if it the private school has reached its maximum general capacity or seating
17 capacity. Except as provided in ~~par.~~ pars. (am) and (ar), the state superintendent
18 shall ensure that the private school determines which pupils to accept on a random
19 basis, except that the private school may give preference to the following in accepting
20 applications, in the order of preference listed:

21 **SECTION 2184.** 118.60 (3) (am) of the statutes is created to read:

22 118.60 (3) (am) All of the following apply to applications to attend a private
23 school under this section submitted by pupils who reside in an eligible school district:

24 1. A private school that has submitted a notice of intent to participate under
25 sub. (2) (a) 3. a. may accept applications for a school year during application periods

ASSEMBLY BILL 43**SECTION 2184**

1 determined by the department from pupils who reside in an eligible school district.
2 For each school year, the department shall establish one or more application periods
3 under this subdivision, the first of which begins no earlier than the first weekday in
4 February of the school year before the applicable school year, and the last of which
5 ends no later than September 14 of the applicable school year.

6 2. Each private school that received applications under subd. 1. shall report to
7 the department the number of pupils who applied under subd. 1. to attend the private
8 school under this section and the names of those applicants who have siblings who
9 also applied under subd. 1. to attend the private school under this section. The
10 private school shall submit the report no later than 10 days after each application
11 period described under subd. 1. during which the private school received
12 applications.

13 3. After the end of each application period described under subd. 1., upon
14 receipt of the information under subd. 2., the department shall determine the sum
15 of all applicants for pupils residing in an eligible school district. In determining the
16 sum, the department shall count a pupil who has applied to attend more than one
17 private school under the program under this section only once. If, after the end of
18 an application period described under subd. 1., the sum of all applicants for pupils
19 residing in an eligible school district exceeds the program cap under sub. (2) (b) 2.
20 a., the department shall determine which applications submitted during the
21 application period to accept on a random basis, except that the department shall give
22 preference to the applications of pupils described in par. (a) 1m. to 5., in the order of
23 preference listed in that paragraph.

ASSEMBLY BILL 43**SECTION 2184**

1 4. If the sum under subd. 3. exceeds the program cap under sub. (2) (bh) 2. a.,
2 the department shall establish a waiting list in accordance with the preferences
3 required under subd. 3.

4 5. A private school that has accepted a pupil who resides in an eligible school
5 district under this paragraph shall notify the department whenever the private
6 school determines that a pupil will not attend the private school under this
7 paragraph. If, upon receiving notice under this subdivision, the department
8 determines that the number of pupils attending private schools under this section
9 falls below the program cap under sub. (2) (bh) 2. a., the department shall fill any
10 available slot with a pupil selected from the waiting list established under subd. 4.,
11 if such a waiting list exists.

12 **SECTION 2185.** 118.60 (3) (ar) (intro.) of the statutes is amended to read:

13 118.60 (3) (ar) (intro.) All of the following apply to applications to attend a
14 private school under this section ~~only if the limitation under sub. (2) (be) applies to~~
15 ~~the school year for which the application is made~~ submitted by pupils who reside in
16 a school district, other than an eligible school district or a 1st class city school district:

17 **SECTION 2186.** 118.60 (3) (ar) 3. of the statutes is renumbered 118.60 (3) (ar)
18 3. (intro.) and amended to read:

19 118.60 (3) (ar) 3. (intro.) ~~Annually~~ After the end of the application period
20 described under subd. 1., upon receipt of the information under subd. 2., the
21 department shall, for each school district, determine the sum of all applicants for
22 pupils residing in that school district ~~under this paragraph~~ and the sum of all
23 applicants for pupils residing in all school districts, other than an eligible school
24 district or a 1st class city school district. In determining ~~the sum~~ those sums, the
25 department shall count a pupil who has applied to attend more than one private

ASSEMBLY BILL 43**SECTION 2186**

1 school under the program only once. After determining the sum of all applicants for
2 pupils residing in a school district, those sums, if any of the following applies, the
3 department shall determine which applications to accept on a random basis, except
4 that the department shall give preference to the applications of pupils described in
5 par. (a) 1m. to 5., in the order of preference listed in that paragraph:

6 **SECTION 2187.** 118.60 (3) (ar) 3. a. and b. of the statutes are created to read:

7 118.60 (3) (ar) 3. a. The sum of all applicants for pupils residing in a school
8 district, other than an eligible school district or a 1st class city school district, exceeds
9 the school district's pupil participation limit under sub. (2) (be).

10 b. The sum of all applicants for pupils residing in all school districts, other than
11 an eligible school district or a 1st class city school district, exceeds the program cap
12 under sub. (2) (bh) 2. b.

13 **SECTION 2188.** 118.60 (3) (ar) 4. of the statutes is renumbered 118.60 (3) (ar)
14 4. (intro.) and amended to read:

15 118.60 (3) (ar) 4. (intro.) ~~For each school district in which private schools~~
16 ~~received applications under subd. 1. that exceeded the school district's pupil~~
17 ~~participation limit under sub. (2) (be), the~~ The department shall establish a waiting
18 list in accordance with the preferences required under subd. 3. for each of the
19 following:

20 **SECTION 2189.** 118.60 (3) (ar) 4. a. and b. of the statutes are created to read:

21 118.60 (3) (ar) 4. a. A school district, other than an eligible school district or a
22 1st class city school district, for which the sum described under subd. 3. a. exceeds
23 the school district's pupil participation limit under sub. (2) (be).

ASSEMBLY BILL 43**SECTION 2189**

1 b. All school districts, other than an eligible school district or a 1st class city
2 school district, if the sum described under subd. 3. b. exceeds the program cap under
3 sub. (2) (bh) 2. b.

4 **SECTION 2190.** 118.60 (3) (ar) 5. of the statutes is amended to read:

5 118.60 (3) (ar) 5. A private school that has accepted a pupil who resides in a
6 school district, other than an eligible school district or a 1st class city school district,
7 under this paragraph shall notify the department whenever the private school
8 determines that a pupil will not attend the private school under this paragraph. If,
9 upon receiving notice under this subdivision, the department determines that the
10 number of pupils attending private schools under this section falls below a school
11 district's pupil participation limit under sub. (2) (be), or below the program cap under
12 sub. (2) (bh) 2. b., the department shall fill any available slot in that school district
13 or program with a pupil selected from the ~~school district's~~ applicable waiting list
14 established under subd. 4., if such a waiting list exists.

15 **SECTION 2191.** 118.60 (3) (b) of the statutes is amended to read:

16 118.60 (3) (b) If a participating private school rejects an applicant who resides
17 ~~within~~ in an eligible school district because the private school has too few available
18 spaces, the applicant may transfer his or her application to a participating private
19 school that has space available. An applicant who is rejected under this paragraph
20 or an applicant who is on the waiting list under par. (am) 4. may, subject to sub. (2)
21 (bh) 2. a., be admitted to a private school participating in the program under this
22 section for the following school year, provided that the applicant continues to reside
23 ~~within~~ in an eligible school district. The department may not require, in that
24 following school year, the private school to submit financial information regarding

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1 the applicant or to verify the eligibility of the applicant to participate in the program
2 under this section on the basis of family income.

3 **SECTION 2192.** 118.60 (3) (c) of the statutes is amended to read:

4 118.60 (3) (c) If a participating private school rejects an applicant who resides
5 in a school district, other than an eligible school district or a 1st class city school
6 district, because the private school has too few available spaces, the applicant may
7 transfer his or her application to a participating private school that has space
8 available. An applicant who is rejected under this paragraph or an applicant who
9 is on ~~the~~ a waiting list under par. (ar) 4. a. or b. may, subject to sub. (2) (be) and (bh)
10 2. b., be admitted to a private school participating in the program under this section
11 for the following school year, provided that the applicant continues to reside in a
12 school district, other than an eligible school district or a 1st class city school district.
13 The department may not require, in that following school year, the private school to
14 submit financial information regarding the applicant or to verify the eligibility of the
15 applicant to participate in the program under this section on the basis of family
16 income.

17 **SECTION 2193.** 118.60 (4) (bg) 3. of the statutes is amended to read:

18 118.60 (4) (bg) 3. In the 2015-16 ~~to 2022-23~~ school year and in each school year
19 ~~thereafter~~ years, upon receipt from the pupil's parent or guardian of proof of the
20 pupil's enrollment in the private school during a school term, except as provided in
21 subd. 5., the state superintendent shall pay to the private school in which the pupil
22 is enrolled on behalf of the pupil's parent or guardian, from the appropriation under
23 s. 20.255 (2) (fr), an amount equal to the sum of the maximum amount per pupil the
24 state superintendent paid a private school under this section in the previous school
25 year for the grade in which the pupil is enrolled; the amount of the per pupil revenue

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1 adjustment under s. 121.91 (2m) for the current school year, if positive; and the
2 change in the amount of statewide categorical aid per pupil between the previous
3 school year and the current school year, as determined under s. 118.40 (2r) (e) 2p.,
4 if positive.

5 **SECTION 2194.** 118.60 (4) (bg) 6. of the statutes is created to read:

6 118.60 (4) (bg) 6. Beginning in the 2023-24 school year and in each school year
7 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's
8 enrollment in the private school during a school term, except as provided in subd. 7.,
9 the state superintendent shall pay to the private school in which the pupil is enrolled
10 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255
11 (2) (fr), an amount equal to the sum of the maximum amount per pupil the state
12 superintendent paid a private school under this section in the previous school year
13 for the grade in which the pupil is enrolled; the amount of the per pupil revenue
14 adjustment under s. 121.91 (2m) for the current school year, if positive; and the
15 change in the per pupil amount under s. 115.437 (2) between the previous school year
16 and the current school year, if positive.

17 **SECTION 2195.** 118.60 (4) (bg) 7. of the statutes is created to read:

18 118.60 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school
19 that enrolls pupils under the program in any grade between kindergarten to 8 and
20 also in any grade between 9 to 12, the state superintendent shall substitute for the
21 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the
22 following modifications:

23 a. Multiply the number of pupils participating in the program who are enrolled
24 in the private school in any grade between kindergarten to 8 by the sum of the
25 maximum amount per pupil the state superintendent paid a private school under

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1 this section in the previous school year for the grade in which the pupil is enrolled;
2 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current
3 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)
4 between the previous school year and the current school year, if positive.

5 b. Multiply the number of pupils participating in the program who are enrolled
6 in the private school in any grade between 9 to 12 by the sum of the maximum amount
7 per pupil the state superintendent paid a private school under this section in the
8 previous school year for the grade in which the pupil is enrolled; the amount of the
9 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if
10 positive; and the change in the per pupil amount under s. 115.437 (2) between the
11 previous school year and the current school year, if positive.

12 **SECTION 2196.** 118.60 (4v) (b) of the statutes is amended to read:

13 118.60 (4v) (b) If the department considers a pupil as a resident of an eligible
14 school district under par. (a) for a school year, the department shall ensure that the
15 pupil is not counted for that school year for purposes of determining whether a school
16 district has exceeded its pupil participation limit under sub. (2) (be) and that the
17 pupil is not counted for that school year for purposes of determining whether a
18 program cap under sub. (2) (bh) 2. a. or b. has been exceeded.

19 **SECTION 2197.** 118.60 (4v) (c) of the statutes is created to read:

20 118.60 (4v) (c) The department may consider a pupil enrolled in a private
21 school participating in the program under this section who satisfies all of the
22 following as a resident of a school district, other than an eligible school district or a
23 1st class city school district, who is enrolled in the private school under this section:

24 1. The pupil was a resident of an eligible school district when the pupil applied
25 to participate in the program under this section.

ASSEMBLY BILL 43**SECTION 2197**

1 2. The pupil accepted a space at a private school participating in the program
2 under this section as a resident of an eligible school district.

3 3. The pupil resides in a school district, other than an eligible school district
4 or a 1st class city school district, on the 3rd Friday in September.

5 4. The private school the pupil is attending under this section accepts
6 applications under this section from pupils who reside in school districts, other than
7 an eligible school district or a 1st class city school district.

8 **SECTION 2198.** 118.60 (4v) (d) of the statutes is created to read:

9 118.60 (4v) (d) If the department considers a pupil as a resident of a school
10 district, other than an eligible school district or a 1st class city school district, under
11 par. (c) for a school year, the department shall ensure that the pupil is not counted
12 for that school year for purposes of determining whether the school district has
13 exceeded its pupil participation limit under sub. (2) (be) and that the pupil is not
14 counted for that school year for purposes of determining whether a program cap
15 under sub. (2) (bh) 2. a. or b. has been exceeded.

16 **SECTION 2199.** 119.04 (1) of the statutes is amended to read:

17 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
18 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.3415,
19 115.342, 115.343, 115.344, 115.345, 115.363, 115.364, 115.365 (3), 115.366, ~~115.367~~
20 115.369, 115.38 (2), 115.415, 115.422, 115.445, 118.001 to 118.04, 118.045, 118.06,
21 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15,
22 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.196, 118.20, 118.223,
23 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.25, 118.255, 118.258,
24 118.291, 118.292, 118.293, 118.2935, 118.30 to 118.43, 118.46, 118.50, 118.51, 118.52,
25 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2)

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1 (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.137, 120.14,
2 120.20, 120.21 (3), and 120.25 are applicable to a 1st class city school district and
3 board but not, unless explicitly provided in this chapter or in the terms of a contract,
4 to the commissioner or to any school transferred to an opportunity schools and
5 partnership program.

6 **SECTION 2200.** 119.23 (2) (a) (intro.) of the statutes is amended to read:

7 119.23 (2) (a) (intro.) Subject to pars. (ag) ~~and~~, (ar), and (b), any pupil in grades
8 kindergarten to 12 who resides within the city may attend any private school if all
9 of the following apply:

10 **SECTION 2201.** 119.23 (2) (a) 6. a. of the statutes is amended to read:

11 119.23 (2) (a) 6. a. Except as provided in subd. 6. c., all of the private school's
12 teachers have a teaching license issued by the department or a bachelor's degree or
13 a degree or educational credential higher than a bachelor's degree, including a
14 ~~masters~~ master's or doctorate, from a nationally or regionally accredited institution
15 of higher education. This subd. 6. a. does not apply after June 30, 2026.

16 **SECTION 2202.** 119.23 (2) (a) 6m. of the statutes is created to read:

17 119.23 (2) (a) 6m. a. Except as provided in subd. 6m. b., beginning on July 1,
18 2026, all of the private school's teachers have a teaching license or permit issued by
19 the department.

20 b. A teacher employed by the private school on July 1, 2026, who has been
21 teaching for at least the 5 consecutive years immediately preceding July 1, 2026, and
22 who does not satisfy the requirements under subd. 6m. a. on July 1, 2026, may apply
23 to the department on a form prepared by the department for a temporary,
24 nonrenewable waiver from the requirements under subd. 6m. a. The department
25 shall promulgate rules to implement this subd. 6m. b., including the form of the

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1 application and the process by which the waiver application will be reviewed. The
2 application form shall require the applicant to submit a plan for satisfying the
3 requirements under subd. 6m. a. No waiver granted under this subd. 6m. b. is valid
4 after July 1, 2031.

5 **SECTION 2203.** 119.23 (2) (a) 10. of the statutes is created to read:

6 119.23 (2) (a) 10. If the private school operates any grade from 9 to 12, the
7 private school makes available to pupils in grades 9 to 12 at least one computer
8 science course that includes concepts in computer programming or coding.

9 **SECTION 2204.** 119.23 (2) (b) of the statutes is created to read:

10 119.23 (2) (b) 1. In this paragraph, “program cap” means the total number of
11 pupils residing in the city who attended a private school under this section in the
12 2023-24 school year.

13 2. Beginning with the 2024-25 school year, the total number of pupils residing
14 in the city who may attend a private school under this section during a school year
15 may not exceed the program cap.

16 **SECTION 2205.** 119.23 (2) (c) 3. of the statutes is created to read:

17 119.23 (2) (c) 3. Notwithstanding par. (a) 6m., a teacher employed by a private
18 school participating in the program under this section who teaches only courses in
19 rabbinical studies is not required to hold a license or permit to teach issued by the
20 department.

21 **SECTION 2206.** 119.23 (3) (a) (intro.) of the statutes is amended to read:

22 119.23 (3) (a) (intro.) The pupil or the pupil’s parent or guardian shall submit
23 an application, on a form provided by the state superintendent, to the participating
24 private school that the pupil wishes to attend. If more than one pupil from the same
25 family applies to attend the same private school, the pupils may use a single

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1 application. No later than 60 days after the end of the application period during
2 which an application is received and subject to par. (ar), the private school shall
3 notify each applicant, in writing, whether his or her application has been accepted.
4 If the private school rejects an application, the notice shall include the reason. ~~A~~
5 Subject to par. (ar), a private school may reject an applicant only if ~~it~~ the private
6 school has reached its maximum general capacity or seating capacity. ~~The~~ Except
7 as provided in par. (ar), the state superintendent shall ensure that the private school
8 determines which pupils to accept on a random basis, except that the private school
9 may give preference to the following in accepting applications, in order of preference
10 listed:

11 **SECTION 2207.** 119.23 (3) (ar) of the statutes is created to read:

12 119.23 (3) (ar) All of the following apply to applications to attend a private
13 school under this section submitted by pupils who reside in the city:

14 1. A private school that has submitted a notice of intent to participate under
15 sub. (2) (a) 3. may accept applications for a school year during application periods
16 determined by the department from pupils who reside in the city. For each school
17 year, the department shall establish one or more application periods under this
18 subdivision, the first of which begins no later than the first weekday in February of
19 the school year before the applicable school year, and the last of which ends no later
20 than September 14 of the applicable school year.

21 2. Each private school that received applications under subd. 1. shall report to
22 the department the number of pupils who applied under subd. 1. to attend the private
23 school under this section and the names of those applicants who have siblings who
24 also applied under subd. 1. to attend the private school under this section. The
25 private school shall submit the report no later than 10 days after each application

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1 period described under subd. 1. during which the private school received
2 applications.

3 3. After the end of each application period described under subd. 1., upon
4 receipt of the information under subd. 2., the department shall determine the sum
5 of all applicants for pupils residing in the city. In determining the sum, the
6 department shall count a pupil who has applied to attend more than one private
7 school under the program under this section only once. If, after the end of an
8 application period described under subd. 1., the sum of all applicants for pupils
9 residing in the city exceeds the program cap under sub. (2) (b), the department shall
10 determine which applications submitted during the application period to accept on
11 a random basis, except that the department shall give preference to the applications
12 of pupils described in par. (a) 1. to 5., in the order of preference listed in that
13 paragraph.

14 4. If the sum under subd. 3. exceeds the program cap under sub. (2) (b), the
15 department shall establish a waiting list in accordance with the preferences required
16 under subd. 3.

17 5. A private school that has accepted a pupil who resides in the city under this
18 paragraph shall notify the department whenever the private school determines that
19 a pupil will not attend the private school under this paragraph. If, upon receiving
20 notice under this subdivision, the department determines that the number of pupils
21 attending private schools under this section falls below the program cap under sub.
22 (2) (b), the department shall fill any available slot with a pupil selected from the
23 waiting list established under subd. 4., if such a waiting list exists.

24 **SECTION 2208.** 119.23 (3) (b) of the statutes is amended to read:

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1 119.23 (3) (b) If the private school rejects an applicant because it the private
2 school has too few available spaces, the applicant may transfer his or her application
3 to a participating private school that has space available. An applicant who is
4 rejected under this paragraph or an applicant who is on the waiting list under par.
5 (ar) 4. may, subject to sub. (2) (b), be admitted to a private school participating in the
6 program under this section for the following school year, provided that the applicant
7 continues to reside ~~within~~ in the city. The department may not require, in that
8 following school year, the private school to submit financial information regarding
9 the applicant or to verify the eligibility of the applicant to participate in the program
10 under this section on the basis of family income.

11 **SECTION 2209.** 119.23 (4) (bg) 3. of the statutes is amended to read:

12 119.23 (4) (bg) 3. In the 2015-16 to 2022-23 school year ~~and in each school year~~
13 ~~thereafter~~ years, upon receipt from the pupil's parent or guardian of proof of the
14 pupil's enrollment in the private school during a school term, except as provided in
15 subd. 5., the state superintendent shall pay to the private school in which the pupil
16 is enrolled on behalf of the pupil's parent or guardian, from the appropriation under
17 s. 20.255 (2) (fu), an amount equal to the sum of the maximum amount per pupil the
18 state superintendent paid a private school under this section in the previous school
19 year for the grade in which the pupil is enrolled; the amount of the per pupil revenue
20 adjustment under s. 121.91 (2m) for the current school year, if positive; and the
21 change in the amount of statewide categorical aid per pupil between the previous
22 school year and the current school year, as determined under s. 118.40 (2r) (e) 2p.,
23 if positive.

24 **SECTION 2210.** 119.23 (4) (bg) 6. of the statutes is created to read:

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1 119.23 (4) (bg) 6. Beginning in the 2023-24 school year and in each school year
2 thereafter, upon receipt from the pupil's parent or guardian of proof of the pupil's
3 enrollment in the private school during a school term, except as provided in subd. 7.,
4 the state superintendent shall pay to the private school in which the pupil is enrolled
5 on behalf of the pupil's parent or guardian, from the appropriation under s. 20.255
6 (2) (fu), an amount equal to the sum of the maximum amount per pupil the state
7 superintendent paid a private school under this section in the previous school year
8 for the grade in which the pupil is enrolled; the amount of the per pupil revenue
9 adjustment under s. 121.91 (2m) for the current school year, if positive; and the
10 change in the per pupil amount under s. 115.437 (2) between the previous school year
11 and the current school year, if positive.

12 **SECTION 2211.** 119.23 (4) (bg) 7. of the statutes is created to read:

13 119.23 (4) (bg) 7. If the pupil described in subd. 6. is enrolled in a private school
14 that enrolls pupils under the program in any grade between kindergarten to 8 and
15 also in any grade between 9 to 12, the state superintendent shall substitute for the
16 amount described in subd. 6. the amount determined under subd. 4. a. to d., with the
17 following modifications:

18 a. Multiply the number of pupils participating in the program who are enrolled
19 in the private school in any grade between kindergarten to 8 by the sum of the
20 maximum amount per pupil the state superintendent paid a private school under
21 this section in the previous school year for the grade in which the pupil is enrolled;
22 the amount of the per pupil revenue adjustment under s. 121.91 (2m) for the current
23 school year, if positive; and the change in the per pupil amount under s. 115.437 (2)
24 between the previous school year and the current school year, if positive.

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1 b. Multiply the number of pupils participating in the program who are enrolled
2 in the private school in any grade between 9 to 12 by the sum of the maximum amount
3 per pupil the state superintendent paid a private school under this section in the
4 previous school year for the grade in which the pupil is enrolled; the amount of the
5 per pupil revenue adjustment under s. 121.91 (2m) for the current school year, if
6 positive; and the change in the per pupil amount under s. 115.437 (2) between the
7 previous school year and the current school year, if positive.

8 **SECTION 2212.** 119.23 (4v) (b) of the statutes is amended to read:

9 119.23 (4v) (b) If the department considers a pupil as a resident of the city
10 under par. (a) for a school year, the department shall ensure that the pupil is not
11 counted for that school year for purposes of determining whether a school district has
12 exceeded its pupil participation limit under s. 118.60 (2) (be) and that the pupil is not
13 counted for that school year for purposes of determining whether a program cap
14 under sub. (2) (b) or s. 118.60 (2) (bh) 2. a. or b. has been exceeded.

15 **SECTION 2213.** 119.23 (4v) (c) of the statutes is created to read:

16 119.23 (4v) (c) The department may consider a pupil enrolled in a private
17 school participating in the program under this section who satisfies all of the
18 following as a resident of a school district, other than a 1st class city school district,
19 who is enrolled in the private school under this section:

20 1. The pupil was a resident of the city when the pupil applied to participate in
21 the program under this section.

22 2. The pupil accepted a space at a private school participating in the program
23 under this section as a resident of the city.

24 3. The pupil resides in a school district, other than a 1st class city school
25 district, on the 3rd Friday in September.

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1 4. The private school at which the pupil accepted a space under this section is
2 participating in the program under s. 118.60.

3 **SECTION 2214.** 119.23 (4v) (d) of the statutes is created to read:

4 119.23 (4v) (d) If the department considers a pupil as a resident of an eligible
5 school district, as defined in s. 118.60 (1) (am), under par. (c) for a school year, the
6 department shall ensure that the pupil is not counted for that school year for
7 purposes of determining whether a program cap under sub. (2) (b) or s. 118.60 (2) (bh)
8 2. a. has been exceeded.

9 **SECTION 2215.** 119.23 (4v) (e) of the statutes is created to read:

10 119.23 (4v) (e) If the department considers a pupil as a resident of a school
11 district, other than an eligible school district, as defined in s. 118.60 (1) (am), or a 1st
12 class city school district, under par. (c) for a school year, the department shall ensure
13 that the pupil is not counted for that school year for purposes of determining whether
14 the school district has exceeded its pupil participation limit under s. 118.60 (2) (be)
15 and that the pupil is not counted for that school year for purposes of determining
16 whether a program cap under sub. (2) (b) or s. 118.60 (2) (bh) 2. b. has been exceeded.

17 **SECTION 2216.** 119.313 of the statutes is created to read:

18 **119.313 Mathematics Partnership. (1)** The board, in consultation with the
19 University of Wisconsin-Milwaukee, shall develop and implement a plan to improve
20 mathematics instruction in schools in the school district.

21 **(2) (a)** Annually, beginning in the 2024-25 school year and subject to par. (b),
22 from the appropriation under s. 20.255 (2) (de), the department shall award a grant
23 to the board to develop and implement the plan under sub. (1). The board may use
24 grant proceeds for personnel costs associated with developing and implementing the
25 plan under sub. (1).

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1 (b) As a condition of receiving a grant under this subsection, the board shall
2 provide matching funds in an amount equal to at least 20 percent of the amount of
3 the grant.

4 (3) The department may promulgate rules to implement and administer this
5 section.

6 **SECTION 2217.** 119.46 (1) of the statutes is amended to read:

7 119.46 (1) As part of the budget transmitted annually to the common council
8 under s. 119.16 (8) (b), the board shall report the amount of money required for the
9 ensuing school year to operate all public schools in the city under this chapter,
10 including the schools transferred to the superintendent of schools opportunity
11 schools and partnership program under s. 119.33 and to the opportunity schools and
12 partnership program under subch. II, to repair and keep in order school buildings
13 and equipment, including school buildings and equipment transferred to the
14 superintendent of schools opportunity schools and partnership program under s.
15 119.33 and to the opportunity schools and partnership program under subch. II, to
16 make material improvements to school property, and to purchase necessary
17 additions to school sites. The report shall specify the amount of net proceeds from
18 the sale or lease of city-owned property used for school purposes deposited in the
19 immediately preceding school year into the school operations fund as specified under
20 s. 119.60 (2m) (c) or (5) and the net proceeds from the sale of an eligible school
21 building deposited in the immediately preceding school year into the school
22 operations fund as specified under s. 119.61 (5). The amount included in the report
23 for the purpose of supporting the Milwaukee Parental Choice Program under s.
24 119.23 shall be reduced by the amount of aid received by the board under s. 121.136
25 and by the amount specified in the notice received by the board under s. 121.137 (2).

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1 The common council shall levy and collect a tax upon all the property subject to
2 taxation in the city, which shall be equal to the amount of money required by the
3 board for the purposes set forth in this subsection, at the same time and in the same
4 manner as other taxes are levied and collected. Such taxes shall be in addition to all
5 other taxes which the city is authorized to levy. The taxes so levied and collected, any
6 other funds provided by law and placed at the disposal of the city for the same
7 purposes, and the moneys deposited in the school operations fund under ss. 119.60
8 (1), (2m) (c), and (5) and 119.61 (5) shall constitute the school operations fund.

9 **SECTION 2218.** 120.12 (15) of the statutes is amended to read:

10 120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal
11 school day. The school board may differentiate between the various elementary and
12 high school grades in scheduling the school day. This subsection does not eliminate
13 a school district's duty under subch. IV of ch. 111 to bargain with its employees'
14 collective bargaining representative over any calendaring proposal which is
15 primarily related to wages, hours, or conditions of employment.

16 **SECTION 2219.** 120.13 (2) (g) of the statutes is amended to read:

17 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
18 49.493 (3) (d), 631.89, 631.90, 631.93 (2), ~~632.728~~, 632.729, 632.746 (1) and (10) (a)
19 2. and (b) 2., 632.747 (3), 632.798, 632.85, 632.853, 632.855, 632.861, ~~632.862~~,
20 632.867, 632.87 (4) to ~~(6)~~ (8), ~~632.871~~, 632.885, 632.89, 632.895 ~~(9)~~ (8) to (17),
21 632.896, and 767.513 (4).

22 **SECTION 2220.** 120.18 (1) (gm) of the statutes is amended to read:

23 120.18 (1) (gm) Payroll and related benefit costs for all school district
24 employees in the previous school year. ~~Payroll costs~~ Costs for represented employees
25 shall be based upon the costs of wages of any collective bargaining agreements

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1 covering such employees for the previous school year. If, as of the time specified by
2 the department for filing the report, the school district has not entered into a
3 collective bargaining agreement for any portion of the previous school year with the
4 recognized or certified representative of any of its employees, increased costs of
5 wages reflected in the report shall be equal to the maximum wage expenditure that
6 is subject to collective bargaining under s. 111.70 (4) (mb) 2. for the employees limited
7 to the lower of the school district's offer or the representative's offer. The school
8 district shall amend the annual report to reflect any change in such costs as a result
9 of any collective bargaining agreement entered into between the date of filing the
10 report and October 1. Any such amendment shall be concurred in by the certified
11 public accountant licensed or certified under ch. 442 certifying the school district
12 audit.

13 **SECTION 2221.** 121.004 (7) (c) 1. a. of the statutes is amended to read:

14 121.004 (7) (c) 1. a. A pupil enrolled in a ~~5-year-old~~ kindergarten program that
15 requires full-day attendance by the pupil for 5 days a week, but not on any day of
16 the week that pupils enrolled in other grades in the school do not attend school, for
17 an entire school term shall be counted as one pupil.

18 **SECTION 2222.** 121.004 (7) (c) 2. of the statutes is amended to read:

19 121.004 (7) (c) 2. In subd. 1. a. and b., "full-day" means the length of the school
20 day for pupils in the first grade of the school district operating the 4-year-old or
21 5-year-old-kindergarten program.

22 **SECTION 2223.** 121.004 (7) (cm) of the statutes is amended to read:

23 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,
24 including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b),
25 that provides the required number of hours of direct pupil instruction under s. 121.02

ASSEMBLY BILL 43**SECTION 2223**

1 (1) (f) but requires less than full-day attendance by the pupil for 5 days a week shall
2 be counted as 0.6 pupil if the program annually provides at least 87.5 additional
3 hours of outreach activities. In this paragraph, “full-day” has the meaning given in
4 par. (c) 2.

5 **SECTION 2224.** 121.02 (1) (L) 9. of the statutes is created to read:

6 121.02 (1) (L) 9. Make available to pupils in grades 9 to 12 at least one computer
7 science course that includes concepts in computer programming or coding.

8 **SECTION 2225.** 121.136 of the statutes is repealed.

9 **SECTION 2226.** 121.41 of the statutes is amended to read:

10 **121.41 Driver education programs; fees.** A school board, operator of a
11 charter school authorized under s. 118.40 (2r) or (2x), cooperative educational service
12 agency, or the technical college system board may establish and collect reasonable
13 fees for any driver education program or part of a program which is neither required
14 for nor credited toward graduation. The school board, operator of a charter school
15 authorized under s. 118.40 (2r) or (2x), cooperative educational service agency, or the
16 technical college system board may waive any fee established under this subsection
17 for any indigent pupil.

18 **SECTION 2227.** 121.42 of the statutes is created to read:

19 **121.42 Driver education programs; state aid. (1)** In this section:

20 (a) “Driver education program” means an instructional program in driver
21 education approved by the department and operated by a qualified driver education
22 provider or driver school.

23 (b) “Driver school” has the meaning given in s. 343.60 (1).

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1 (c) "Eligible pupil" means a pupil who met the income eligibility standard for
2 a free or reduced-price lunch in the federal school lunch program under 42 USC 1758
3 (b) (1) in the previous school year.

4 (d) "Qualified driver education provider" means a school board, the operator of
5 a charter school authorized under s. 118.40 (2r) or (2x), or a cooperative educational
6 service agency.

7 **(2)** Beginning in the 2024-25 school year, the department shall pay to each
8 qualified driver education provider and driver school the amount determined under
9 sub. (3) if all of the following apply:

10 (a) The qualified driver education provider or driver school demonstrates to the
11 department that for eligible pupils the qualified driver education provider or driver
12 school waived the fees the qualified driver education provider or driver school
13 otherwise charges pupils to enroll in and complete the driver education program.

14 (b) By October 1, 2024, and annually thereafter, the qualified driver education
15 provider or driver school reports to the department all of the following:

16 1. The number of eligible pupils who enrolled in and successfully completed a
17 driver education program operated by the qualified driver education provider or
18 driver school in the previous school year.

19 2. The amount the qualified driver education provider or driver school charged
20 a pupil who was not an eligible pupil to enroll in and complete the driver education
21 program in the previous school year.

22 **(3)** The department shall calculate the amount paid to a qualified driver
23 education provider or driver school under sub. (2) by multiplying the number of
24 eligible pupils the qualified driver education provider or driver school reported under

ASSEMBLY BILL 43**SECTION 2227**

1 sub. (2) (b) 1. by the amount the qualified driver education provider or driver school
2 reported under sub. (2) (b) 2.

3 (4) The department may promulgate rules to implement and administer this
4 section.

5 **SECTION 2228.** 121.58 (2) (a) 4. of the statutes is amended to read:

6 121.58 (2) (a) 4. For each pupil so transported whose residence is more than
7 12 miles from the school attended, \$300 \$375 per school year in the 2016-17 school
8 year and \$365 for the 2020-21 2022-23 school year. The amount for each school year
9 thereafter is \$375 \$400.

10 **SECTION 2229.** 121.59 (2) (intro.) of the statutes is amended to read:

11 121.59 (2) (intro.) Annually, subject to sub. (3), the department shall pay to
12 each eligible school district the amount determined as follows:

13 **SECTION 2230.** 121.59 (2) (em) of the statutes is created to read:

14 121.59 (2) (em) Subtract from the amount appropriated under s. 20.255 (2) (cq)
15 the total amount of aid school districts are entitled to under sub. (2n).

16 **SECTION 2231.** 121.59 (2) (f) of the statutes is amended to read:

17 121.59 (2) (f) Multiply the quotient under par. (e) by the amount appropriated
18 ~~under s. 20.255 (2) (eq)~~ determined under par. (em).

19 **SECTION 2232.** 121.59 (2m) (a) of the statutes is renumbered 121.59 (2n), and
20 121.59 (2n) (intro.) and (b), as renumbered, are amended to read:

21 121.59 (2n) (intro.) ~~Beginning in the 2017-18 school year and in any school~~
22 ~~year thereafter, if~~ If a school district was eligible to receive aid under sub. (2) in the
23 immediately preceding school year but is ineligible to receive aid in the current
24 school year because the number under sub. (2) (d) is not a positive number, the state

ASSEMBLY BILL 43**SECTION 2232**

1 superintendent shall, subject to ~~par. (b)~~ sub. (3), pay to that school district the
2 amount determined as follows:

3 (b) Multiply the amount under ~~subd. 1, par. (a)~~ by 0.5.

4 **SECTION 2233.** 121.59 (2m) (b) of the statutes is repealed.

5 **SECTION 2234.** 121.59 (3) of the statutes is amended to read:

6 121.59 (3) ~~Aid under this section shall be paid from~~ If the appropriation under
7 s. 20.255 (2) (cq) in any fiscal year is insufficient to pay the full amount under subs.
8 (2) and (2n), the department shall prorate the payments among the school districts
9 entitled to aid under this section.

10 **SECTION 2235.** 121.84 (4) (b) of the statutes is amended to read:

11 121.84 (4) (b) If a pupil attends school in a school district outside the pupil's
12 school district of residence under par. (a), s. 118.51 (12) ~~(b)~~, (14), (16), and (17) apply
13 to the pupil as if the pupil were attending school in a nonresident school district
14 under s. 118.51. If the pupil is rejected as a result of s. 118.51 (12) ~~(b)~~, s. 118.51 (9)
15 applies.

16 **SECTION 2236.** 121.90 (2) (am) 1. of the statutes is amended to read:

17 121.90 (2) (am) 1. Aid under ss. 121.08, 121.09, and 121.105, ~~and 121.136~~ and
18 subch. VI, as calculated for the current school year on October 15 under s. 121.15 (4)
19 and including adjustments made under s. 121.15 (4).

20 **SECTION 2237.** 121.90 (2) (bm) 3. of the statutes is repealed.

21 **SECTION 2238.** 121.905 (1) (a) of the statutes is amended to read:

22 121.905 (1) (a) Except as provided in par. (b), in this section, "revenue ceiling"
23 means \$9,100 in the 2017-18 school year, \$9,400 in the 2018-19 school year, \$9,500
24 in the 2019-20 school year, \$9,600 in the 2020-21 school year, \$9,700 in the 2021-22
25 school year, ~~and~~ \$9,800 in the 2022-23 school year, \$10,450 in the 2023-24 school

ASSEMBLY BILL 43**SECTION 2238**

1 year, \$11,200 in the 2024-25 school year, and in the 2025-26 school year and any
2 subsequent school year the amount under this paragraph for the previous school
3 year multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305
4 expressed as a decimal.

5 **SECTION 2239.** 121.905 (1) (b) 1. to 3. of the statutes are repealed.

6 **SECTION 2240.** 121.905 (3) (c) 6. of the statutes is amended to read:

7 121.905 (3) (c) 6. For the limit for each of the 2015-16 to 2018-19 school years,
8 ~~for the 2021-22 school year, and for any~~ the 2022-23 school year thereafter, make
9 no adjustment to the result under par. (b).

10 **SECTION 2241.** 121.905 (3) (c) 9. of the statutes is created to read:

11 121.905 (3) (c) 9. For the limit for the 2023-24 school year, add \$350 to the
12 result under par. (b).

13 **SECTION 2242.** 121.905 (3) (c) 10. of the statutes is created to read:

14 121.905 (3) (c) 10. For the limit for the 2024-25 school year, add \$650 to the
15 result under par. (b).

16 **SECTION 2243.** 121.905 (3) (c) 11. of the statutes is created to read:

17 121.905 (3) (c) 11. For the limit for the 2025-26 school year and any school year
18 thereafter, add the result under s. 121.91 (2m) (L) 2. to the result under par. (b).

19 **SECTION 2244.** 121.91 (2m) (i) (intro.) of the statutes is amended to read:

20 121.91 (2m) (i) (intro.) Except as provided in subs. (3), (4), and (8), no school
21 district may increase its revenues for any of the 2015-16 to 2018-19 school year or
22 for any school year thereafter years, the 2021-22 school year, or the 2022-23 school
23 year to an amount that exceeds the amount calculated as follows:

24 **SECTION 2245.** 121.91 (2m) (im) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2245**

1 121.91 **(2m)** (im) (intro.) ~~Notwithstanding par. (i) and except~~ Except as
2 provided in subs. (3), (4), and (8), a school district cannot increase its revenues for
3 the 2019-20 school year to an amount that exceeds the amount calculated as follows:

4 **SECTION 2246.** 121.91 (2m) (j) (intro.) of the statutes is amended to read:

5 121.91 **(2m)** (j) (intro.) ~~Notwithstanding par. (i) and except~~ Except as provided
6 in subs. (3), (4), and (8), a school district cannot increase its revenues for the 2020-21
7 school year to an amount that exceeds the amount calculated as follows:

8 **SECTION 2247.** 121.91 (2m) (k) of the statutes is created to read:

9 121.91 **(2m)** (k) Except as provided in subs. (3), (4), and (8), no school district
10 may increase its revenues for the 2023-24 school year to an amount that exceeds the
11 amount calculated as follows:

12 1. Divide the sum of the amount of state aid received in the previous school year
13 and property taxes levied for the previous school year, excluding property taxes
14 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)
15 (c), by the average of the number of pupils enrolled in the 3 previous school years.

16 2. Add \$350 to the result under subd. 1.

17 3. Multiply the result under subd. 2. by the average of the number of pupils
18 enrolled in the current school year and the 2 preceding school years.

19 **SECTION 2248.** 121.91 (2m) (km) of the statutes is created to read:

20 121.91 **(2m)** (km) Except as provided in subs. (3), (4), and (8), no school district
21 may increase its revenues for the 2024-25 school year to an amount that exceeds the
22 amount calculated as follows:

23 1. Divide the sum of the amount of state aid received in the previous school year
24 and property taxes levied for the previous school year, excluding property taxes

ASSEMBLY BILL 43**SECTION 2248**

1 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)
2 (c), by the average of the number of pupils enrolled in the 3 previous school years.

3 2. Add \$650 to the result under subd. 1.

4 3. Multiply the result under subd. 2. by the average of the number of pupils
5 enrolled in the current school year and the 2 preceding school years.

6 **SECTION 2249.** 121.91 (2m) (L) of the statutes is created to read:

7 121.91 (2m) (L) Except as provided in subs. (3), (4), and (8), no school district
8 may increase its revenues for the 2025-26 school year or for any school year
9 thereafter to an amount that exceeds the amount calculated as follows:

10 1. Divide the sum of the amount of state aid received in the previous school year
11 and property taxes levied for the previous school year, excluding property taxes
12 levied for the purpose of s. 120.13 (19) and excluding funds described under sub. (4)
13 (c), by the average of the number of pupils enrolled in the 3 previous school years.

14 2. Multiply the amount of the revenue increase per pupil allowed under this
15 subsection for the previous school year by the sum of 1.0 plus the allowable rate of
16 increase under s. 73.0305 expressed as a decimal.

17 3. Add the result under subd. 1. to the result under subd. 2.

18 4. Multiply the result under subd. 3. by the average of the number of pupils
19 enrolled in the current and the 2 preceding school years.

20 **SECTION 2250.** 121.91 (2m) (r) 1. (intro.) of the statutes is amended to read:

21 121.91 (2m) (r) 1. (intro.) Notwithstanding pars. (i) (k) to (j) (L), if a school
22 district is created under s. 117.105, its revenue limit under this section for the school
23 year beginning with the effective date of the reorganization shall be determined as
24 follows except as provided under subs. (3) and (4):

25 **SECTION 2251.** 121.91 (2m) (r) 1. b. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2251**

1 121.91 **(2m)** (r) 1. b. Add an amount equal to the amount of revenue increase
2 per pupil allowed under this subsection for the previous school year multiplied by the
3 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal
4 to the result under subd. 1. a., except that in calculating the limit for ~~the 2013-14~~
5 ~~school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., in~~
6 ~~calculating the limit for the 2019-20 school year, add \$175 to the result under subd.~~
7 ~~1. a., and in calculating the limit for the 2020-21 school year, add \$179 to the result~~
8 ~~under subd. 1. a. In the 2015-16 to 2018-19 school years, the 2021-22 school year,~~
9 ~~and any school year thereafter, make no adjustment~~ the 2023-24 school year, add
10 \$350 to the result under subd. 1. a., and in calculating the limit for the 2024-25 school
11 year, add \$650 to the result under subd. 1. a.

12 **SECTION 2252.** 121.91 (2m) (r) 2. (intro.) of the statutes is amended to read:

13 121.91 **(2m)** (r) 2. (intro.) If a school district is created under s. 117.105, the
14 following adjustments to the calculations under pars. (i) (k) to (j) (L) apply for the 2
15 school years beginning on the July 1 following the effective date of the
16 reorganization:

17 **SECTION 2253.** 121.91 (2m) (r) 2. a. of the statutes is amended to read:

18 121.91 **(2m)** (r) 2. a. For the school year beginning on the first July 1 following
19 the effective date of the reorganization the number of pupils in the previous school
20 year shall be used under pars. (i) (k) 1., ~~(im)~~ (km) 1., and (j) (L) 1. instead of the
21 average of the number of pupils in the 3 previous school years, and for the school year
22 beginning on the 2nd July 1 following the effective date of the reorganization the
23 average of the number of pupils in the 2 previous school years shall be used under
24 pars. (i) (k) 1., (im) (km) 1., and (j) (L) 1. instead of the average of the number of pupils
25 in the 3 previous school years.

ASSEMBLY BILL 43**SECTION 2254**

1 **SECTION 2254.** 121.91 (2m) (r) 2. b. of the statutes is amended to read:

2 121.91 **(2m)** (r) 2. b. For the school year beginning on the first July 1 following
3 the effective date of the reorganization the average of the number of pupils in the
4 current and the previous school years shall be used under pars. ~~(i) 2.~~ (km) 3. and ~~(j)~~
5 ~~3~~ (L) 4. instead of the average of the number of pupils in the current and the 2
6 preceding school years.

7 **SECTION 2255.** 121.91 (2m) (s) 1. (intro.) of the statutes is amended to read:

8 121.91 **(2m)** (s) 1. (intro.) Notwithstanding pars. ~~(i) (k)~~ to ~~(j) (L)~~, if territory is
9 detached from a school district to create a new school district under s. 117.105, the
10 revenue limit under this section of the school district from which territory is detached
11 for the school year beginning with the effective date of the reorganization shall be
12 determined as follows except as provided in subs. (3) and (4):

13 **SECTION 2256.** 121.91 (2m) (s) 1. b. of the statutes is amended to read:

14 121.91 **(2m)** (s) 1. b. Add an amount equal to the amount of revenue increase
15 per pupil allowed under this subsection for the previous school year multiplied by the
16 sum of 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal
17 to the result under subd. 1. a., except that in calculating the limit for ~~the 2013-14~~
18 ~~school year and the 2014-15 school year, add \$75 to the result under subd. 1. a., in~~
19 ~~calculating the limit for the 2019-20 school year, add \$175 to the result under subd.~~
20 ~~1. a., and in calculating the limit for the 2020-21 school year, add \$179 to the result~~
21 ~~under subd. 1. a. In the 2015-16 to 2018-19 school years, the 2021-22 school year,~~
22 ~~and any school year thereafter, make no adjustment~~ the 2023-24 school year, add
23 \$350 to the result under subd. 1. a., and in calculating the limit for the 2024-25 school
24 year, add \$650 to the result under subd. 1. a.

25 **SECTION 2257.** 121.91 (2m) (s) 2. (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2257**

1 121.91 **(2m)** (s) 2. (intro.) If territory is detached from a school district to create
2 a new school district under s. 117.105, the following adjustments to the calculations
3 under pars. ~~(i)~~ (k) to ~~(j)~~ (L) apply to the school district from which territory is detached
4 for the 2 school years beginning on the July 1 following the effective date of the
5 reorganization:

6 **SECTION 2258.** 121.91 (2m) (s) 2. a. of the statutes is amended to read:

7 121.91 **(2m)** (s) 2. a. For the school year beginning on the first July 1 following
8 the effective date of the reorganization, the number of pupils in the previous school
9 year shall be used under pars. ~~(i)~~ (k) 1., ~~(im)~~ (km) 1., and ~~(j)~~ (L) 1. instead of the
10 average of the number of pupils in the 3 previous school years; and for the school year
11 beginning on the 2nd July 1 following the effective date of the reorganization, the
12 average of the number of pupils in the 2 previous school years shall be used under
13 pars. ~~(i)~~ (k) 1., ~~(im)~~ (km) 1., and ~~(j)~~ (L) 1. instead of the average of the number of pupils
14 in the 3 previous school years.

15 **SECTION 2259.** 121.91 (2m) (s) 2. b. of the statutes is amended to read:

16 121.91 **(2m)** (s) 2. b. For the school year beginning on the first July 1 following
17 the effective date of the reorganization the average of the number of pupils in the
18 current and the previous school year shall be used under pars. ~~(i)~~ 2. ~~(km)~~ 3. and ~~(j)~~
19 3 (L) 4. instead of the average of the number of pupils in the current and the 2
20 preceding school years.

21 **SECTION 2260.** 121.91 (2m) (t) 1. (intro.) of the statutes is amended to read:

22 121.91 **(2m)** (t) 1. (intro.) If 2 or more school districts are consolidated under
23 s. 117.08 or 117.09, in the ~~2019-20~~ 2023-24 school year, the consolidated school
24 district's revenue limit shall be determined as provided under par. ~~(im)~~ (k), in the
25 ~~2020-21~~ 2024-25 school year, the consolidated school district's revenue limit shall

ASSEMBLY BILL 43**SECTION 2260**

1 be determined as provided under par. ~~(j)~~ (km), and in each school year thereafter, the
2 consolidated school district's revenue limit shall be determined as provided under
3 par. ~~(i)~~ (L), except as follows:

4 **SECTION 2261.** 121.91 (4) (p) 1. of the statutes is amended to read:

5 121.91 (4) (p) 1. The limit otherwise applicable to a school district under sub.
6 (2m) in any school year is increased by the amount of any reduction to that school
7 district's state aid payment made under s. 118.51 (16) (b) 2. and (c) or (17) (c) 2. ~~or~~
8 ~~(em) 2. or s. 118.51 (17) (cm) 2., 2021 stats.,~~ in the previous school year for a pupil who
9 was not included in the calculation of the number of pupils enrolled in that school
10 district in the previous school year.

11 **SECTION 2262.** 125.06 (6) of the statutes is amended to read:

12 125.06 (6) PUBLIC PARKS. The sale of fermented malt beverages and wine in any
13 public park operated by a county or municipality. Fermented malt beverages and
14 wine shall be sold by officers or employees of the county or municipality under an
15 ordinance, resolution, rule or regulation enacted by the governing body.

16 **SECTION 2263.** 125.07 (4) (d) of the statutes is amended to read:

17 125.07 (4) (d) A person who is ~~under 17 years of age~~ a minor on the date of
18 disposition is subject to s. 938.344 unless proceedings have been instituted against
19 the person in a court of civil or criminal jurisdiction after dismissal of the citation
20 under s. 938.344 (3).

21 **SECTION 2264.** 125.07 (4) (e) 1. of the statutes is amended to read:

22 125.07 (4) (e) 1. In this paragraph, "defendant" means a person found guilty
23 of violating par. (a) or (b) who is ~~17, 18, 19 or 20~~ an adult under 21 years of age.

24 **SECTION 2265.** 125.085 (3) (bt) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2265**

1 125.085 (3) (bt) A person who is ~~under 17 years of age~~ a minor on the date of
2 disposition is subject to s. 938.344 unless proceedings have been instituted against
3 the person in a court of civil or criminal jurisdiction after dismissal of the citation
4 under s. 938.344 (3).

5 **SECTION 2266.** 125.09 (6) of the statutes is amended to read:

6 125.09 (6) MUNICIPAL STORES SALES. No municipality may engage in the sale of
7 alcohol beverages, except as authorized under ~~s. ss. 125.06 (6) and~~ 125.26 (6). This
8 subsection does not apply to municipal stores in operation on November 6, 1969.

9 **SECTION 2267.** 134.66 (title) of the statutes is amended to read:

10 **134.66 (title) Restrictions on sale or gift of cigarettes or nicotine, vapor,**
11 **or tobacco products.**

12 **SECTION 2268.** 134.66 (1) (jm) of the statutes is created to read:

13 134.66 (1) (jm) “Vapor product” has the meaning given in s. 139.75 (14).

14 **SECTION 2269.** 134.66 (2) (a), (am), (b) and (cm) 1m. of the statutes are amended
15 to read:

16 134.66 (2) (a) No retailer, direct marketer, manufacturer, distributor, jobber or
17 subjobber, no agent, employee or independent contractor of a retailer, direct
18 marketer, manufacturer, distributor, jobber or subjobber and no agent or employee
19 of an independent contractor may sell or provide for nominal or no consideration
20 cigarettes, nicotine products, ~~or tobacco products,~~ or vapor products to any person
21 under the age of ~~18~~ 21, except as provided in s. 254.92 (2) (a). A vending machine
22 operator is not liable under this paragraph for the purchase of cigarettes, nicotine
23 products, ~~or tobacco products,~~ or vapor products from his or her vending machine by
24 a person under the age of ~~18~~ 21 if the vending machine operator was unaware of the
25 purchase.

ASSEMBLY BILL 43**SECTION 2269**

1 (am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber,
2 no agent, employee or independent contractor of a retailer, direct marketer,
3 manufacturer, distributor, jobber or subjobber and no agent or employee of an
4 independent contractor may provide for nominal or no consideration cigarettes,
5 nicotine products, ~~or tobacco products,~~ or vapor products to any person except in a
6 place where no person younger than ~~18~~ 21 years of age is present or permitted to
7 enter unless the person who is younger than ~~18~~ 21 years of age is accompanied by his
8 or her parent or guardian or by his or her spouse who has attained the age of ~~18~~ 21
9 years.

10 (b) 1. A retailer shall post a sign in areas within his or her premises where
11 cigarettes ~~or, tobacco products,~~ or vapor products are sold to consumers stating that
12 the sale of any cigarette ~~or, tobacco product,~~ or vapor product to a person under the
13 age of ~~18~~ 21 is unlawful under this section and s. 254.92.

14 2. A vending machine operator shall attach a notice in a conspicuous place on
15 the front of his or her vending machines stating that the purchase of any cigarette
16 ~~or, tobacco product,~~ or vapor product by a person under the age of ~~18~~ 21 is unlawful
17 under s. 254.92 and that the purchaser is subject to a forfeiture of not to exceed \$50.

18 (cm) 1m. A retailer or vending machine operator may not sell cigarettes ~~or,~~
19 tobacco products, or vapor products from a vending machine unless the vending
20 machine is located in a place where the retailer or vending machine operator ensures
21 that no person younger than ~~18~~ 21 years of age is present or permitted to enter unless
22 he or she is accompanied by his or her parent or guardian or by his or her spouse who
23 has attained the age of ~~18~~ 21 years.

24 **SECTION 2270.** 134.66 (2m) (a) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2270**

1 134.66 **(2m)** (a) Except as provided in par. (b), at the time that a retailer hires
2 or contracts with an agent, employee, or independent contractor whose duties will
3 include the sale of cigarettes, vapor products, or tobacco products, the retailer shall
4 provide the agent, employee, or independent contractor with training on compliance
5 with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for
6 a violation of sub. (2) (a) or (am). The department of health services shall make
7 available to any retailer on request a training program developed or approved by that
8 department that provides the training required under this paragraph. A retailer
9 may comply with this paragraph by providing the training program developed or
10 approved by the department of health services or by providing a comparable training
11 program approved by that department. At the completion of the training, the retailer
12 and the agent, employee, or independent contractor shall sign a form provided by the
13 department of health services verifying that the agent, employee, or independent
14 contractor has received the training, which the retailer shall retain in the personnel
15 file of the agent, employee, or independent contractor.

16 **SECTION 2271.** 134.66 (3) of the statutes is amended to read:

17 134.66 **(3)** DEFENSE; SALE TO MINOR. Proof of all of the following facts by a
18 retailer, manufacturer, distributor, jobber, or subjobber, an agent, employee, or
19 independent contractor of a retailer, manufacturer, distributor, jobber, or subjobber,
20 or an agent or employee of an independent contractor who sells cigarettes ~~or~~, tobacco
21 products, or vapor products to a person under the age of ~~18~~ 21 is a defense to any
22 prosecution, or a complaint made under s. 134.65 (7), for a violation of sub. (2) (a):

23 (a) That the purchaser falsely represented that he or she had attained the age
24 of ~~18~~ 21 and presented an identification card.

ASSEMBLY BILL 43**SECTION 2271**

1 (b) That the appearance of the purchaser was such that an ordinary and
2 prudent person would believe that the purchaser had attained the age of ~~18~~ 21.

3 (c) That the sale was made in good faith, in reasonable reliance on the
4 identification card and appearance of the purchaser and in the belief that the
5 purchaser had attained the age of ~~18~~ 21.

6 **SECTION 2272.** 139.345 (3) (a) (intro.) of the statutes is amended to read:

7 139.345 (3) (a) (intro.) Verifies the consumer's name and address and that the
8 consumer is at least ~~18~~ 21 years of age by any of the following methods:

9 **SECTION 2273.** 139.345 (3) (b) 2. of the statutes is amended to read:

10 139.345 (3) (b) 2. That the consumer understands that no person who is under
11 ~~18~~ 21 years of age may purchase or possess cigarettes or falsely represent his or her
12 age for the purpose of receiving cigarettes, as provided under s. 254.92.

13 **SECTION 2274.** 139.345 (7) (a) of the statutes is amended to read:

14 139.345 (7) (a) No person may deliver a package of cigarettes sold by direct
15 marketing to a consumer in this state unless the person making the delivery receives
16 a government issued identification card from the person receiving the package and
17 verifies that the person receiving the package is at least ~~18~~ 21 years of age. If the
18 person receiving the package is not the person to whom the package is addressed, the
19 person delivering the package shall have the person receiving the package sign a
20 statement that affirms that the person to whom the package is addressed is at least
21 ~~18~~ 21 years of age.

22 **SECTION 2275.** 139.44 (4) of the statutes is amended to read:

23 139.44 (4) Any person who refuses to permit the examination or inspection
24 authorized in s. 139.39 (2) or 139.83 (1) may be fined not more than \$500 or

ASSEMBLY BILL 43**SECTION 2275**

1 imprisoned not more than 90 days or both. Such refusal shall be cause for immediate
2 suspension or revocation of permit by the secretary.

3 **SECTION 2276.** Subchapter III (title) of chapter 139 [precedes 139.75] of the
4 statutes is amended to read:

CHAPTER 139**SUBCHAPTER III****TOBACCO PRODUCTS TAX AND****VAPOR PRODUCTS TAXES**

5
6
7
8
9 **SECTION 2277.** 139.75 (1m) of the statutes is created to read:

10 139.75 (1m) “Cigar” means a roll, of any size or shape, of tobacco for smoking
11 that is made wholly or in part of tobacco, regardless of whether the tobacco is pure,
12 flavored, adulterated, or mixed with an ingredient, if the roll has a wrapper made
13 wholly or in part of tobacco.

14 **SECTION 2278.** 139.75 (4t) of the statutes is created to read:

15 139.75 (4t) “Little cigar” means a cigar that has an integrated cellulose acetate
16 filter and is wrapped in a substance containing tobacco.

17 **SECTION 2279.** 139.75 (5b) of the statutes is created to read:

18 139.75 (5b) “Manufacturer’s list price” means the total price of tobacco
19 products charged by the manufacturer or other seller to an unrelated distributor.
20 The total price shall include all charges by the manufacturer or other seller that are
21 necessary to complete the sale. The total price may not be reduced by any cost or
22 expense, regardless of whether the cost or expense is separately stated on an invoice,
23 that is incurred by the manufacturer or other seller, including fees, delivery, freight,
24 transportation, packaging, handling, marketing, federal excise taxes, and import
25 fees or duties. The total price may not be reduced by the value or cost of discounts

ASSEMBLY BILL 43**SECTION 2279**

1 or free promotional or sample products. For purposes of this subsection, a
2 manufacturer or other seller is related to a distributor if the 2 parties have
3 significant common purposes and either substantial common membership or,
4 directly or indirectly, substantial common direction or control.

5 **SECTION 2280.** 139.75 (12) of the statutes is amended to read:

6 139.75 (12) "Tobacco products" means cigars; little cigars; cheroots; stogies;
7 periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco;
8 snuff, including moist snuff; snuff flour; cavendish; plug and twist tobacco; fine cut
9 and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings
10 of tobacco and other kinds and forms of tobacco prepared in such manner as to be
11 suitable for chewing or smoking in a pipe or otherwise, or both for chewing and
12 smoking; but "tobacco products" does not include cigarettes, as defined under s.
13 139.30 (1m).

14 **SECTION 2281.** 139.75 (14) of the statutes is renumbered 139.75 (14) (a) and
15 amended to read:

16 139.75 (14) (a) "Vapor product" means a noncombustible product ~~that produces~~
17 ~~vapor or aerosol for inhalation from the application of a heating element to a liquid~~
18 ~~or other substance that is depleted as the product is used, regardless of whether the~~
19 ~~liquid or other substance contains nicotine, which may or may not contain nicotine,~~
20 that employs a heating element, power source, electronic circuit, or other electronic,
21 chemical, or mechanical means, regardless of shape or size, that can be used to
22 produce vapor from a solution or other substance.

23 **SECTION 2282.** 139.75 (14) (b) and (c) of the statutes are created to read:

24 139.75 (14) (b) "Vapor product" includes all of the following:

ASSEMBLY BILL 43**SECTION 2282**

1 1. An electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe,
2 or similar product or device.

3 2. Any cartridge or other container of a solution or other substance, which may
4 or may not contain nicotine, that is intended to be used with or in an electronic
5 cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or
6 device.

7 (c) "Vapor product" does not include a product regulated as a drug or device
8 under sections 501 to 524A of the federal food, drug, and cosmetic act, 21 USC 351
9 to 360n-1.

10 **SECTION 2283.** 139.76 (1) of the statutes is amended to read:

11 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,
12 possession with intent to sell or removal for consumption or sale or other disposition
13 for any purpose of tobacco products by any person engaged as a distributor of them
14 at the rate, for tobacco products, not including moist snuff and vapor products, of 71
15 percent of the manufacturer's established list price to distributors without
16 diminution by volume or other discounts on domestic products and, for moist snuff,
17 at the rate of 100 percent of the manufacturer's established list price to distributors
18 without diminution by volume or other discounts on domestic products. The tax
19 imposed under this subsection on cigars shall not exceed an amount equal to 50 cents
20 for each cigar. ~~On products imported from another country, not including moist snuff~~
21 ~~and vapor products, the rate of tax is 71 percent of the amount obtained by adding~~
22 ~~the manufacturer's list price to the federal tax, duties and transportation costs to the~~
23 ~~United States. On moist snuff imported from another country, the rate of the tax is~~
24 ~~100 percent of the amount obtained by adding the manufacturer's list price to the~~
25 ~~federal tax, duties, and transportation costs to the United States. The tax attaches~~

ASSEMBLY BILL 43**SECTION 2283**

1 at the time the tobacco products are received by the distributor in this state. The tax
2 shall be passed on to the ultimate consumer of the tobacco products. All tobacco
3 products received in this state for sale or distribution within this state, except
4 tobacco products actually sold as provided in sub. (2), shall be subject to such tax.

5 **SECTION 2284.** 139.76 (1) of the statutes, as affected by 2023 Wisconsin Act ...
6 (this act), is amended to read:

7 139.76 (1) An excise tax is imposed upon the sale, offering or exposing for sale,
8 possession with intent to sell or removal for consumption or sale or other disposition
9 for any purpose of tobacco products by any person engaged as a distributor of them
10 at the rate, for tobacco products, not including moist snuff and ~~vapor products~~ little
11 cigars, of 71 percent of the manufacturer's list price and, for moist snuff, at the rate
12 of 100 percent of the manufacturer's list price. The tax imposed under this
13 subsection on cigars, except little cigars, shall not exceed an amount equal to 50 cents
14 for each cigar. The tax attaches at the time the tobacco products are received by the
15 distributor in this state. The tax shall be passed on to the ultimate consumer of the
16 tobacco products. All tobacco products received in this state for sale or distribution
17 within this state, except tobacco products actually sold as provided in sub. (2), shall
18 be subject to such tax.

19 **SECTION 2285.** 139.76 (1b) of the statutes is created to read:

20 139.76 (1b) The tax under sub. (1) is imposed on little cigars at the rate of 126
21 mills on each little cigar, regardless of weight. To evidence payment of the tax
22 imposed under this section on little cigars, the department shall provide stamps. A
23 person who has paid the tax shall affix stamps of the proper denomination to each
24 package in which little cigars are packed, prior to the first sale within this state.

ASSEMBLY BILL 43**SECTION 2285**

1 Section 139.32 as it applies to the tax under s. 139.31 applies to the tax imposed
2 under this section on little cigars.

3 **SECTION 2286.** 139.76 (1m) of the statutes is amended to read:

4 139.76 (1m) An excise tax is imposed upon the sale, offering or exposing for
5 sale, possession with intent to sell or removal for consumption or sale or other
6 disposition for any purpose of vapor products by any person engaged as a distributor
7 of them at the rate of ~~5 cents per milliliter of the liquid or other substance based on~~
8 ~~the volume as listed by the manufacturer and at a proportionate rate for any other~~
9 ~~quantity or fractional part thereof~~ 71 percent of the manufacturer's established list
10 price to distributors without diminution by volume or other discounts on domestic
11 products. On vapor products imported from another country, the rate of tax is 71
12 percent of the amount obtained by adding the manufacturer's list price to the federal
13 tax, duties, and transportation costs to the United States. The tax attaches at the
14 time the vapor products are received by the distributor in this state. The tax shall
15 be passed on to the ultimate consumer of the vapor products. All vapor products
16 received in this state for sale or distribution within this state, except those actually
17 sold as provided in sub. (2), shall be subject to such tax.

18 **SECTION 2287.** 139.77 (1) of the statutes is amended to read:

19 139.77 (1) On or before the 15th day of each month, every distributor with a
20 place of business in this state shall file a return showing the quantity, ~~including~~
21 ~~milliliters in the case of a vapor product,~~ and taxable price of each tobacco product
22 or vapor product brought, or caused to be brought, into this state for sale; or made,
23 manufactured or fabricated in this state for sale in this state, during the preceding
24 month. Every distributor outside this state shall file a return showing the quantity,
25 ~~including milliliters in the case of a vapor product,~~ and taxable price of each tobacco

ASSEMBLY BILL 43**SECTION 2287**

1 product or vapor product shipped or transported to retailers in this state to be sold
2 by those retailers during the preceding month. At the time that the return is filed,
3 the distributor shall pay the tax.

4 **SECTION 2288.** 139.78 (1) of the statutes is amended to read:

5 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
6 products in this state at the rate, for tobacco products, not including moist snuff and
7 vapor products, of 71 percent of the ~~cost of the tobacco products~~ manufacturer's list
8 price and, for moist snuff, at the rate of 100 percent of the manufacturer's established
9 list price ~~to distributors without diminution by volume or other discounts on~~
10 ~~domestic products~~. The tax imposed under this subsection on cigars shall not exceed
11 an amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed
12 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are
13 exempt from the tobacco products tax under s. 139.76 (2).

14 **SECTION 2289.** 139.78 (1) of the statutes, as affected by 2023 Wisconsin Act ...
15 (this act), is amended to read:

16 139.78 (1) A tax is imposed upon the use or storage by consumers of tobacco
17 products in this state at the rate, for tobacco products, not including moist snuff and
18 ~~vapor products~~ little cigars, of 71 percent of the manufacturer's list price and, for
19 moist snuff, at the rate of 100 percent of the manufacturer's list price. The tax
20 imposed under this subsection on cigars, except little cigars, shall not exceed an
21 amount equal to 50 cents for each cigar. The tax does not apply if the tax imposed
22 by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are
23 exempt from the tobacco products tax under s. 139.76 (2).

24 **SECTION 2290.** 139.78 (1b) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2290**

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 2291.** 139.78 (1m) of the statutes is amended to read:

7 139.78 (1m) A tax is imposed upon the use or storage by consumers of vapor
8 products in this state at the rate of ~~5 cents per milliliter of the liquid or other~~
9 ~~substance based on the volume as listed by the manufacturer and at a proportionate~~
10 ~~rate for any other quantity or fractional part thereof~~ 71 percent of the manufacturer's
11 established list price to distributors without diminution by volume or other discounts
12 on domestic products. The tax does not apply if the tax imposed by s. 139.76 (1m) on
13 the vapor products has been paid or if the vapor products are exempt from the vapor
14 products tax under s. 139.76 (2).

15 **SECTION 2292.** 139.83 of the statutes is renumbered 139.83 (1).

16 **SECTION 2293.** 139.83 (2) of the statutes is created to read:

17 139.83 (2) Sections 139.315, 139.32, 139.321, 139.322, 139.34, 139.35, 139.36,
18 139.362, 139.363, 139.38, 139.395, 139.41, 139.42, 139.43, and 139.44 (8), as they
19 apply to the taxes under subch. II, apply to the administration and enforcement of
20 this subchapter for little cigars.

21 **SECTION 2294.** Subchapter IV of chapter 139 [precedes 139.97] of the statutes
22 is created to read:

CHAPTER 139**SUBCHAPTER IV****MARIJUANA TAX AND REGULATION**

ASSEMBLY BILL 43**SECTION 2294**

1 **139.97 Definitions.** In this subchapter:

2 **(1)** “Department” means the department of revenue.

3 **(2)** “Lot” means a definite quantity of marijuana or usable marijuana identified
4 by a lot number, every portion or package of which is consistent with the factors that
5 appear in the labeling.

6 **(3)** “Lot number” means a number that specifies the person who holds a valid
7 permit under this subchapter and the harvesting or processing date for each lot.

8 **(4)** “Marijuana” has the meaning given in s. 961.70 (2).

9 **(5)** “Marijuana distributor” means a person in this state who purchases or
10 receives usable marijuana from a marijuana processor and who sells or otherwise
11 transfers the usable marijuana to a marijuana retailer for the purpose of resale to
12 consumers.

13 **(6)** “Marijuana processor” means a person in this state who processes
14 marijuana into usable marijuana, packages and labels usable marijuana for sale in
15 retail outlets, and sells at wholesale or otherwise transfers usable marijuana to
16 marijuana distributors.

17 **(7)** “Marijuana producer” means a person in this state who produces marijuana
18 and sells it at wholesale or otherwise transfers it to marijuana processors.

19 **(8)** “Marijuana retailer” means a person in this state that sells usable
20 marijuana at a retail outlet.

21 **(9)** “Microbusiness” means a marijuana producer that produces marijuana in
22 one area that is less than 10,000 square feet and who also operates as any 2 of the
23 following:

24 (a) A marijuana processor.

25 (b) A marijuana distributor.

ASSEMBLY BILL 43**SECTION 2294**

1 (c) A marijuana retailer.

2 (10) "Permittee" means a marijuana producer, marijuana processor, marijuana
3 distributor, marijuana retailer, or microbusiness that is issued a permit under s.
4 139.972.

5 (11) "Retail outlet" means a location for the retail sale of usable marijuana.

6 (12) "Sales price" has the meaning given in s. 77.51 (15b).

7 (13) "Usable marijuana" means marijuana that has been processed for human
8 consumption and includes dried marijuana flowers, marijuana-infused products,
9 and marijuana edibles.

10 **139.971 Marijuana tax.** (1) (a) An excise tax is imposed on a marijuana
11 producer at the rate of 15 percent of the sales price on each wholesale sale or transfer
12 in this state of marijuana to a marijuana processor. This paragraph applies to a
13 microbusiness that transfers marijuana to a processing operation within the
14 microbusiness.

15 (b) An excise tax is imposed on a marijuana retailer at the rate of 10 percent
16 of the sales price on each retail sale in this state of usable marijuana, except that the
17 tax does not apply to sales of usable marijuana to an individual who holds a valid tax
18 exemption certificate issued under s. 73.17 (4).

19 (2) Each person liable for the taxes imposed under sub. (1) shall pay the taxes
20 to the department no later than the 15th day of the month following the month in
21 which the person's tax liability is incurred and shall include with the payment a
22 return on a form prescribed by the department.

23 (3) For purposes of this section, a marijuana producer may not sell marijuana
24 directly to a marijuana distributor or marijuana retailer, and a marijuana retailer
25 may purchase usable marijuana for resale only from a marijuana distributor. This

ASSEMBLY BILL 43**SECTION 2294**

1 subsection does not apply to a microbusiness that transfers marijuana or usable
2 marijuana to another operation with the microbusiness.

3 **139.972 Permits required. (1)** (a) No person may operate in this state as a
4 marijuana producer, marijuana processor, marijuana distributor, marijuana
5 retailer, or microbusiness without first filing an application for and obtaining the
6 proper permit from the department to perform such operations. In addition, no
7 person may operate in this state as a marijuana producer or marijuana processor
8 without first filing an application for and obtaining the proper permit under s. 94.56.

9 (b) This section applies to all officers, directors, agents, and stockholders
10 holding 5 percent or more of the stock of any corporation applying for a permit under
11 this section.

12 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
13 not be granted to any person to whom any of the following applies:

14 1. The person has been convicted of a violent misdemeanor, as defined in s.
15 941.29 (1g) (b), at least 3 times.

16 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
17 (a), unless pardoned.

18 3. During the preceding 3 years, the person has been committed under s. 51.20
19 for being drug dependent.

20 4. The person chronically and habitually uses alcohol beverages or other
21 substances to the extent that his or her normal faculties are impaired. A person is
22 presumed to chronically and habitually use alcohol beverages or other substances to
23 the extent that his or her normal faculties are impaired if, within the preceding 3
24 years, any of the following applies:

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1 a. The person has been committed for involuntary treatment under s. 51.45
2 (13).

3 b. The person has been convicted of a violation of s. 941.20 (1) (b).

4 c. In 2 or more cases arising out of separate incidents, a court has found the
5 person to have committed a violation of s. 346.63 or a local ordinance in conformity
6 with that section; a violation of a law of a federally recognized American Indian tribe
7 or band in this state in conformity with s. 346.63; or a violation of the law of another
8 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
9 intoxicated, while under the influence of a controlled substance, a controlled
10 substance analog, or a combination thereof, with an excess or specified range of
11 alcohol concentration, or while under the influence of any drug to a degree that
12 renders the person incapable of safely driving, as those or substantially similar
13 terms are used in that jurisdiction's laws.

14 5. The person has income that comes principally from gambling or has been
15 convicted of 2 or more gambling offenses.

16 6. The person has been convicted of crimes relating to prostitution.

17 7. The person has been convicted of of crimes relating to loaning money or
18 anything of value to persons holding licenses or permits pursuant to ch. 125.

19 8. The person is under the age of 21.

20 9. The person has not been a resident of this state continuously for at least 90
21 days prior to the application date.

22 (cm) An applicant with 20 or more employees may not receive a permit under
23 this section to operate as a marijuana distributor or marijuana retailer unless the
24 applicant certifies to the department that the applicant has entered into a labor
25 peace agreement, as defined in s. 94.56 (1) (a), and will abide by the terms of the

ASSEMBLY BILL 43**SECTION 2294**

1 agreement as a condition of maintaining a valid permit under this section. The
2 applicant shall submit to the department a copy of the page of the labor peace
3 agreement that contains the signatures of the labor organization representative and
4 the applicant.

5 (cn) The department shall use a competitive scoring system to determine which
6 applicants are eligible to receive a permit under this section. The department shall
7 issue permits to the highest scoring applicants that it determines will best protect
8 the environment; provide stable, family-supporting jobs to local residents; ensure
9 worker and consumer safety; operate secure facilities; and uphold the laws of the
10 jurisdictions in which they operate. The department shall, using criteria established
11 by rule, score an applicant for a permit to operate as a marijuana retailer on the
12 applicant's ability to articulate a social equity plan related to the operation of a
13 marijuana retail establishment. The department may deny a permit to an applicant
14 with a low score as determined under this paragraph. The department may request
15 that the applicant provide any information or documentation that the department
16 deems necessary for purposes of making a determination under this paragraph.

17 (d) 1. Before the department issues a new or renewed permit under this section,
18 the department shall give notice of the permit application to the governing body of
19 the municipality where the permit applicant intends to operate the premises of a
20 marijuana producer, marijuana processor, marijuana distributor, marijuana
21 retailer, or microbusiness. No later than 30 days after the department submits the
22 notice, the governing body of the municipality may file with the department a written
23 objection to granting or renewing the permit. At the municipality's request, the
24 department may extend the period for filing objections.

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1 2. A written objection filed under subd. 1. shall provide all the facts on which
2 the objection is based. In determining whether to grant or deny a permit for which
3 an objection has been filed under this paragraph, the department shall give
4 substantial weight to objections from a municipality based on chronic illegal activity
5 associated with the premises for which the applicant seeks a permit or the premises
6 of any other operation in this state for which the applicant holds or has held a valid
7 permit or license, the conduct of the applicant's patrons inside or outside the
8 premises of any other operation in this state for which the applicant holds or has held
9 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
10 illegal activity" means a pervasive pattern of activity that threatens the public
11 health, safety, and welfare of the municipality, including any crime or ordinance
12 violation, and that is documented in crime statistics, police reports, emergency
13 medical response data, calls for service, field data, or similar law enforcement agency
14 records.

15 (e) After denying a permit, the department shall immediately notify the
16 applicant in writing of the denial and the reasons for the denial. After making a
17 decision to grant or deny a permit for which a municipality has filed an objection
18 under par. (d), the department shall immediately notify the governing body of the
19 municipality in writing of its decision and the reasons for the decision.

20 (f) 1. The department's denial of a permit under this section is subject to judicial
21 review under ch. 227.

22 2. The department's decision to grant a permit under this section regardless of
23 an objection filed under par. (d) is subject to judicial review under ch. 227.

24 (g) The department shall not issue a permit under this section to any person
25 who does not hold a valid certificate under s. 73.03 (50).

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1 (2) Each person who applies for a permit under this section shall submit with
2 the application a \$250 fee. Each person who is granted a permit under this section
3 shall annually pay to the department a \$2,000 fee for as long as the person holds a
4 valid permit under this section. A permit issued under this section is valid for one
5 year and may be renewed, except that the department may revoke or suspend a
6 permit prior to its expiration. A person is not entitled to a refund of the fees paid
7 under this subsection if the person's permit is denied, revoked, or suspended.

8 (3) The department may not issue a permit under this section to operate any
9 premises which are within 500 feet of the perimeter of the grounds of any elementary
10 or secondary school, playground, recreation facility, child care facility, public park,
11 public transit facility, or library.

12 (4) Under this section, a separate permit is required for and issued to each class
13 of permittee, and the permit holder may perform only the operations authorized by
14 the permit. A permit issued under this section is not transferable from one person
15 to another or from one premises to another. A separate permit is required for each
16 place in this state where the operations of a marijuana producer, marijuana
17 processor, marijuana distributor, marijuana retailer, or microbusiness occur,
18 including each retail outlet. No person who has been issued a permit to operate as
19 a marijuana retailer, or who has any direct or indirect financial interest in the
20 operation of a marijuana retailer, shall be issued a permit to operate as a marijuana
21 producer, marijuana processor, or marijuana distributor. A person who has been
22 issued a permit to operate as a microbusiness is not required to hold separate permits
23 to operate as a marijuana processor, marijuana distributor, or marijuana retailer,
24 but shall specify on the person's application for a microbusiness permit the activities
25 that the person will be engaged in as a microbusiness.

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1 (5) Each person issued a permit under this section shall post the permit in a
2 conspicuous place on the premises to which the permit relates.

3 **139.973 Regulation.** (1) (a) No permittee may employ an individual who is
4 under the age of 21 to work in the business to which the permit relates.

5 (b) Subject to ss. 111.321, 111.322, and 111.335, no permittee may employ an
6 individual if any of the conditions under s. 139.972 (1) (c) 1. to 7. applies to the
7 individual.

8 (2) A retail outlet shall sell no products or services other than usable marijuana
9 or paraphernalia intended for the storage or use of usable marijuana.

10 (3) No marijuana retailer may allow a person who is under the age of 21 to enter
11 or be on the premises of a retail outlet in violation of s. 961.71 (2m), unless that person
12 is a qualifying patient, as defined in s. 73.17 (1) (d).

13 (4) The maximum amount of usable marijuana that a retail outlet may sell to
14 an individual consumer in a single transaction may not exceed a permissible amount,
15 as defined in s. 961.70 (3).

16 (4m) A marijuana retailer may not collect, retain, or distribute personal
17 information regarding the retailer's customers except that which is necessary to
18 complete a sale of usable marijuana.

19 (5) No marijuana retailer may display any signage in a window, on a door, or
20 on the outside of the premises of a retail outlet that is visible to the general public
21 from a public right-of-way, other than a single sign that is no larger than 1,600
22 square inches identifying the retail outlet by the permittee's business or trade name.

23 (6) No marijuana retailer may display usable marijuana in a manner that is
24 visible to the general public from a public right-of-way.

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1 **(7)** No marijuana retailer or employee of a retail outlet may consume, or allow
2 to be consumed, any usable marijuana on the premises of the retail outlet.

3 **(7m)** A marijuana retailer may operate a retail outlet only between the hours
4 of 8 a.m. and 8 p.m.

5 **(8)** Except as provided under sub. (5), no marijuana producer, marijuana
6 processor, marijuana distributor, marijuana retailer, or microbusiness may place or
7 maintain, or cause to be placed or maintained, an advertisement of usable marijuana
8 in any form or through any medium.

9 **(9)** (a) On a schedule determined by the department, every marijuana
10 producer, marijuana processor, or microbusiness shall submit representative
11 samples of the marijuana and usable marijuana produced or processed by the
12 marijuana producer, marijuana processor, or microbusiness to a testing laboratory
13 registered under s. 94.57 for testing marijuana and usable marijuana in order to
14 certify that the marijuana and usable marijuana comply with standards prescribed
15 by the department by rule, including testing for potency and for mold, fungus,
16 pesticides, and other contaminants. The laboratory testing the sample shall destroy
17 any part of the sample that remains after the testing.

18 (b) Marijuana producers, marijuana processors, and microbusinesses shall
19 submit the results of the testing provided under par. (a) to the department in the
20 manner prescribed by the department by rule.

21 (c) If a representative sample tested under par. (a) does not meet the standards
22 prescribed by the department, the department shall take the necessary action to
23 ensure that the entire lot from which the sample was taken is destroyed. The
24 department shall promulgate rules to determine lots and lot numbers for purposes
25 of this subsection and for the reporting of lots and lot numbers to the department.

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1 **(10)** (a) A marijuana processor or a microbusiness that operates as a marijuana
2 processor shall affix a label to all usable marijuana that the marijuana processor or
3 microbusiness sells to marijuana distributors. The label may not be designed to
4 appeal to persons under the age of 18. The label shall include all of the following:

5 1. The ingredients and the tetrahydrocannabinols concentration in the usable
6 marijuana.

7 2. The producer's business or trade name.

8 3. The producer's permit number.

9 4. The harvest batch number of the marijuana.

10 5. The harvest date.

11 6. The strain name and product identity.

12 7. The net weight.

13 8. The activation time.

14 9. The name of laboratory performing any test, the test batch number, and the
15 test analysis dates.

16 10. The logotype for recreational marijuana developed by the department of
17 agriculture, trade and consumer protection under s. 100.145.

18 11. Warnings about the risks of marijuana use and pregnancy and risks of
19 marijuana use by persons under the age of 18.

20 (b) No marijuana processor or microbusiness that operates as a marijuana
21 processor may make usable marijuana using marijuana grown outside this state.
22 The label on each package of usable marijuana may indicate that the usable
23 marijuana is made in this state.

24 **(11)** (a) No permittee may sell marijuana or usable marijuana that contains
25 more than 3 parts tetrahydrocannabinols to one part cannabidiol.

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1 (b) No permittee may sell marijuana or usable marijuana that tests positive
2 under sub. (9) (a) for mold, fungus, pesticides, or other contaminants if the
3 contaminants, or level of contaminants, are identified by a testing laboratory to be
4 potentially unsafe to the consumer.

5 (12) Immediately after beginning employment with a permittee, every
6 employee of a permittee shall receive training, approved by the department, on the
7 safe handling of marijuana and usable marijuana and on security and inventory
8 accountability procedures.

9 (13) The department shall deposit all moneys received under this subchapter
10 into the community reinvestment fund.

11 **139.974 Records and reports.** (1) Every permittee shall keep accurate and
12 complete records of the production and sales of marijuana and usable marijuana in
13 this state. The records shall be kept on the premises described in the permit and in
14 such manner as to ensure permanency and accessibility for inspection at reasonable
15 hours by the department's authorized personnel. The department shall prescribe
16 reasonable and uniform methods of keeping records and making reports and shall
17 provide the necessary forms to permittees.

18 (2) If the department determines that any permittee's records are not kept in
19 the prescribed form or are in such condition that the department requires an unusual
20 amount of time to determine from the records the amount of the tax due, the
21 department shall give notice to the permittee that the permittee is required to revise
22 the permittee's records and keep them in the prescribed form. If the permittee fails
23 to comply within 30 days, the permittee shall pay the expenses reasonably
24 attributable to a proper examination and tax determination at the rate of \$30 a day
25 for each auditor used to make the examination and determination. The department

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1 shall send a bill for such expenses, and the permittee shall pay the amount of such
2 bill within 10 days.

3 (3) If any permittee fails to file a report when due, the permittee shall be
4 required to pay a late filing fee of \$10. A report that is mailed is filed on time if it is
5 mailed in a properly addressed envelope with postage prepaid, the envelope is
6 officially postmarked, or marked or recorded electronically as provided under section
7 7502 (f) (2) (c) of the Internal Revenue Code, on the date due, and the report is
8 actually received by the department or at the destination that the department
9 prescribes within 5 days of the due date. A report that is not mailed is timely if it
10 is received on or before the due date by the department or at the destination that the
11 department prescribes. For purposes of this subsection, "mailed" includes delivery
12 by a delivery service designated under section 7502 (f) of the Internal Revenue Code.

13 (4) Sections 71.78 (1), (1m), and (4) to (9) and 71.83 (2) (a) 3. and 3m., relating
14 to confidentiality of income, franchise, and gift tax returns, apply to any information
15 obtained from any permittee under this subchapter on a tax return, report, schedule,
16 exhibit, or other document or from an audit report relating to any of those documents,
17 except that the department shall publish production and sales statistics.

18 **139.975 Administration and enforcement.** (1) The department shall
19 administer and enforce this subchapter and promulgate rules necessary to
20 administer and enforce this subchapter.

21 (2) The duly authorized employees of the department have all necessary police
22 powers to prevent violations of this subchapter.

23 (3) Authorized personnel of the department of justice and the department of
24 revenue, and any law enforcement officer, within their respective jurisdictions, may
25 at all reasonable hours enter the premises of any permittee and examine the books

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1 and records to determine whether the tax imposed by this subchapter has been fully
2 paid and may enter and inspect any premises where marijuana or usable marijuana
3 is produced, processed, made, sold, or stored to determine whether the permittee is
4 complying with this subchapter.

5 (4) The department may suspend or revoke the permit of any permittee who
6 violates s. 100.30, any provision of this subchapter, or any rules promulgated under
7 sub. (1). The department shall revoke the permit of any permittee who violates s.
8 100.30 3 or more times within a 5-year period.

9 (5) No suit shall be maintained in any court to restrain or delay the collection
10 or payment of the tax levied in s. 139.971. The aggrieved taxpayer shall pay the tax
11 when due and, if paid under protest, may at any time within 90 days from the date
12 of payment sue the state to recover the tax paid. If it is finally determined that any
13 part of the tax was wrongfully collected, the secretary of administration shall pay the
14 amount wrongfully collected. A separate suit need not be filed for each separate
15 payment made by any taxpayer, but a recovery may be had in one suit for as many
16 payments as may have been made.

17 (6) (a) Any person may be compelled to testify in regard to any violation of this
18 subchapter of which the person may have knowledge, even though such testimony
19 may tend to incriminate the person, upon being granted immunity from prosecution
20 in connection with the testimony, and upon the giving of such testimony, the person
21 shall not be prosecuted because of the violation relative to which the person has
22 testified.

23 (b) The immunity provided under par. (a) is subject to the restrictions under
24 s. 972.085.

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1 (7) The provisions on timely filing under s. 71.80 (18) apply to the tax imposed
2 under this subchapter.

3 (8) Sections 71.74 (1), (2), (10), (11), and (14), 71.77, 71.91 (1) (a) and (c) and
4 (2) to (7), 71.92, and 73.0301 as they apply to the taxes under ch. 71 apply to the taxes
5 under this subchapter. Section 71.74 (13) as it applies to the collection of the taxes
6 under ch. 71 applies to the collection of the taxes under this subchapter, except that
7 the period during which notice of an additional assessment shall be given begins on
8 the due date of the report under this subchapter.

9 (9) Any building or place of any kind where marijuana or usable marijuana is
10 sold, possessed, stored, or manufactured without a lawful permit or in violation of
11 s. 139.972 or 139.973 is declared a public nuisance and may be closed and abated as
12 such.

13 (10) At the request of the secretary of revenue, the attorney general may
14 represent this state or assist a district attorney in prosecuting any case arising under
15 this subchapter.

16 **139.976 Theft of tax moneys.** All marijuana tax moneys received by a
17 permittee for the sale of marijuana or usable marijuana on which the tax under this
18 subchapter has become due and has not been paid are trust funds in the permittee's
19 possession and are the property of this state. Any permittee who fraudulently
20 withholds, appropriates, or otherwise uses marijuana tax moneys that are the
21 property of this state is guilty of theft under s. 943.20 (1), whether or not the
22 permittee has or claims to have an interest in those moneys.

23 **139.977 Seizure and confiscation.** (1) All marijuana and usable marijuana
24 produced, processed, made, kept, stored, sold, distributed, or transported in violation
25 of this subchapter, and all tangible personal property used in connection with the

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1 marijuana or usable marijuana, is unlawful property and subject to seizure by the
2 department or a law enforcement officer. Except as provided in sub. (2), all
3 marijuana and usable marijuana seized under this subsection shall be destroyed.

4 (2) If marijuana or usable marijuana on which the tax has not been paid is
5 seized as provided under sub. (1), it may be given to law enforcement officers to use
6 in criminal investigations or sold to qualified buyers by the department, without
7 notice. If the department finds that the marijuana or usable marijuana may
8 deteriorate or become unfit for use in criminal investigations or for sale, or that those
9 uses would otherwise be impractical, the department may order it destroyed.

10 (3) If marijuana or usable marijuana on which the tax has been paid is seized
11 as provided under sub. (1), it shall be returned to the true owner if ownership can be
12 ascertained and the owner or the owner's agent is not involved in the violation
13 resulting in the seizure. If the ownership cannot be ascertained or if the owner or
14 the owner's agent was guilty of the violation that resulted in the seizure of the
15 marijuana or usable marijuana, it may be sold or otherwise disposed of as provided
16 in sub. (2).

17 (4) If tangible personal property other than marijuana or usable marijuana is
18 seized as provided under sub. (1), the department shall advertise the tangible
19 personal property for sale by publication of a class 2 notice under ch. 985. If no person
20 claiming a lien on, or ownership of, the property has notified the department of the
21 person's claim within 10 days after last insertion of the notice, the department shall
22 sell the property. If a sale is not practical the department may destroy the property.
23 If a person claiming a lien on, or ownership of, the property notifies the department
24 within the time prescribed in this subsection, the department may apply to the
25 circuit court in the county where the property was seized for an order directing

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1 disposition of the property or the proceeds from the sale of the property. If the court
2 orders the property to be sold, all liens, if any, may be transferred from the property
3 to the sale proceeds. Neither the property seized nor the proceeds from the sale shall
4 be turned over to any claimant of lien or ownership unless the claimant first
5 establishes that the property was not used in connection with any violation under
6 this subchapter or that, if so used, it was done without the claimant's knowledge or
7 consent and without the claimant's knowledge of facts that should have given the
8 claimant reason to believe it would be put to such use. If no claim of lien or ownership
9 is established as provided under this subsection the property may be ordered
10 destroyed.

11 **139.978 Interest and penalties.** (1) Any person who makes or signs any
12 false or fraudulent report under this subchapter or who attempts to evade the tax
13 imposed by s. 139.971, or who aids in or abets the evasion or attempted evasion of
14 that tax, may be fined not more than \$10,000 or imprisoned for not more than 9
15 months or both.

16 (2) Any permittee who fails to keep the records required by s. 139.974 (1) and
17 (2) shall be fined not less than \$100 nor more than \$500 or imprisoned not more than
18 6 months or both.

19 (3) Any person who refuses to permit the examination or inspection authorized
20 under s. 139.975 (3) may be fined not more than \$500 or imprisoned not more than
21 6 months or both. The department shall immediately suspend or revoke the permit
22 of any person who refuses to permit the examination or inspection authorized under
23 s. 139.975 (3).

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1 (4) Any person who violates any of the provisions of this subchapter for which
2 no other penalty is prescribed shall be fined not less than \$100 nor more than \$1,000
3 or imprisoned not less than 10 days nor more than 90 days or both.

4 (5) Any person who violates any of the rules promulgated in accordance with
5 this subchapter shall be fined not less than \$100 nor more than \$500 or imprisoned
6 not more than 6 months or both.

7 (6) In addition to the penalties imposed for violating the provisions of this
8 subchapter or any of the department's rules, the department shall revoke the permit
9 of any person convicted of such a violation and not issue another permit to that
10 person for a period of 2 years following the revocation.

11 (7) Unpaid taxes bear interest at the rate of 12 percent per year from the due
12 date of the return until paid or deposited with the department, and all refunded taxes
13 bear interest at the rate of 3 percent per year from the due date of the return to the
14 date on which the refund is certified on the refund rolls.

15 (8) All nondelinquent payments of additional amounts owed shall be applied
16 in the following order: penalties, interest, tax principal.

17 (9) Delinquent marijuana taxes bear interest at the rate of 1.5 percent per
18 month until paid. The taxes imposed by this subchapter shall become delinquent if
19 not paid:

20 (a) In the case of a timely filed return, no return filed or a late return, on or
21 before the due date of the return.

22 (b) In the case of a deficiency determination of taxes, within 2 months after the
23 date of demand.

24 (10) If due to neglect an incorrect return is filed, the entire tax finally
25 determined is subject to a penalty of 25 percent of the tax exclusive of interest or

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1 other penalty. A person filing an incorrect return has the burden of proving that the
2 error or errors were due to good cause and not due to neglect.

3 **139.979 Personal use.** An individual who possesses no more than 6
4 marijuana plants that have reached the flowering stage at any one time is not subject
5 to the tax imposed under s. 139.971. An individual who possesses more than 6
6 marijuana plants that have reached the flowering stage at any one time shall apply
7 for the appropriate permit under s. 139.972 and pay the appropriate tax imposed
8 under s. 139.971.

9 **139.980 Agreement with tribes.** The department may enter into an
10 agreement with a federally recognized American Indian tribe in this state for the
11 administration and enforcement of this subchapter and to provide refunds of the tax
12 imposed under s. 139.971 on marijuana sold on tribal land by or to enrolled members
13 of the tribe residing on the tribal land.

14 **SECTION 2295.** 145.02 (4) (a) of the statutes is amended to read:

15 145.02 (4) (a) The department shall prescribe rules as to the qualifications,
16 examination and licensing of master and journeyman plumbers and restricted
17 plumber licensees, for the licensing of utility contractors, for the registration of
18 plumbing apprentices and pipe layers and for the registration and training of
19 registered learners. The department may approve, in whole or in part, an
20 examination prepared, administered, and graded by a test service provider. The
21 plumbers council, created under s. 15.407 (16), shall advise the department in
22 formulating the rules.

23 **SECTION 2296.** 145.07 (2) of the statutes is amended to read:

24 145.07 (2) Application for a master or journeyman plumber's examination,
25 temporary permit or license shall be made to the department with fees. Unless the

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1 applicant is entitled to a renewal of license, a license shall be issued only after the
2 applicant passes a satisfactory examination showing fitness. No such license or
3 permit shall be transferable.

4 **SECTION 2297.** 145.20 (5) (a) of the statutes, as affected by 2017 Wisconsin Act
5 59, is amended to read:

6 145.20 (5) (a) The department shall establish a maintenance program to be
7 administered by governmental units responsible for the regulation of private on-site
8 wastewater treatment systems. The department shall determine the private on-site
9 wastewater treatment systems to which the maintenance program applies. At a
10 minimum the maintenance program is applicable to all new or replacement private
11 on-site wastewater treatment systems constructed in a governmental unit after the
12 date on which the governmental unit adopts this program. The department may
13 apply the maintenance program by rule to private on-site wastewater treatment
14 systems constructed in a governmental unit responsible for the regulation of private
15 on-site wastewater treatment systems on or before the date on which the
16 governmental unit adopts the program. The department shall determine the private
17 on-site wastewater treatment systems to which the maintenance program applies
18 in governmental units that do not meet the conditions for eligibility under s. 145.246
19 (8).

20 **SECTION 2298.** 145.20 (5) (am) of the statutes, as affected by 2017 Wisconsin
21 Act 59, is amended to read:

22 145.20 (5) (am) Each governmental unit responsible for the regulation of
23 private on-site wastewater treatment systems shall adopt and begin the
24 administration of the program established under par. (a) before October 1, 2019. As
25 part of adopting and administering the program, the governmental unit shall

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1 conduct and maintain an inventory of all the private on-site wastewater treatment
2 systems located in the governmental unit and shall complete the initial inventory
3 before October 1, 2017. In order to be eligible for grant funding under s. 145.246, a
4 governmental unit must comply with these deadlines.

5 **SECTION 2299.** 145.246 of the statutes is created to read:

6 **145.246 Private on-site wastewater treatment system replacement or**
7 **rehabilitation. (1) DEFINITIONS.** In this section:

8 (a) "Determination of failure" means any of the following:

9 1. A determination that a private on-site wastewater treatment system is
10 failing, according to the criteria under s. 145.01 (4m), based on an inspection of the
11 private on-site wastewater treatment system by an employee of the state or a
12 governmental unit who is certified to inspect private on-site wastewater treatment
13 systems by the department.

14 2. A written enforcement order issued under s. 145.02 (3) (f), 145.20 (2) (f), or
15 281.19 (2).

16 3. A written enforcement order issued under s. 254.59 (1) by a governmental
17 unit.

18 (b) "Governmental unit" means a governmental unit responsible for the
19 regulation of private on-site wastewater treatment systems. "Governmental unit"
20 also includes a federally recognized American Indian tribe or band.

21 (c) "Indian lands" means lands owned by the United States and held for the use
22 or benefit of Indian tribes or bands or individual Indians and lands within the
23 boundaries of a federally recognized reservation that are owned by Indian tribes or
24 bands or individual Indians.

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1 (d) “Participating governmental unit” means a governmental unit which
2 applies to the department for financial assistance under sub. (7) and which meets the
3 conditions specified under sub. (8).

4 (e) “Principal residence” means a residence which is occupied at least 51
5 percent of the year by the owner.

6 (f) “Sewage” means the water-carried wastes created in and to be conducted
7 away from residences, industrial establishments, and public buildings, as defined in
8 s. 101.01 (12), with such surface water or groundwater as may be present.

9 (g) “Small commercial establishment” means a commercial establishment or
10 business place with a maximum daily waste water flow rate of less than 5,000 gallons
11 per day.

12 **(2) CATEGORIES OF FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEMS.** For
13 the purposes of this section, the department shall establish the category of each
14 failing private on-site wastewater treatment system for which a grant application
15 is submitted, as follows:

16 (a) Category 1: failing private on-site wastewater treatment systems described
17 in s. 145.01 (4m) (a) to (c).

18 (b) Category 2: failing private on-site wastewater treatment systems described
19 in s. 145.01 (4m) (d).

20 (c) Category 3: failing private on-site wastewater treatment systems described
21 in s. 145.01 (4m) (e).

22 **(3) ELIGIBILITY.** (a) 1. A person is eligible for grant funds under this section if
23 he or she owns a principal residence which is served by a category 1 or 2 failing
24 private on-site wastewater treatment system, if the private on-site wastewater
25 treatment system was installed at least 33 years before the person submits a grant

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1 application, if the family income of the person does not exceed the income limitations
2 under par. (c), if the amount of the grant determined under sub. (6) is at least \$100,
3 if the residence is not located in an area served by a sewer, and if determination of
4 failure is made prior to the rehabilitation or replacement of the failing private
5 on-site wastewater treatment system.

6 2. A business is eligible for grant funds under this section if it owns a small
7 commercial establishment which is served by a category 1 or 2 failing private on-site
8 wastewater treatment system, if the private on-site wastewater treatment system
9 was installed at least 33 years before the business submits a grant application, if the
10 gross revenue of the business does not exceed the limitation under par. (d), if the
11 small commercial establishment is not located in an area served by a sewer, and if
12 a determination of failure is made prior to the rehabilitation or replacement of the
13 private on-site wastewater treatment system.

14 3. A person who owns a principal residence or small commercial establishment
15 which is served by a category 1 or 2 failing private on-site wastewater treatment
16 system may submit an application for grant funds during the 3-year period after the
17 determination of failure is made. Grant funds may be awarded after work is
18 completed if rehabilitation or replacement of the system meets all requirements of
19 this section and rules promulgated under this section.

20 (b) Each principal residence or small commercial establishment may receive
21 only one grant under this section.

22 (c) 1. In order to be eligible for grant funds under this section, the annual family
23 income of the person who owns the principal residence may not exceed \$45,000.
24 Beginning July 1, 2024, and annually on July 1 thereafter, the department shall
25 adjust the dollar amount specified in this subdivision by an amount equal to that

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1 dollar amount multiplied by the percentage change in the U.S. consumer price index
2 for urban wage earners and clerical workers, U.S. city average, for the prior year,
3 rounded to the nearest dollar. The department shall publish the dollar amounts on
4 its website. Notwithstanding s. 227.10, the adjusted dollar amounts need not be
5 promulgated as rules under ch. 227.

6 2. Except as provided under subd. 4., annual family income shall be based upon
7 the federal adjusted gross income of the owner and the owner's spouse, if any, as
8 computed for the taxable year prior to the year in which the determination of failure
9 is made.

10 3. In order to be eligible for grant funds under this section, a person shall
11 submit a copy of the federal income tax returns upon which the determination of
12 federal adjusted gross income under subd. 2. was made together with any application
13 required by the governmental unit.

14 4. A governmental unit may disregard the federal income tax return that is
15 submitted under subd. 3. and may determine annual family income based upon
16 satisfactory evidence of federal adjusted gross income or projected federal adjusted
17 gross income of the owner and the owner's spouse in the current year. The
18 department shall promulgate rules establishing criteria for determining what
19 constitutes satisfactory evidence of federal adjusted gross income or projected
20 federal adjusted gross income in a current year.

21 (d) 1. In order to be eligible for grant funds under this section, the annual gross
22 revenue of the business that owns the small commercial establishment may not
23 exceed \$362,500.

24 2. Except as provided in subd. 4., annual gross revenue shall be based upon the
25 gross revenue of the business for the taxable year prior to the year in which the

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1 determination of failure is made. The department shall promulgate rules
2 establishing criteria for determining what constitutes satisfactory evidence of gross
3 revenue in a prior taxable year.

4 3. In order to be eligible for grant funds under this section, a business shall
5 submit documentation required by the department under subd. 2. together with any
6 application required by the governmental unit.

7 4. A governmental unit may disregard the documentation of gross revenue for
8 the taxable year prior to the year in which the determination of failure is made and
9 may determine annual gross revenue based upon satisfactory evidence of gross
10 revenue of the business in the current year. The department shall promulgate rules
11 establishing criteria for determining what constitutes satisfactory evidence of gross
12 revenue in a current year.

13 (e) The department of revenue shall, upon request by the department, verify
14 the income information submitted by an applicant or grant recipient.

15 **(4) DENIAL OF APPLICATION.** (a) The department or a governmental unit shall
16 deny a grant application under this section if the applicant or a person who would
17 be directly benefited by the grant intentionally caused the conditions which resulted
18 in a category 1 or 2 failing private on-site wastewater treatment system. The
19 department or governmental unit shall notify the applicant in writing of a denial,
20 including the reason for the denial.

21 (b) The department shall notify a governmental unit if an individual's name
22 appears on the statewide support lien docket under s. 49.854 (2) (b). The department
23 or a governmental unit shall deny an application under this section if the name of
24 the applicant or an individual who would be directly benefited by the grant appears
25 on the statewide support lien docket under s. 49.854 (2) (b), unless the applicant or

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1 individual who would be benefited by the grant provides to the department or
2 governmental unit a payment agreement that has been approved by the county child
3 support agency under s. 59.53 (5) and that is consistent with rules promulgated
4 under s. 49.858 (2) (a).

5 **(5) USE OF FUNDS.** (a) Except for grants under par. (b), funds available under
6 a grant under this section shall be applied to the rehabilitation or replacement of the
7 private on-site wastewater treatment system. An existing private on-site
8 wastewater treatment system may be replaced by an alternative private on-site
9 wastewater treatment system or by a system serving more than one principal
10 residence.

11 (b) Funds available under a grant under this section for experimental private
12 on-site wastewater treatment systems shall be applied to the installation and
13 monitoring of the experimental private on-site wastewater treatment systems.

14 **(6) ALLOWABLE COSTS; STATE SHARE.** (a) Except as provided in par. (e), costs
15 allowable in determining grant funding under this section may not exceed the costs
16 of rehabilitating or replacing a private on-site wastewater treatment system that
17 would be necessary to allow the rehabilitated system or new system to meet the
18 minimum requirements of the state plumbing code promulgated under s. 145.02.

19 (b) Except as provided in par. (e), costs allowable in determining grant funding
20 under this section may not exceed the costs of rehabilitating or replacing a private
21 on-site wastewater treatment system by the least costly methods, except that a
22 holding tank may not be used as the measure of the least costly method for
23 rehabilitating or replacing a private on-site wastewater treatment system other
24 than a holding tank.

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1 (c) Except as provided in pars. (d) and (e), the state grant share under this
2 section is limited to \$7,000 for each principal residence or small commercial
3 establishment to be served by the private on-site wastewater treatment system or
4 to the amount determined by the department based upon private on-site wastewater
5 treatment system grant funding tables, whichever is less. The department shall
6 prepare and publish private on-site wastewater treatment system grant funding
7 tables which specify the maximum state share limitation for various components and
8 costs involved in the rehabilitation or replacement of a private on-site wastewater
9 treatment system based upon minimum size and other requirements specified in the
10 state plumbing code promulgated under s. 145.02. The maximum state share
11 limitations shall be designed to pay approximately 60 percent of the average
12 allowable cost of private on-site wastewater treatment system rehabilitation or
13 replacement based upon estimated or actual costs of that rehabilitation or
14 replacement. The department shall revise the grant funding tables when it
15 determines that 60 percent of current costs of private on-site wastewater treatment
16 system rehabilitation or replacement exceed the amounts in the grant funding tables
17 by more than 10 percent, except that the department may not revise the grant
18 funding tables more often than once every 2 years.

19 (d) Except as provided in par. (e), if the income of a person who owns a principal
20 residence that is served by a category 1 or 2 failing private on-site wastewater
21 treatment system is greater than \$32,000, the amount of the grant under this section
22 is limited to the amount determined under par. (c) less 30 percent of the amount by
23 which the person's income exceeds \$32,000.

24 (e) Costs allowable for experimental private on-site wastewater treatment
25 systems shall include the costs of installing and monitoring experimental private

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1 on-site wastewater treatment systems installed under s. 145.02 (3) (b) and this
2 section. The department shall promulgate rules that specify how the department
3 will select, monitor, and allocate the state share for experimental private on-site
4 wastewater treatment systems that the department funds under this section.

5 (7) APPLICATION. (a) In order to be eligible for a grant under this section, a
6 governmental unit shall make an application for replacement or rehabilitation of
7 private on-site wastewater treatment systems of principal residences or small
8 commercial establishments and shall submit an application for participation to the
9 department. The application shall be in the form and include the information the
10 department prescribes. In order to be eligible for funds available in a fiscal year, an
11 application is required to be received by the department prior to February 1 of the
12 previous fiscal year.

13 (b) An American Indian tribe or band may submit an application for
14 participation for any Indian lands under its jurisdiction.

15 (8) CONDITIONS; GOVERNMENTAL UNITS. As a condition for obtaining grant
16 funding under this section, a governmental unit shall do all of the following:

17 (a) Adopt and administer the maintenance program established under s.
18 145.20 (5).

19 (b) Certify that grants will be used for private on-site wastewater treatment
20 system replacement or rehabilitation for a principal residence or small commercial
21 establishment owned by a person who meets the eligibility requirements under sub.
22 (3), that the funds will be used as provided under sub. (5) and that allowable costs
23 will not exceed the amount permitted under sub. (6).

24 (c) Certify that grants will be used for private on-site wastewater treatment
25 systems which will be properly installed and maintained.

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1 (d) Certify that grants provided to the governmental unit will be disbursed to
2 eligible owners.

3 (e) Establish a process for regulation and inspection of private on-site
4 wastewater treatment systems.

5 (f) Establish a system of user charges and cost recovery if the governmental
6 unit considers this system to be appropriate. User charges and cost recovery may
7 include the cost of the grant application fee and the cost of supervising installation
8 and maintenance.

9 (g) Establish a system which provides for the distribution of grant funds
10 received among eligible applicants based on the amount requested in the application
11 as approved by the department. If the amount received by a county is insufficient
12 to fully fund all grants, the county shall prorate grant funds on the same basis as sub.
13 (12).

14 **(9) ASSISTANCE.** The department shall make its staff available to provide
15 technical assistance to each governmental unit. The department shall prepare and
16 distribute to each participating governmental unit a manual of procedures for the
17 grant program under this section.

18 **(10) DISTRIBUTION OF LITERATURE.** The department shall prepare literature that
19 describes the eligibility for receiving a grant under this section for a principal
20 residence. The department shall supply the literature to counties, and counties shall
21 distribute the literature to recipients of public benefits.

22 **(11) ALLOCATION OF FUNDS.** (a) *Determination of eligible applications.* At the
23 beginning of each fiscal year the department shall determine the state grant share
24 for applications from eligible owners received by participating governmental units.
25 The department may revise this determination if a governmental unit does not meet

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1 the conditions specified under sub. (8) or if it determines that individuals do not meet
2 eligibility requirements under sub. (3).

3 (b) *Allocation.* The department shall allocate available funds for grants to each
4 participating governmental unit according to the total amount of the state grant
5 share for all eligible applications received by that governmental unit.

6 (c) *Limitation; commercial establishments.* The department may not allocate
7 more than 10 percent of the funds available under this subsection each fiscal year
8 for grants for small commercial establishments.

9 (d) *Limitation; experimental private on-site wastewater treatment systems.*
10 The department may not allocate more than 10 percent of the funds available under
11 this subsection each fiscal year for grants for the installation and monitoring of
12 experimental private on-site wastewater treatment systems.

13 **(12) PRORATING.** (a) Except as provided in par. (d), the department shall prorate
14 available funds under this subsection if funds are not sufficient to fully fund all
15 applications. A prorated payment shall be deemed full payment of the grant.

16 (b) Except as provided in par. (d), if funds are sufficient to fully fund all category
17 1 but not all category 2 failing private on-site wastewater treatment systems, the
18 department shall fully fund all category 1 systems and prorate the funds for category
19 2 systems on a proportional basis.

20 (c) Except as provided in par. (d), if funds are not sufficient to fully fund all
21 category 1 failing private on-site wastewater treatment systems, the department
22 shall fund the category 1 systems on a proportional basis and deny the grant
23 applications for all category 2 systems.

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1 (d) The department is not required to prorate available funds for grants for the
2 installation and monitoring of experimental private on-site wastewater treatment
3 systems.

4 **(13) DETERMINATION OF ELIGIBILITY; DISBURSEMENT OF GRANTS.** (a) The
5 department shall review applications for participation in the state program
6 submitted under sub. (7). The department shall determine if a governmental unit
7 submitting an application meets the conditions specified under sub. (8).

8 (b) The department shall promulgate rules which shall define payment
9 mechanisms to be used to disburse grants to a governmental unit.

10 **(14) INSPECTION.** Agents of the department or the governmental unit may enter
11 premises where private on-site wastewater treatment systems are located pursuant
12 to a special inspection warrant as required under s. 66.0119 to collect samples,
13 records, and information and to ascertain compliance with the rules and orders of the
14 department or the governmental unit.

15 **(15) ENFORCEMENT.** (a) If the department has reason to believe that a violation
16 of this section or any rule promulgated under this section has occurred, it may do any
17 of the following:

18 1. Cause written notice to be served upon the alleged violator. The notice shall
19 specify the alleged violation and contain the findings of fact on which the charge of
20 violation is based and may include an order that necessary corrective action be taken
21 within a reasonable time. This order shall become effective unless, no later than 30
22 days after the date the notice and order are served, the person named in the notice
23 and order requests in writing a hearing before the department. Upon this request
24 and after due notice, the department shall hold a hearing. Instead of an order, the
25 department may require that the alleged violator appear before the department for

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1 a hearing at a time and place specified in the notice and answer the charges
2 complained of.

3 2. Initiate action under sub. (16).

4 (b) If after the hearing the department finds that a violation has occurred, it
5 shall affirm or modify its order previously issued or issue an appropriate order for
6 the prevention, abatement, or control of the violation or for other corrective action.
7 If the department finds that no violation has occurred, it shall rescind its order. Any
8 order issued as part of a notice or after hearing may prescribe one or more dates by
9 which necessary action shall be taken in preventing, abating, or controlling the
10 violation.

11 (c) Additional grants under this section to a governmental unit previously
12 awarded a grant under this section may be suspended or terminated if the
13 department finds that a private on-site wastewater treatment system previously
14 funded in the governmental unit is not being or has not been properly rehabilitated,
15 constructed, installed, or maintained.

16 **(16) PENALTIES.** Any person who violates this section or a rule or order
17 promulgated under this section shall forfeit not less than \$10 nor more than \$5,000
18 for each violation. Each day of continued violation is a separate offense. While an
19 order is suspended, stayed, or enjoined, this penalty does not accrue.

20 **SECTION 2300.** 146.34 (1) (f) of the statutes is amended to read:

21 146.34 (1) (f) "Parent" means a biological natural parent, ~~a husband who has~~
22 ~~consented to the artificial insemination of his wife under s. 891.40~~ or a parent by
23 adoption. If the minor is a nonmarital child who is not adopted or whose parents do
24 not subsequently intermarry under s. 767.803, "parent" includes a person adjudged

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1 in a judicial proceeding under ch. 48 to be the biological father of the minor. "Parent"
2 does not include any person whose parental rights have been terminated.

3 **SECTION 2301.** 146.615 (1) (a) of the statutes is amended to read:

4 146.615 (1) (a) "Advanced practice clinician" means a physician assistant or an
5 advanced practice registered nurse, ~~including a nurse practitioner, certified~~
6 ~~nurse-midwife, clinical nurse specialist, or certified registered nurse anesthetist~~
7 licensed under s. 441.09.

8 **SECTION 2302.** 146.63 (5) of the statutes is amended to read:

9 146.63 (5) TERM OF GRANTS. The department may not distribute a grant under
10 sub. (2) (a) to a rural hospital or group of rural hospitals for a term that is more than
11 ~~3~~ 5 years.

12 **SECTION 2303.** 146.64 (2) (c) 1. of the statutes is amended to read:

13 146.64 (2) (c) 1. The department shall distribute funds for grants under par.
14 (a) from the appropriation under s. 20.435 (4) (bf). The department may not
15 distribute more than ~~\$225,000~~ \$450,000 from the appropriation under s. 20.435 (4)
16 (bf) to a particular hospital in a given state fiscal year and may not distribute more
17 than ~~\$75,000~~ \$150,000 from the appropriation under s. 20.435 (4) (bf) to fund a given
18 position in a graduate medical training program in a given state fiscal year.

19 **SECTION 2304.** 146.81 (1) (c) of the statutes is amended to read:

20 146.81 (1) (c) A dentist or dental therapist licensed under ch. 447.

21 **SECTION 2305.** 146.82 (3) (a) of the statutes is amended to read:

22 146.82 (3) (a) Notwithstanding sub. (1), a physician, a naturopathic doctor, a
23 limited-scope naturopathic doctor, a physician assistant, or an advanced practice
24 registered nurse ~~prescriber certified under s. 441.16 (2)~~ licensed under s. 441.09 who
25 treats a patient whose physical or mental condition in the physician's, naturopathic

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1 doctor's, limited-scope naturopathic doctor's, physician assistant's, or advanced
2 practice nurse prescriber's registered nurse's judgment affects the patient's ability
3 to exercise reasonable and ordinary control over a motor vehicle may report the
4 patient's name and other information relevant to the condition to the department of
5 transportation without the informed consent of the patient.

6 **SECTION 2306.** 146.89 (1) (r) 1. of the statutes is amended to read:

7 146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor
8 under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a
9 registered nurse, practical nurse, or nurse-midwife under ch. 441, an optometrist
10 under ch. 449, a physician assistant under subch. IX of ch. 448, a pharmacist under
11 ch. 450, a chiropractor under ch. 446, a podiatrist under subch. IV of ch. 448, or a
12 physical therapist under subch. III of ch. 448.

13 **SECTION 2307.** 146.89 (1) (r) 1. of the statutes, as affected by 2023 Wisconsin
14 Act (this act), is amended to read:

15 146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor
16 under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a
17 registered nurse, practical nurse, or ~~nurse-midwife~~ advanced practice registered
18 nurse under ch. 441, an optometrist under ch. 449, a physician assistant under
19 subch. IX of ch. 448, a pharmacist under ch. 450, a chiropractor under ch. 446, a
20 podiatrist under subch. IV of ch. 448, or a physical therapist under subch. III of ch.
21 448.

22 **SECTION 2308.** 146.89 (1) (r) 3. of the statutes is renumbered 146.89 (1) (r) 5e.
23 and amended to read:

24 146.89 (1) (r) 5e. A registered nurse practitioner, as defined in s. 255.06 (1) (d)
25 who holds a multistate license, as defined in s. 441.51 (2) (h), issued by a party state,

ASSEMBLY BILL 43**SECTION 2308**

1 as defined in s. 441.51 (2) (k), and whose practice of professional nursing under s.
2 441.001 (4) includes performance of delegated medical services under the
3 supervision of a physician, dentist, podiatrist, or advanced practice registered nurse.

4 **SECTION 2309.** 146.89 (1) (r) 5. of the statutes is amended to read:

5 146.89 (1) (r) 5. An individual who holds a valid, unexpired license,
6 certification, or registration issued by another state or territory that authorizes or
7 qualifies the individual to perform acts that are substantially the same as those acts
8 that an individual who is described in subds. 1. to 4., except a dentist, dental
9 therapist, or dental hygienist, is licensed or certified to perform and who performs
10 acts that are within the scope of that license, certification, or registration.

11 **SECTION 2310.** 146.89 (1) (r) 8. of the statutes is repealed.

12 **SECTION 2311.** 146.89 (3) (b) 8. of the statutes is amended to read:

13 146.89 (3) (b) 8. Dental services, including tooth extractions and other
14 procedures done under local anesthesia only and any necessary suturing related to
15 the extractions, performed by a dentist or dental therapist who is a volunteer health
16 provider; and dental hygiene services, performed by a dental hygienist who is a
17 volunteer health provider.

18 **SECTION 2312.** 146.89 (3m) (intro.) of the statutes is amended to read:

19 146.89 (3m) (intro.) A volunteer health care provider who is a dentist or dental
20 therapist may provide dental services or a volunteer health care provider who is a
21 dental hygienist may provide dental hygiene services, to persons who are recipients
22 of Medical Assistance, if all of the following apply:

23 **SECTION 2313.** 146.89 (6) of the statutes is amended to read:

24 146.89 (6) (a) While serving as a volunteer health care provider under this
25 section, an advanced practice registered nurse ~~who has a certificate to issue~~

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1 ~~prescription orders under s. 441.16 (2)~~ is considered to meet the requirements of s.
2 655.23, if required to comply with s. 655.23.

3 (b) While serving as a volunteer health care provider under this section, an
4 advanced practice registered nurse ~~who has a certificate to issue prescription orders~~
5 ~~under s. 441.16 (2)~~ is not required to maintain in effect malpractice insurance.

6 **SECTION 2314.** 146.997 (1) (d) 3. of the statutes is amended to read:

7 146.997 (1) (d) 3. A dentist or dental therapist licensed under ch. 447.

8 **SECTION 2315.** 154.01 (1g) of the statutes is amended to read:

9 154.01 (1g) “Advanced practice registered nurse” means ~~a nurse~~ an individual
10 licensed under ch. 441 ~~who is currently certified by a national certifying body~~
11 ~~approved by the board of nursing as a nurse practitioner, certified nurse-midwife,~~
12 ~~certified registered nurse anesthetist, or clinical nurse specialist~~ s. 441.09.

13 **SECTION 2316.** 155.01 (1g) (b) of the statutes is repealed and recreated to read:

14 155.01 (1g) (b) An individual who is licensed as an advanced practice registered
15 nurse and possesses a nurse practitioner specialty designation under s. 441.09.

16 **SECTION 2317.** 155.01 (7) of the statutes, as affected by 2021 Wisconsin Act 251,
17 is amended to read:

18 155.01 (7) “Health care provider” means a nurse licensed or permitted under
19 ch. 441, a chiropractor licensed under ch. 446, a dentist or dental therapist licensed
20 under ch. 447, a physician, physician assistant, perfusionist, podiatrist, physical
21 therapist, physical therapist assistant, occupational therapist, occupational therapy
22 assistant, or genetic counselor licensed under ch. 448, a naturopathic doctor licensed
23 under ch. 466, a person practicing Christian Science treatment, an optometrist
24 licensed under ch. 449, a psychologist who is licensed under ch. 455, who is exercising
25 the temporary authorization to practice, as defined in s. 455.50 (2) (o), in this state,

ASSEMBLY BILL 43**SECTION 2317**

1 or who is practicing under the authority to practice interjurisdictional
2 telepsychology, as defined in s. 455.50 (2) (b), a physical therapist or physical
3 therapist assistant who holds a compact privilege under subch. XI of ch. 448, an
4 occupational therapist or occupational therapy assistant who holds a compact
5 privilege under subch. XII of ch. 448, a partnership thereof, a corporation or limited
6 liability company thereof that provides health care services, a cooperative health
7 care association organized under s. 185.981 that directly provides services through
8 salaried employees in its own facility, or a home health agency, as defined in s. 50.49
9 (1) (a).

10 **SECTION 2318.** 157.05 of the statutes is amended to read:

11 **157.05 Autopsy.** Consent for a licensed physician to conduct an autopsy on
12 the body of a deceased person shall be deemed sufficient when given by whichever
13 one of the following assumes custody of the body for purposes of burial: ~~Father,~~
14 ~~mother, husband, wife~~ parent, spouse, child, guardian, next of kin, domestic partner
15 under ch. 770, or in the absence of any of the foregoing, a friend, or a person charged
16 by law with the responsibility for burial. If 2 or more such persons assume custody
17 of the body, the consent of one of them shall be deemed sufficient.

18 **SECTION 2319.** 157.06 (11) (hm) of the statutes is created to read:

19 157.06 (11) (hm) Unless otherwise required by federal law, a hospital,
20 physician, procurement organization, or other person may not determine the
21 ultimate recipient of an anatomical gift based solely upon a positive test for the use
22 of marijuana by a potential recipient.

23 **SECTION 2320.** 157.06 (11) (i) of the statutes is amended to read:

24 157.06 (11) (i) Except as provided under ~~par.~~ pars. (a) 2. and (hm), nothing in
25 this section affects the allocation of organs for transplantation or therapy.

ASSEMBLY BILL 43**SECTION 2321**

1 **SECTION 2321.** 160.07 (4) (f) of the statutes is created to read:

2 160.07 (4) (f) In recommending an enforcement standard for a perfluoroalkyl
3 or polyfluoroalkyl substance, the department of health services may recommend an
4 individual standard for a substance, a standard for a class of substances, a standard
5 for a group of substances, or any combination of individual, class, or group standards
6 for substances or class or group of substances.

7 **SECTION 2322.** 160.07 (7) of the statutes is created to read:

8 160.07 (7) If the department of health services recommends an enforcement
9 standard for a perfluoroalkyl or polyfluoroalkyl substance or a group or class of such
10 substances under this section, the department shall apply the standard as an interim
11 enforcement standard for that substance, including through sampling, monitoring,
12 and testing, and any other actions required by rules promulgated by the department,
13 unless emergency or permanent rules that establish an enforcement standard for
14 that substance are in effect.

15 **SECTION 2323.** 160.15 (4) of the statutes is created to read:

16 160.15 (4) Notwithstanding sub. (1), if an interim enforcement standard for a
17 perfluoroalkyl or polyfluoroalkyl substance is applied under s. 160.07 (7), the
18 department shall apply an interim preventive action limit for that substance of 20
19 percent of the concentration established as the interim enforcement standard,
20 unless emergency or permanent rules that establish a preventive action limit for that
21 substance are in effect.

22 **SECTION 2324.** 165.08 (1) of the statutes is amended to read:

23 165.08 (1) Any civil action prosecuted by the department by direction of any
24 officer, department, board, or commission, ~~or any~~ shall be compromised or
25 discontinued when so directed by such officer, department, board, or commission.

ASSEMBLY BILL 43**SECTION 2324**

1 ~~Any~~ civil action prosecuted by the department on the initiative of the attorney
2 general, or at the request of any individual may be compromised or discontinued with
3 the approval of an intervenor under s. 803.09 (2m) or, if there is no intervenor, by
4 submission of a proposed plan to the joint committee on finance for the approval of
5 the committee. ~~The compromise or discontinuance may occur only if the joint~~
6 ~~committee on finance approves the proposed plan. No proposed plan may be~~
7 ~~submitted to the joint committee on finance if the plan concedes the~~
8 ~~unconstitutionality or other invalidity of a statute, facially or as applied, or concedes~~
9 ~~that a statute violates or is preempted by federal law, without the approval of the~~
10 ~~joint committee on legislative organization~~ the governor.

11 **SECTION 2325.** 165.10 of the statutes is amended to read:

12 **165.10 Deposit Limits on expenditure of discretionary settlement**
13 **funds.** ~~The Notwithstanding s. 20.455 (3), before the attorney general shall deposit~~
14 ~~all may expend settlement funds into the general fund under s. 20.455 (3) (g) that are~~
15 ~~not committed under the terms of the settlement, the attorney general shall submit~~
16 ~~to the joint committee on finance a proposed plan for the expenditure of the funds.~~
17 ~~If the cochairpersons of the committee do not notify the attorney general within 14~~
18 ~~working days after the submittal that the committee has scheduled a meeting for the~~
19 ~~purpose of reviewing the proposed plan, the attorney general may expend the funds~~
20 ~~to implement the proposed plan. If, within 14 working days after the submittal, the~~
21 ~~cochairpersons of the committee notify the attorney general that the committee has~~
22 ~~scheduled a meeting for the purpose of reviewing the proposed plan, the attorney~~
23 ~~general may expend the funds only to implement the plan as approved by the~~
24 ~~committee.~~

25 **SECTION 2326.** 165.12 (2) (a) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 2327**

1 **SECTION 2327.** 165.14 of the statutes is created to read:

2 **165.14 Tobacco settlement. (1)** In this section:

3 (a) “Department” means the department of justice.

4 (b) “Tobacco settlement agreement” means the Attorneys General Master
5 Tobacco Settlement Agreement of November 23, 1998.

6 **(2)** The department may expend moneys from the appropriation under s.
7 20.455 (1) (hg) for its legal expenses related to participation in arbitration or other
8 alternative dispute resolution processes arising from payments under the tobacco
9 settlement agreement.

10 **(3)** Annually, no later than September 1, the department shall submit a report
11 to the governor and to the chief clerk of each house of the legislature for distribution
12 under s. 13.172 (2) that identifies its expenses that are attributable to participation
13 in arbitration or other alternative dispute resolution processes arising from
14 payments under the tobacco settlement agreement.

15 **SECTION 2328.** 165.25 (1) of the statutes is amended to read:

16 165.25 **(1)** REPRESENT STATE IN APPEALS AND ON REMAND. Except as provided in
17 ss. 5.05 (2m) (a), 19.49 (2) (a), and 978.05 (5), appear for the state and prosecute or
18 defend all actions and proceedings, civil or criminal, in the court of appeals and the
19 supreme court, in which the state is interested or a party, and attend to and prosecute
20 or defend all civil cases sent or remanded to any circuit court in which the state is
21 a party. ~~The joint committee on legislative organization may intervene as permitted~~
22 ~~under s. 803.09 (2m) at any time.~~ Nothing in this subsection deprives or relieves the
23 attorney general or the department of justice of any authority or duty under this
24 chapter.

25 **SECTION 2329.** 165.25 (1m) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2329**

1 165.25 **(1m)** REPRESENT STATE IN OTHER MATTERS. If requested by the governor
2 or either house of the legislature, appear for and represent the state, any state
3 department, agency, official, employee or agent, whether required to appear as a
4 party or witness in any civil or criminal matter, and prosecute or defend in any court
5 or before any officer, any cause or matter, civil or criminal, in which the state or the
6 people of this state may be interested. ~~The joint committee on legislative~~
7 ~~organization may intervene as permitted under s. 803.09 (2m) at any time.~~ The
8 public service commission may request under s. 196.497 (7) that the attorney general
9 intervene in federal proceedings. All expenses of the proceedings shall be paid from
10 the appropriation under s. 20.455 (1) (d).

11 **SECTION 2330.** 165.25 (4) (ar) of the statutes is amended to read:

12 165.25 **(4)** (ar) The department of justice shall furnish all legal services
13 required by the department of agriculture, trade and consumer protection relating
14 to the enforcement of ss. 91.68, 93.73, 100.171, 100.173, 100.174, 100.175, 100.177,
15 100.18, 100.182, 100.195, 100.20, 100.205, 100.207, 100.209, 100.2091, 100.2092,
16 100.21, 100.28, 100.37, 100.42, 100.50, 100.51, 100.55, and 846.45 and chs. 126, 136,
17 344, 704, 707, and 779, together with any other services as are necessarily connected
18 to the legal services.

19 **SECTION 2331.** 165.25 (6) (a) 1. of the statutes is amended to read:

20 165.25 **(6)** (a) 1. At the request of the head of any department of state
21 government, the attorney general may appear for and defend any state department,
22 or any state officer, employee, or agent of the department in any civil action or other
23 matter brought before a court or an administrative agency which is brought against
24 the state department, or officer, employee, or agent for or on account of any act
25 growing out of or committed in the lawful course of an officer's, employee's, or agent's

ASSEMBLY BILL 43**SECTION 2331**

1 duties. Witness fees or other expenses determined by the attorney general to be
2 reasonable and necessary to the defense in the action or proceeding shall be paid as
3 provided for in s. 885.07. The attorney general may compromise and settle the action
4 as the attorney general determines to be in the best interest of the state ~~except that,~~
5 ~~if the action is for injunctive relief or there is a proposed consent decree, the attorney~~
6 ~~general may not compromise or settle the action without the approval of an~~
7 ~~intervenor under s. 803.09 (2m) or, if there is no intervenor, without first submitting~~
8 ~~a proposed plan to the joint committee on finance. If, within 14 working days after~~
9 ~~the plan is submitted, the cochairpersons of the committee notify the attorney~~
10 ~~general that the committee has scheduled a meeting for the purpose of reviewing the~~
11 ~~proposed plan, the attorney general may compromise or settle the action only with~~
12 ~~the approval of the committee. The attorney general may not submit a proposed plan~~
13 ~~to the joint committee on finance under this subdivision in which the plan concedes~~
14 ~~the unconstitutionality or other invalidity of a statute, facially or as applied, or~~
15 ~~concedes that a statute violates or is preempted by federal law, without the approval~~
16 ~~of the joint committee on legislative organization.~~

17 **SECTION 2332.** 165.25 (11) of the statutes is repealed.

18 **SECTION 2333.** 165.25 (11m) of the statutes is created to read:

19 165.25 (11m) FALSE CLAIMS. Diligently investigate possible violations of s.
20 20.9315 and, if the department determines that a person has committed an act that
21 is punishable under s. 20.9315, may bring a civil action against that person.

22 **SECTION 2334.** 165.63 (3) of the statutes is amended to read:

23 165.63 (3) REQUESTS FROM COURTS. In making a determination required under
24 s. 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1., a judge or court commissioner

ASSEMBLY BILL 43**SECTION 2334**

1 shall request information under sub. (2) from the department or from a law
2 enforcement agency or law enforcement officer as provided in sub. (4) (d).

3 **SECTION 2335.** 165.63 (4) (d) of the statutes is amended to read:

4 165.63 (4) (d) Aid the court in making a determination required under s.
5 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1. or aid an entity in making a
6 determination required under s. 968.20 (1m) (d) 2.

7 **SECTION 2336.** 165.68 (1) (a) 3. of the statutes is amended to read:

8 165.68 (1) (a) 3. Sexual abuse, as defined in s. 103.10 ~~(1m)~~ ~~(b) 6~~ (1) (gd).

9 **SECTION 2337.** 165.73 of the statutes is created to read:

10 **165.73 Hate crimes reporting. (1)** In this section, “hate crime” means an
11 act described under s. 939.645 (1).

12 **(2)** The department of justice shall provide a publicly accessible
13 Internet-based reporting system and a telephone hotline for the reporting of hate
14 crimes. The department of justice shall ensure that the reporting system and hotline
15 do all of the following:

16 (a) Relay a report of a hate crime to the appropriate employee of the department
17 or law enforcement officer for investigation.

18 (b) Direct individuals to appropriate local support services.

19 (c) Maintain confidentiality for any personally identifiable information that an
20 individual provides through the reporting system or hotline, except as needed for
21 investigative, legal, or crime victims service purposes.

22 (d) Are staffed by individuals who are trained to be knowledgeable about
23 applicable federal, state, and local hate crime laws and law enforcement and support
24 services.

ASSEMBLY BILL 43**SECTION 2337**

1 **(3)** The department of justice shall collaborate with community organizations
2 to provide a public education campaign to raise awareness of hate crimes and to
3 promote the reporting of hate crimes using the reporting system and hotline
4 described in sub. (2).

5 **(4)** The department of justice shall collect data on hate crime reporting under
6 sub. (2).

7 **SECTION 2338.** 165.83 (1) (c) 1. of the statutes is amended to read:

8 165.83 **(1)** (c) 1. An act that is committed by ~~a person who has attained the age~~
9 ~~of 17~~ an adult and that is a felony or a misdemeanor.

10 **SECTION 2339.** 165.83 (1) (c) 2. of the statutes is amended to read:

11 165.83 **(1)** (c) 2. An act that is committed by a ~~person~~ minor who has attained
12 the age of 10 ~~but who has not attained the age of 17~~ and that would be a felony or
13 misdemeanor if committed by an adult.

14 **SECTION 2340.** 165.85 (4) (a) 1m. of the statutes is created to read:

15 165.85 **(4)** (a) 1m. The board may not create criteria for participation in the
16 preparatory training program under subd. 1. that would prevent a person from
17 participation if the person is in receipt of a valid employment authorization from the
18 federal department of homeland security.

19 **SECTION 2341.** 165.93 (2) (title) of the statutes is amended to read:

20 165.93 **(2)** (title) GRANTS BY APPLICATION.

21 **SECTION 2342.** 165.93 (2m) of the statutes is created to read:

22 165.93 **(2m)** GRANTS TO THE WISCONSIN COALITION AGAINST SEXUAL ASSAULT. In
23 addition to the grants under sub. (2), from the appropriation under s. 20.455 (5) (e),
24 the department shall provide a grant of \$343,000 annually to the Wisconsin Coalition

ASSEMBLY BILL 43**SECTION 2342**

1 Against Sexual Assault to provide services for sexual assault victims. The Wisconsin
2 Coalition Against Sexual Assault may also apply for grants under sub. (2).

3 **SECTION 2343.** 165.935 of the statutes is created to read:

4 **165.935 Grants for crime victim services.** The department of justice shall
5 award grants from the appropriation under s. 20.455 (5) (bf) to organizations that
6 provide services for crime victims.

7 **SECTION 2344.** 165.937 of the statutes is created to read:

8 **165.937 Grants for protection of elders. (1)** The department of justice shall
9 award grants from the appropriation under s. 20.455 (2) (fw) to organizations that
10 promote the protection of elders.

11 **(2)** The department of justice shall provide funds from the appropriation under
12 s. 20.455 (2) (fw) to support a statewide elder abuse hotline for persons to
13 anonymously provide tips regarding suspected elder abuse.

14 **SECTION 2345.** 165.95 (title) of the statutes is amended to read:

15 **165.95 (title) Alternatives to prosecution and incarceration; grant**
16 **program.**

17 **SECTION 2346.** 165.95 (1) (ac) of the statutes is created to read:

18 165.95 (1) (ac) “Evidence-based practice” means a practice that has been
19 developed using research to determine its efficacy for achieving positive measurable
20 outcomes, including reducing recidivism and increasing public safety.

21 **SECTION 2347.** 165.95 (2) of the statutes is amended to read:

22 165.95 (2) The department of justice shall make grants to counties and to tribes
23 to enable them to establish and operate programs, including suspended and deferred
24 prosecution programs and programs based on principles of restorative justice, that
25 provide alternatives to prosecution and incarceration for criminal offenders who

ASSEMBLY BILL 43**SECTION 2347**

1 ~~abuse alcohol or other drugs.~~ The department of justice shall make the grants from
2 the appropriations under s. 20.455 (2) ~~(ek), (em), (jd), (kn), and (kv).~~ The department
3 of justice shall collaborate with the department of corrections and the department
4 of health services in establishing this grant program.

5 **SECTION 2348.** 165.95 (2r) of the statutes is amended to read:

6 165.95 (2r) Any county or tribe that receives a grant under this section ~~on or~~
7 ~~after January 1, 2012,~~ shall provide matching funds that are equal to ~~25~~ 10 percent
8 of the amount of the grant.

9 **SECTION 2349.** 165.95 (3) (a) of the statutes is repealed.

10 **SECTION 2350.** 165.95 (3) (ag) of the statutes is created to read:

11 165.95 (3) (ag) The county's or tribe's program operates within the continuum
12 from arrest to discharge from supervision and provides an alternative to prosecution,
13 revocation, or incarceration through the use of pre-charge and post-charge
14 diversion programs or treatment courts and community-based corrections.

15 **SECTION 2351.** 165.95 (3) (b) of the statutes is amended to read:

16 165.95 (3) (b) The program employs evidence-based practices and is designed
17 to promote and facilitate the implementation of effective criminal justice policies and
18 practices that maximize justice and public and victim safety, reduce prison and jail
19 populations, reduce prosecution and incarceration costs, and reduce recidivism,~~and~~
20 ~~improve the welfare of participants' families by meeting the comprehensive needs of~~
21 ~~participants.~~

22 **SECTION 2352.** 165.95 (3) (bd) of the statutes is created to read:

23 165.95 (3) (bd) The program identifies each target population served by the
24 program and identifies the evidence-based practices the program employs for each
25 target population it serves.

ASSEMBLY BILL 43**SECTION 2353**

1 **SECTION 2353.** 165.95 (3) (cm) 2. of the statutes is created to read:

2 165.95 (3) (cm) 2. If the program is administered by a tribe, the criminal justice
3 oversight committee shall consist of a representative of the judiciary, a
4 representative of criminal prosecution and criminal defense, a social services
5 provider, a behavioral health treatment provider, a law enforcement officer, a
6 representative of corrections, and other members that the oversight committee
7 determines are appropriate to the program.

8 **SECTION 2354.** 165.95 (3) (d) of the statutes is amended to read:

9 165.95 (3) (d) Services provided under the program are consistent with
10 evidence-based practices ~~in substance abuse and mental health treatment, as~~
11 ~~determined by the department of health services,~~ and the program provides
12 intensive case management.

13 **SECTION 2355.** 165.95 (3) (e) of the statutes is amended to read:

14 165.95 (3) (e) The program uses graduated sanctions and incentives to promote
15 ~~successful substance abuse treatment~~ success.

16 **SECTION 2356.** 165.95 (3) (g) of the statutes is amended to read:

17 165.95 (3) (g) The program is designed to integrate all ~~mental health~~ services
18 provided to program participants by state and local government agencies, ~~tribes,~~ and
19 other organizations. The program shall require regular communication and
20 coordination among a participant's ~~substance abuse treatment providers, other~~
21 service providers, the case manager, and any person designated under the program
22 to monitor the person's compliance with his or her obligations under the program,
23 and any probation, extended supervision, and parole agent assigned to the
24 participant.

25 **SECTION 2357.** 165.95 (3) (h) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2357**

1 165.95 (3) (h) The program provides ~~substance abuse and mental health~~
2 treatment services through providers that who use evidence-based practices in the
3 delivery of services and, where applicable, who are certified by the department of
4 health services or licensed to provide the services approved under the program.

5 **SECTION 2358.** 165.95 (3) (i) of the statutes is renumbered 165.95 (3d) and
6 amended to read:

7 165.95 (3d) The A program requires that receives a grant under this section
8 may require participants to pay a reasonable amount for their treatment, based on
9 their income and available assets, and ~~pursues~~ to pursue and ~~uses~~ use all possible
10 resources available through insurance and federal, state, and local aid programs,
11 including cash, vouchers, and direct services.

12 **SECTION 2359.** 165.95 (3) (j) of the statutes is amended to read:

13 165.95 (3) (j) The program is developed with input from, and implemented in
14 collaboration with, one or more circuit court judges, the district attorney, the state
15 public defender, local and, if applicable, tribal law enforcement officials, county
16 agencies and, if applicable, tribal agencies responsible for providing social services,
17 including services relating to ~~alcohol and other drug addiction~~ substance use
18 disorder, child welfare, mental health, and the Wisconsin Works program, the
19 departments of corrections, children and families, and health services, private social
20 services agencies, and substance abuse use disorder treatment providers.

21 **SECTION 2360.** 165.95 (3) (k) of the statutes is amended to read:

22 165.95 (3) (k) The county or tribe complies with other eligibility requirements
23 established by the department of justice to promote the objectives listed in ~~pars. (a)~~
24 ~~and (b)~~ this subsection.

ASSEMBLY BILL 43**SECTION 2361**

1 **SECTION 2361.** 165.95 (5) (a) of the statutes is renumbered 165.95 (3) (cm)
2 (intro.) and amended to read:

3 165.95 (3) (cm) (intro.) ~~A county or tribe that receives a grant under this section~~
4 ~~shall create an~~ The program identifies a criminal justice oversight committee to
5 develop and implement the program design and advise the county or tribe in
6 administering and evaluating its program. ~~Each~~ The membership of each criminal
7 justice oversight committee shall be as follows:

8 1. If the program is administered by a county, or by a county and a tribe
9 pursuant to sub. (6), the criminal justice oversight committee shall consist of a circuit
10 court judge, the district attorney or his or her designee, the state public defender or
11 his or her designee, a local law enforcement official, a representative of the county,
12 a representative of the tribe, if applicable, a representative of each other county
13 agency and, if applicable, tribal agency responsible for providing social services,
14 including services relating to child welfare, mental health, and the Wisconsin Works
15 program, representatives of the department of corrections and department of health
16 services, a representative from private social services agencies, a representative of
17 substance abuse behavioral health treatment providers, and other members to be
18 determined by the county or tribe the oversight committee determines are
19 appropriate for the program.

20 **SECTION 2362.** 165.95 (5) (b) of the statutes is renumbered 165.95 (5) (ag) and
21 amended to read:

22 165.95 (5) (ag) A county or tribe that receives a grant under this section shall
23 comply with state audits and shall submit an annual report to the department of
24 justice and to the criminal justice oversight committee ~~created under par. (a)~~

ASSEMBLY BILL 43**SECTION 2362**

1 identified in sub. (3) (cm) regarding the ~~impact of the program on jail and prison~~
2 ~~populations and its progress in attaining the goals specified in sub. (3) (b) and (f).~~

3 **SECTION 2363.** 165.95 (5m) of the statutes is repealed.

4 **SECTION 2364.** 165.95 (6) of the statutes is amended to read:

5 165.95 (6) A county or tribe may, with one or more other counties or tribes,
6 jointly apply for and receive a grant under this section. Upon submitting a joint
7 application, each county or tribe shall include with the application a written
8 agreement specifying each tribe's and each county department's role in developing,
9 administering, and evaluating the program. The criminal justice oversight
10 ~~committee established under sub. (5) (a)~~ identified in sub. (3) (cm) shall consist of
11 representatives from each county or tribe that participates in the program.

12 **SECTION 2365.** 165.95 (7) of the statutes is amended to read:

13 165.95 (7) Grants provided under this section shall be provided on a calendar
14 year basis ~~beginning on January 1, 2007. If the department of justice decides to make~~
15 ~~a grant to a county or tribe under this section, the department of justice shall notify~~
16 ~~the county or tribe of its decision and the amount of the grant no later than~~
17 ~~September 1 of the year preceding the year for which the grant will be made.~~

18 **SECTION 2366.** 165.95 (7m) of the statutes is amended to read:

19 165.95 (7m) Beginning in fiscal year ~~2012-13~~ 2023-24, the department of
20 justice shall, every ~~5~~ 4 years, make grants under this section available to any county
21 or tribe on a competitive basis. A county or tribe may apply for a grant under this
22 subsection regardless of whether the county or tribe has received a grant previously
23 under this section.

24 **SECTION 2367.** 165.97 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2367****1 165.97 Office of missing and murdered indigenous women. (1)**

2 DEFINITIONS. In this section:

3 (d) "Office" means the office of missing and murdered indigenous women.

4 (m) "Tribe" means a federally recognized American Indian tribe or band in this
5 state.

6 **(2) DUTIES.** The office shall do all of the following:

7 (a) Provide services to crime victims and witnesses who are members of a tribe.

8 (b) Provide trauma-informed health and wellness support for crime victims,
9 their families, and other persons who are members of a tribe.

10 (c) Offer or contract with another entity to offer training relating to missing and
11 murdered indigenous women. Training under this paragraph may include training
12 topics such as search and rescue tactics, enhanced response and coordination tactics
13 across federal, state, and tribal jurisdictions, and other topics relating to missing and
14 murdered indigenous women.

15 **(3) GRANT PROGRAM.** The office shall establish a program to provide grants from
16 the appropriation under s. 20.455 (5) (c) to tribes and organizations affiliated with
17 tribes relating to missing and murdered indigenous women.

18 **SECTION 2368.** 165.990 of the statutes is created to read:

19 **165.990 Grants for community policing and community prosecution**
20 **programs.** The department of justice shall award grants from the appropriation
21 under s. 20.455 (2) (bc) to cities, villages, and towns; counties, including district
22 attorney offices; and federally recognized American Indian tribes or bands in this
23 state to fund community policing and community prosecution programs.

24 **SECTION 2369.** 165.991 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2369**

1 **165.991 Grants for law enforcement recruitment, retention, and**
2 **wellness programs.** The department of justice shall award grants from the
3 appropriation under s. 20.455 (2) (be) to law enforcement agencies and tribal law
4 enforcement agencies in this state to fund programs that recruit and retain law
5 enforcement officers and that promote officer wellness.

6 **SECTION 2370.** 174.065 (3) of the statutes is amended to read:

7 174.065 (3) COLLECTION OF DELINQUENT DOG LICENSE TAXES. Delinquent dog
8 license taxes may be collected in ~~the same manner as in s. 74.55 and in a civil action~~
9 under ch. 799 for the collecting of personal property taxes, if the action is brought
10 within 6 years after the January 1 of the year in which the taxes are required to be
11 paid.

12 **SECTION 2371.** 175.33 of the statutes is created to read:

13 **175.33 Transfer of firearms. (1)** In this section:

14 (a) “Family member” means a spouse, parent, grandparent, sibling, child, or
15 grandchild. The relationship may be by blood, marriage, or adoption.

16 (b) “Firearm” includes the frame or receiver of a firearm.

17 (c) “Firearms dealer” has the meaning given in s. 175.35 (1) (ar).

18 (d) “Transfer” has the meaning given in s. 175.35 (1) (br).

19 **(2)** No person may transfer ownership of a firearm, or be transferred ownership
20 of a firearm, unless one of the following applies:

21 (a) The transferor is a firearms dealer.

22 (b) The transferor makes the transfer to or through a firearms dealer and
23 obtains a receipt under s. 175.35 (2j) (b).

24 (c) The transfer of ownership of the firearm is one of the transfers listed under
25 s. 175.35 (2t).

ASSEMBLY BILL 43**SECTION 2371**

1 (d) The transferor is transferring ownership of the firearm to a family member
2 by gift, bequest, or inheritance, the transferee is not prohibited from possessing a
3 firearm under state or federal law, and the transferee is at least 18 years of age.

4 (e) The transferor is transferring the firearm with the intent that the transfer
5 is for the purpose of hunting or target shooting if the transfer is for no longer than
6 14 days, the transferor did not receive in exchange for the transfer more than
7 nominal consideration, the transferee is not prohibited from possessing a firearm
8 under state or federal law, and the transfer is not otherwise prohibited by law.

9 (3) Any person who intentionally violates sub. (2) is guilty of a misdemeanor
10 and shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned
11 for not more than 9 months. The person is also prohibited under s. 941.29 from
12 possessing a firearm for a period of 2 years.

13 **SECTION 2372.** 175.35 (title) of the statutes is amended to read:

14 **175.35 (title) Purchase Transfer of handguns firearms.**

15 **SECTION 2373.** 175.35 (1) (at) of the statutes is amended to read:

16 175.35 (1) (at) "Firearms restrictions record search" means a search of
17 department of justice records to determine whether a person seeking to purchase a
18 handgun is prohibited from possessing a firearm under s. 941.29. "Firearms
19 restrictions record search" includes a criminal history record search, a search to
20 determine whether a person is prohibited from possessing a firearm under s. 51.20
21 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check
22 system to determine whether a person has been ordered not to possess a firearm
23 under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search
24 to determine whether the person is subject to an injunction under s. 813.12 or
25 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court

ASSEMBLY BILL 43**SECTION 2373**

1 established by any federally recognized Wisconsin Indian tribe or band, except the
2 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
3 or she is subject to the requirements and penalties under s. 941.29 and that has been
4 filed with the circuit court under s. 813.128 (3g), a search to determine whether the
5 person is subject to a temporary restraining order or injunction under s. 813.124, and
6 a search to determine whether the person is prohibited from possessing a firearm
7 under s. 813.123 (5m) or 813.125 (4m).

8 **SECTION 2374.** 175.35 (1) (at) of the statutes, as affected by 2023 Wisconsin Act
9 (this act), is amended to read:

10 175.35 (1) (at) “Firearms restrictions record search” means a search of
11 department of justice records to determine whether a person seeking to purchase be
12 transferred a handgun firearm is prohibited from possessing a firearm under s.
13 941.29. “Firearms restrictions record search” includes a criminal history record
14 search, a search to determine whether a person is prohibited from possessing a
15 firearm under s. 51.20 (13) (cv) 1., 2007 stats., a search in the national instant
16 criminal background check system to determine whether a person has been ordered
17 not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or
18 55.12 (10) (a), a search to determine whether the person is subject to an injunction
19 under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued
20 by a court established by any federally recognized Wisconsin Indian tribe or band,
21 except the Menominee Indian tribe of Wisconsin, that includes notice to the
22 respondent that he or she is subject to the requirements and penalties under s.
23 941.29 and that has been filed with the circuit court under s. 813.128 (3g), a search
24 to determine whether the person is subject to a temporary restraining order or

ASSEMBLY BILL 43**SECTION 2374**

1 injunction under s. 813.124, and a search to determine whether the person is
2 prohibited from possessing a firearm under s. 813.123 (5m) or 813.125 (4m).

3 **SECTION 2375.** 175.35 (1) (b) of the statutes is repealed.

4 **SECTION 2376.** 175.35 (1) (br) of the statutes is created to read:

5 175.35 (1) (br) "Transfer" includes to sell, assign, pledge, lease, loan, give away,
6 or otherwise dispose of.

7 **SECTION 2377.** 175.35 (2) (intro.) of the statutes is renumbered 175.35 (2) (am)
8 and amended to read:

9 175.35 (2) (am) When a firearms dealer sells transfers a handgun firearm,
10 including the frame or receiver of a firearm, he or she may not transfer possession
11 of that handgun firearm to any other person until all of the ~~following have occurred:~~
12 requirements under par. (cm) have been met.

13 **SECTION 2378.** 175.35 (2) (a), (b), (c) and (d) of the statutes are renumbered
14 175.35 (2) (cm) 1., 2., 3. and 4.

15 **SECTION 2379.** 175.35 (2) (bm) of the statutes is created to read:

16 175.35 (2) (bm) When a person transfers a firearm, including the frame or
17 receiver of a firearm, through a firearms dealer, the transfer of possession of that
18 firearm may not be made until all of the requirements of par. (cm) have been met.

19 **SECTION 2380.** 175.35 (2) (cm) (intro.) of the statutes is created to read:

20 175.35 (2) (cm) (intro.) All of the following must occur before a transfer of a
21 firearm occurs under par. (am) or (bm):

22 **SECTION 2381.** 175.35 (2g) (a) of the statutes is amended to read:

23 175.35 (2g) (a) The department of justice shall promulgate rules prescribing
24 procedures for use under sub. (2) (cm) 1. for a transferee to provide and a firearms
25 dealer to inspect identification containing a photograph of the transferee.

ASSEMBLY BILL 43**SECTION 2382**

1 **SECTION 2382.** 175.35 (2g) (b) 1. of the statutes is amended to read:

2 175.35 **(2g)** (b) 1. The department of justice shall promulgate rules prescribing
3 a notification form for use under sub. (2) (cm) 2. and 3. requiring the transferee to
4 provide his or her name, date of birth, gender, race and social security number and
5 other identification necessary to permit an accurate firearms restrictions record
6 search under par. (c) 3. and the required notification under par. (c) 4. ~~The department~~
7 ~~of justice shall make the forms available at locations throughout the state.~~

8 **SECTION 2383.** 175.35 (2g) (b) 2. of the statutes is amended to read:

9 175.35 **(2g)** (b) 2. The department of justice shall ensure that each notification
10 form under subd. 1. requires the transferee to indicate that he or she is not
11 ~~purchasing~~ receiving a transfer of the firearm with the purpose or intent to transfer
12 the firearm to a person who is prohibited from possessing a firearm under state or
13 federal law and that each notification form informs the transferee that making a
14 false statement with regard to this purpose or intent is a Class H felony.

15 **SECTION 2384.** 175.35 (2i) of the statutes is renumbered 175.35 (2i) (a) and
16 amended to read:

17 175.35 **(2i)** (a) The department shall charge a firearms dealer a \$10 fee for each
18 firearms restrictions record search that the firearms dealer requests under sub. (2)
19 ~~(e)~~ (cm) 3.

20 (b) 1. The firearms dealer may collect the fee under par. (a) from the transferee.

21 (c) The department may refuse to conduct firearms restrictions record searches
22 for any firearms dealer who fails to pay any fee under ~~this subsection~~ par. (a) within
23 30 days after billing by the department.

24 **SECTION 2385.** 175.35 (2i) (b) 2. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2385**

1 175.35 (2i) (b) 2. If the transfer is made under sub. (2) (bm), the firearms dealer
2 may collect from the transferor the fee under par. (a) and any additional amount to
3 cover any costs he or she incurs in processing the transfer.

4 **SECTION 2386.** 175.35 (2j) of the statutes is renumbered 175.35 (2j) (a).

5 **SECTION 2387.** 175.35 (2j) (b) of the statutes is created to read:

6 175.35 (2j) (b) If a person transfers a firearm through a firearms dealer under
7 sub. (2) (bm), or transfers a firearm to a firearms dealer, the firearms dealer shall
8 provide the person a written receipt documenting the dealer's participation in the
9 transfer.

10 **SECTION 2388.** 175.35 (2k) (ar) 2. of the statutes is amended to read:

11 175.35 (2k) (ar) 2. Check each notification form received under sub. (2j) (a)
12 against the information recorded by the department regarding the corresponding
13 request for a firearms restrictions record search under sub. (2g). If the department
14 previously provided a unique approval number regarding the request and nothing
15 in the completed notification form indicates that the transferee is prohibited from
16 possessing a firearm under s. 941.29, the department shall destroy all records
17 regarding that firearms restrictions record search within 30 days after receiving the
18 notification form.

19 **SECTION 2389.** 175.35 (2k) (c) 2. a. of the statutes is amended to read:

20 175.35 (2k) (c) 2. a. A statement that the Wisconsin law enforcement agency
21 is conducting an investigation of a crime in which a ~~handgun~~ firearm was used or was
22 attempted to be used or was unlawfully possessed.

23 **SECTION 2390.** 175.35 (2k) (c) 2. b. of the statutes is amended to read:

24 175.35 (2k) (c) 2. b. A statement by a division commander or higher authority
25 within the Wisconsin law enforcement agency that he or she has a reasonable

ASSEMBLY BILL 43**SECTION 2390**

1 suspicion that the person who is the subject of the information request has obtained
2 or is attempting to obtain a handgun firearm.

3 **SECTION 2391.** 175.35 (2k) (g) of the statutes is amended to read:

4 175.35 (2k) (g) If a search conducted under sub. (2g) indicates that the
5 transferee is prohibited from possessing a firearm under s. 941.29, the attorney
6 general or his or her designee may disclose to a law enforcement agency that the
7 transferee has attempted to obtain a handgun firearm.

8 **SECTION 2392.** 175.35 (2k) (h) of the statutes is amended to read:

9 175.35 (2k) (h) If a search conducted under sub. (2g) indicates a felony charge
10 without a recorded disposition and the attorney general or his or her designee has
11 reasonable grounds to believe the transferee may pose a danger to himself, herself
12 or another, the attorney general or his or her designee may disclose to a law
13 enforcement agency that the transferee has obtained or has attempted to obtain a
14 handgun firearm.

15 **SECTION 2393.** 175.35 (2L) of the statutes is amended to read:

16 175.35 (2L) The department of justice shall promulgate rules providing for the
17 review of nonapprovals under sub. (2g) (c) 4. a. Any person who is denied the right
18 to purchase receive a transfer of a handgun firearm because the firearms dealer
19 received a nonapproval number under sub. (2g) (c) 4. a. may request a firearms
20 restrictions record search review under those rules. If the person disagrees with the
21 results of that review, the person may file an appeal under rules promulgated by the
22 department.

23 **SECTION 2394.** 175.35 (2t) (a), (b) and (c) of the statutes are amended to read:

24 175.35 (2t) (a) Transfers of any handgun firearm classified as an antique by
25 regulations of the U.S. department of the treasury.

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1 (b) Transfers of any ~~handgun~~ firearm between firearms dealers or between
2 wholesalers and dealers.

3 (c) Transfers of any ~~handgun~~ firearm to law enforcement or armed services
4 agencies.

5 **SECTION 2395.** 175.35 (3) (b) 2. of the statutes is amended to read:

6 175.35 (3) (b) 2. A person who violates sub. (2e) by intentionally providing false
7 information regarding whether he or she is ~~purchasing~~ receiving a transfer of the
8 firearm with the purpose or intent to transfer the firearm to another who the person
9 knows or reasonably should know is prohibited from possessing a firearm under
10 state or federal law is guilty of a Class H felony. The penalty shall include a fine that
11 is not less than \$500.

12 **SECTION 2396.** 175.60 (7) (d) of the statutes is amended to read:

13 175.60 (7) (d) A fee for a background check that is equal to the fee charged under
14 s. 175.35 (2i) (a).

15 **SECTION 2397.** 175.60 (9g) (a) 2. of the statutes is amended to read:

16 175.60 (9g) (a) 2. The department shall conduct a criminal history record
17 search and shall search its records and conduct a search in the national instant
18 criminal background check system to determine whether the applicant is prohibited
19 from possessing a firearm under federal law; whether the applicant is prohibited
20 from possessing a firearm under s. 941.29; whether the applicant is prohibited from
21 possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats.; whether the applicant
22 has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1.,
23 54.10 (3) (f) 1., or 55.12 (10) (a); whether the applicant is subject to an injunction
24 under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued
25 by a court established by any federally recognized Wisconsin Indian tribe or band,

ASSEMBLY BILL 43**SECTION 2397**

1 except the Menominee Indian tribe of Wisconsin, that includes notice to the
2 respondent that he or she is subject to the requirements and penalties under s.
3 941.29 and that has been filed with the circuit court under s. 813.128 (3g); whether
4 the applicant is subject to a temporary restraining order or injunction under s.
5 813.124; and whether the applicant is prohibited from possessing a firearm under
6 s. 813.123 (5m) or 813.125 (4m); and to determine if the court has prohibited the
7 applicant from possessing a dangerous weapon under s. 969.02 (3) (c) or 969.03 (1)
8 (c) and if the applicant is prohibited from possessing a dangerous weapon as a
9 condition of release under s. 969.01.

10 **SECTION 2398.** 175.60 (11) (a) 2. f. of the statutes is amended to read:

11 175.60 (11) (a) 2. f. The individual becomes subject to an a temporary
12 restraining order or injunction described in s. 941.29 (1m) (f) or is ordered not to
13 possess a firearm under s. 813.123 (5m) or 813.125 (4m).

14 **SECTION 2399.** 175.60 (15) (b) 4. b. of the statutes is amended to read:

15 175.60 (15) (b) 4. b. A fee for a background check that is equal to the fee charged
16 under s. 175.35 (2i) (a).

17 **SECTION 2400.** 182.004 (6) of the statutes is amended to read:

18 182.004 (6) Stock may be issued and leases made to ~~husband and wife~~ spouses,
19 and to the survivor of them, in which event title shall descend the same as in like
20 conveyances of real property subject to ch. 766. Otherwise, title to the stock and lease
21 shall descend to the persons to whom a homestead of the stockholder would descend
22 except as provided in ch. 766. The interest of a tenant in the lease and stock shall
23 be exempt from execution to the same extent as a homestead in real estate.

24 **SECTION 2401.** 182.01 (8) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2401**

1 182.01 (8) INFORMATION TO BE PROVIDED WITH BUSINESS FORMATION FILINGS. The
2 department shall provide informational materials and resources on worker
3 misclassification to each person who files with the department any of the following:

4 (a) Articles of incorporation under s. 180.0202 or 181.0202.

5 (b) Articles of organization under s. 183.0201.

6 (c) A statement of qualification under s. 178.0901.

7 (d) A certificate of limited partnership under s. 179.0201.

8 **SECTION 2402.** 185.983 (1) (intro.) of the statutes is amended to read:

9 185.983 (1) (intro.) Every voluntary nonprofit health care plan operated by a
10 cooperative association organized under s. 185.981 shall be exempt from chs. 600 to
11 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44,
12 601.45, 611.26, 611.67, 619.04, 623.11, 623.12, 628.34 (10), 631.17, 631.89, 631.93,
13 631.95, 632.72 (2), 632.728, 632.729, 632.745 to 632.749, 632.775, 632.79, 632.795,
14 632.798, 632.85, 632.853, 632.855, 632.861, 632.862, 632.867, 632.87 (2) to ~~(6)~~ (8),
15 632.871, 632.885, 632.89, 632.895 (5) and (8) to (17), 632.896, and 632.897 (10) and
16 chs. 609, 620, 630, 635, 645, and 646, but the sponsoring association shall:

17 **SECTION 2403.** 194.025 of the statutes is amended to read:

18 **194.025 Discrimination prohibited.** No motor carrier may engage in any
19 practice, act or omission which results in discrimination on the basis of race, creed,
20 sex ~~or~~ national origin, or status as a holder or nonholder of a license under s. 343.03
21 (3r).

22 **SECTION 2404.** 196.01 (2n) of the statutes is created to read:

23 196.01 (2n) "Digital equity" means all individuals and communities have the
24 information technology capacity needed to fully participate in society.

25 **SECTION 2405.** 196.01 (5) (b) 8. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2405**

1 196.01 (5) (b) 8. A person who supplies electricity through the person's electric
2 vehicle charging station to users' electric vehicles, if the person does not otherwise
3 directly or indirectly provide electricity to the public.

4 **SECTION 2406.** 196.025 (1h) of the statutes is created to read:

5 196.025 (1h) SOCIAL COST OF CARBON EMISSIONS. (a) In this subsection, "social
6 cost of carbon" means a measure of the economic harms and other impacts expressed
7 in dollars that result from emitting one ton of carbon dioxide into the atmosphere.

8 (b) In consultation with the department of natural resources, the commission
9 shall evaluate and set the social cost of carbon and shall evaluate and adjust as
10 necessary that dollar amount every 2 years. The evaluations shall use integrated
11 assessment models and consider appropriate discount rates. Any adjustment shall
12 be consistent with the international consensus on the social cost of carbon.

13 (c) No later than December 31, 2023, and no later than December 31 every
14 odd-numbered year thereafter, the commission shall submit to the appropriate
15 standing committees of the legislature under s. 13.172 (3) a report that describes the
16 commission's evaluation under par. (b) and, if the commission adjusts the previously
17 set dollar amount under par. (b), specifies the social cost of carbon as adjusted by the
18 commission.

19 (d) The commission shall consider the social cost of carbon in determining
20 whether to issue certificates under ss. 196.49 and 196.491 (3).

21 **SECTION 2407.** 196.027 (1) (d) 3. of the statutes is created to read:

22 196.027 (1) (d) 3. The retiring of any existing electric generating facility fueled
23 by nonrenewable combustible energy resources.

24 **SECTION 2408.** 196.027 (1) (f) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2408**

1 196.027 (1) (f) “Environmental control cost” means capital cost, including
2 capitalized cost relating to regulatory assets, incurred or expected to be incurred by
3 an energy utility in undertaking an environmental control activity and, with respect
4 to an environmental control activity described in par. (d) 2. or 3., includes the
5 unrecovered value of property that is retired, including any demolition or similar cost
6 that exceeds the salvage value of the property. “Environmental control cost” does not
7 include any monetary penalty, fine, or forfeiture assessed against an energy utility
8 by a government agency or court under a federal or state environmental statute, rule,
9 or regulation.

10 **SECTION 2409.** 196.218 (5) (a) 12. of the statutes is repealed.

11 **SECTION 2410.** 196.218 (5) (a) 15. of the statutes is created to read:

12 196.218 (5) (a) 15. To administer a digital equity program for the purposes
13 specified under s. 196.504 (10).

14 **SECTION 2411.** 196.31 (2r) of the statutes is created to read:

15 196.31 (2r) From the appropriation under s. 20.155 (1) (j), the commission shall
16 reserve \$50,000 annually to compensate equity-focused participants who review
17 economic and environmental issues affecting low-income populations.

18 **SECTION 2412.** 196.37 (7) of the statutes is created to read:

19 196.37 (7) It is not unreasonable or unjustly discriminatory for a public utility
20 to implement low-income assistance programs if approved in a rate case in which the
21 commission reviewed the program eligibility criteria and program credits or rebates
22 and if that cost is incorporated in the public utility’s published schedules or tariffs.

23 **SECTION 2413.** 196.372 (3) (e) 2. (intro.) and b. of the statutes are consolidated,
24 renumbered 196.372 (3) (e) 2. and amended to read:

ASSEMBLY BILL 43**SECTION 2413**

1 196.372 (3) (e) 2. The commission may not approve an application under subd.
2 1. unless the application satisfies ~~all of the following conditions:~~ ~~b. Any states that~~
3 any loan provided may not be forgiven by the water public utility or the municipality.

4 **SECTION 2414.** 196.372 (3) (e) 2. a. of the statutes is repealed.

5 **SECTION 2415.** 196.374 (1) (d) of the statutes is renumbered 196.374 (1) (d)
6 (intro.) and amended to read:

7 196.374 (1) (d) (intro.) “Energy efficiency program” means a program for
8 reducing the usage or increasing the efficiency of the usage of energy by a customer
9 or member of an energy utility, municipal utility, or retail electric cooperative.
10 “Energy efficiency program” does not include load management. “Energy efficiency
11 program” includes a program that deploys electric technologies to meet energy needs
12 currently served by other fuels in order to do all of the following:

13 **SECTION 2416.** 196.374 (1) (d) 1. and 2. of the statutes are created to read:

14 196.374 (1) (d) 1. Reduce the usage of energy, increase the efficiency of usage
15 of energy on a fuel-neutral basis, or reduce adverse environmental impacts,
16 including carbon dioxide emissions.

17 2. Reduce costs for electric public utilities and retail electric cooperatives or
18 their customers or members.

19 **SECTION 2417.** 196.374 (3) (b) 2. of the statutes is amended to read:

20 196.374 (3) (b) 2. The commission shall require each energy utility to spend ~~1.2~~
21 2.4 percent of its annual operating revenues derived from retail sales to fund the
22 utility’s programs under sub. (2) (b) 1., the utility’s ordered programs, the utility’s
23 share of the statewide energy efficiency and renewable resource programs under
24 sub. (2) (a) 1., and the utility’s share, as determined by the commission under subd.
25 4., of the costs incurred by the commission in administering this section.

ASSEMBLY BILL 43**SECTION 2418**

1 **SECTION 2418.** 196.376 of the statutes is created to read:

2 **196.376 Residential and commercial energy improvements.** The
3 commission may authorize a public utility to finance energy improvements at a
4 specific residential or commercial location and recover the cost of those
5 improvements over time through a surcharge periodically placed on the public utility
6 customer's account for that location. The commission shall promulgate rules to
7 establish the requirements for the utility financing programs authorized under this
8 section. Those requirements shall include at least all of the following:

9 **(1)** The surcharge shall be assigned to a location, not to an individual customer.

10 **(2)** Energy improvements are eligible for financing only if the improvements
11 are estimated to save an amount that exceeds the surcharge.

12 **(3)** The financing offered to a customer under this section may not increase the
13 customer's risk or debt.

14 **SECTION 2419.** 196.491 (2) (title) of the statutes is amended to read:

15 196.491 **(2)** (title) STRATEGIC ENERGY ASSESSMENT AND INTEGRATED RESOURCE
16 PLANS.

17 **SECTION 2420.** 196.491 (2) (a) 3s. of the statutes is created to read:

18 196.491 **(2)** (a) 3s. Review the integrated resource plans submitted by electric
19 utilities under par. (h) to help inform the strategic energy assessment.

20 **SECTION 2421.** 196.491 (2) (h) of the statutes is created to read:

21 196.491 **(2)** (h) 1. Each electric utility shall prepare and file an integrated
22 resource plan with the commission. The commission shall by order establish
23 integrated resource plan content and filing requirements, including filing deadlines.
24 An integrated resource plan shall include a set of resource options that an electric

ASSEMBLY BILL 43**SECTION 2421**

1 utility could use to meet the service needs of its customers over the next 5-year,
2 10-years, and 15-year periods, including an explanation of the supply-and-demand
3 circumstances under which, and the extent to which, each resource option would be
4 used to meet those service needs. Resource options that could be used to meet service
5 needs include using, refurbishing, and constructing electric generating plants and
6 equipment; buying electricity generated by other entities; controlling customer
7 loads; and implementing customer energy conservation. The commission shall
8 approve, reject, or modify an electric utility's integrated resource plan consistent
9 with the public interest. The commission's acceptance of an integrated resource plan
10 under this paragraph does not constitute issuance of a certificate under s. 196.49 or
11 issuance of a certificate of public convenience and necessity under s. 196.491 (3).

12 2. An integrated resource plan under this paragraph shall include all of the
13 following:

14 a. A long-term forecast of the electric utility's sales and peak demand under
15 various reasonable scenarios.

16 b. Details regarding the amount of peak demand reduction the electric utility
17 expects to achieve and the electric utility's proposals for achieving the reduction in
18 peak demand, including through load management and demand response.

19 c. If the plan identifies constructing a generation facility as a resource option,
20 the type of generation technology proposed for the generation facility, the proposed
21 capacity of the generation facility, and the projected fuel costs for the proposed
22 generation facility under various reasonable scenarios.

23 d. Projected electricity purchased or produced by the electric utility that is
24 generated from a renewable energy resource. If the electricity utility projects the
25 total level of electricity purchased or produced from a renewable energy resource to

ASSEMBLY BILL 43**SECTION 2421**

1 decrease over the periods described in subd. 1. a., the electric utility shall explain
2 why the decrease is in the best interests of ratepayers.

3 e. Details regarding the impacts of energy efficiency programs on the electric
4 utility's electricity sales and peak demand under various reasonable scenarios,
5 including the total amount of customer energy savings and the associated costs of the
6 energy efficiency programs.

7 f. Projected energy and capacity purchased or produced by the electric utility
8 from a cogeneration resource.

9 g. An analysis of potential new or upgraded electricity transmission options for
10 the electric utility.

11 h. Data regarding the electric utility's current generation portfolio, including
12 the age, capacity factor, licensing status, and estimated remaining operating time for
13 each electric generating facility in the portfolio.

14 i. Plans for meeting current and future capacity needs, including cost estimates
15 for any power purchase agreements, any proposed construction or major
16 investments, and any transmission or distribution infrastructure necessary to
17 support proposed construction or major investments.

18 j. An analysis of the cost, capacity factor, and viability of all reasonable options
19 available to meet projected energy and capacity needs, including existing electric
20 generating facilities in this state.

21 k. Projected total costs for each scenario reviewed.

22 L. If applicable, projected long-term natural gas transportation contracts or
23 natural gas storage that the electric utility will hold to provide an adequate supply
24 of natural gas to new electric generating facilities.

25 m. Any other information required by the commission by order.

ASSEMBLY BILL 43**SECTION 2421**

1 3. This paragraph does not apply to cooperative associations.

2 **SECTION 2422.** 196.491 (3g) (a) of the statutes is amended to read:

3 196.491 (3g) (a) A person who receives a certificate of public convenience and
4 necessity for a high-voltage transmission line that is designed for operation at a
5 nominal voltage of 345 kilovolts or more under sub. (3) shall pay the ~~department of~~
6 ~~administration~~ commission an annual impact fee as specified in the rules
7 promulgated by the ~~department of administration~~ commission under s. ~~16.969~~
8 196.492 (2) (a) and shall pay the ~~department of administration~~ commission a
9 one-time environmental impact fee as specified in the rules promulgated by the
10 ~~department of administration~~ commission under s. ~~16.969~~ 196.492 (2) (b).

11 **SECTION 2423.** 196.504 (1) (b) of the statutes is repealed.

12 **SECTION 2424.** 196.504 (1) (c) 2. of the statutes is amended to read:

13 196.504 (1) (c) 2. Provided at actual speeds of at least 20 percent of the upload
14 and download speeds for advanced telecommunications capability as designated by
15 the federal communications commission in its inquiries regarding advanced
16 telecommunications capability under 47 USC 1302 (b) download speeds of 100
17 megabits per second or greater and upload speeds of 20 megabits per second or
18 greater. Beginning on July 1 of the 2nd calendar year beginning after the effective
19 date of this subdivision [LRB inserts date], and on July 1 of each successive
20 odd-numbered year thereafter, the commission may adjust the threshold speeds
21 designated in this subdivision if, upon review, it determines there is good cause to
22 do so in order to align with changes in technology and actual market conditions. If
23 the commission adjusts these threshold speeds, it shall publicize the adjusted speed
24 thresholds on its website.

25 **SECTION 2425.** 196.504 (1) (c) 3. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2425**

1 196.504 (1) (c) 3. Available, reliable, and affordable.

2 **SECTION 2426.** 196.504 (2) (a) of the statutes, as affected by 2021 Wisconsin Act
3 58, is amended to read:

4 196.504 (2) (a) To make broadband expansion grants to eligible applicants for
5 the purpose of constructing broadband infrastructure in ~~underserved~~ unserved
6 areas designated under par. (d) ~~(e)~~. Grants awarded under this ~~section~~ subsection
7 shall be paid from the appropriations under ss. 20.155 (3) ~~(c)~~, (r), and (rm) and 20.866
8 (2) (z), in the amount allocated under s. 20.866 (2) (z) 5.

9 **SECTION 2427.** 196.504 (2) (b) of the statutes is amended to read:

10 196.504 (2) (b) To prescribe the form, nature, and extent of the information that
11 shall be contained in an application for a grant under this ~~section~~ subsection. The
12 application shall require the applicant to identify the area of the state that will be
13 affected by the proposed project and explain how the proposed project will increase
14 broadband access.

15 **SECTION 2428.** 196.504 (2) (c) of the statutes is renumbered 196.504 (2) (c) 1.
16 (intro.) and amended to read:

17 196.504 (2) (c) 1. (intro.) To establish criteria for evaluating applications and
18 awarding grants under this ~~section~~ subsection. The criteria shall ~~prohibit grants~~
19 give priority to all of the following:

20 a. Grants that do not have the effect of subsidizing the expenses of a provider
21 of telecommunications service, as defined in s. 182.017 (1g) (cq), or the monthly bills
22 of customers of those providers. ~~The criteria shall give priority to projects~~

23 c. Projects that include at least 40 percent matching funds, and shall give
24 higher priority to projects with more than 40 percent matching funds.

ASSEMBLY BILL 43**SECTION 2428**

1 d. Projects that involve public-private partnerships, ~~that affect unserved~~
2 ~~areas,~~

3 e. Projects that are scalable,

4 f. Projects that promote economic development, ~~that will not result in delaying~~
5 ~~the provision of broadband service to areas neighboring areas to be served by the~~
6 ~~proposed project, or,~~

7 g. Projects that affect a large geographic area that is difficult to connect or a
8 large number of underserved unserved individuals or communities.

9 2. When evaluating grant applications under this section subsection, the
10 commission shall consider ~~the~~ all of the following:

11 a. The degree to which the proposed projects would duplicate existing
12 broadband infrastructure, information about the presence of which is provided to the
13 commission by the applicant or another person within a time period designated by
14 the commission; ~~the,~~

15 b. The impacts of the proposed projects on the ability of individuals to access
16 health care services from home and the cost of those services; ~~and the,~~

17 c. The impacts of the proposed projects on the ability of students to access
18 educational opportunities from home.

19 **SECTION 2429.** 196.504 (2) (c) 1. b. of the statutes is created to read:

20 196.504 (2) (c) 1. b. Require that projects serve unserved areas.

21 **SECTION 2430.** 196.504 (2) (c) 1. h. of the statutes is created to read:

22 196.504 (2) (c) 1. h. Projects that are capable of offering service at actual
23 download speeds of 100 megabits per second or greater and upload speeds of 100
24 megabits per second or greater and shall give higher priority to projects that are
25 capable of exceeding these speeds. Beginning on July 1 of the 2nd calendar year

ASSEMBLY BILL 43**SECTION 2430**

1 beginning after the effective date of this subdivision [LRB inserts date], and on
2 July 1 of each successive odd-numbered year thereafter, the commission may adjust
3 the threshold service speeds designated in this subdivision if, upon review, it
4 determines there is good cause to do so in order to align with changes in technology
5 and actual market conditions. If the commission adjusts these threshold speeds, it
6 shall publicize the adjusted speeds on its website.

7 **SECTION 2431.** 196.504 (2) (c) 2. d. and e. of the statutes are created to read:
8 196.504 (2) (c) 2. d. The affordability of the service.

9 e. All federal funding for broadband facilities in the project area of the proposed
10 project.

11 **SECTION 2432.** 196.504 (2) (d) of the statutes is repealed.

12 **SECTION 2433.** 196.504 (2m) of the statutes is created to read:

13 196.504 (2m) (a) Except as provided in pars. (b) and (c), from the appropriation
14 under s. 20.155 (3) (c), each fiscal year the commission shall award no less than 10
15 percent of the amount in the schedule for that appropriation in fiscal year 2023-24
16 as broadband expansion grants under sub. (2).

17 (b) Except as provided in par. (c), if the remaining unobligated balance of the
18 appropriation under s. 20.155 (3) (c) is less than 10 percent of the amount in the
19 schedule for that appropriation in fiscal year 2023-24, the commission shall award
20 the entire remaining balance in broadband expansion grants under sub. (2) in that
21 fiscal year.

22 (c) If in any fiscal year, the commission does not receive sufficient broadband
23 expansion grant applications that meet the eligibility criteria to award the minimum
24 amounts described under par. (a) or (b), the commission shall award the maximum
25 amount of broadband expansion grants under sub. (2) possible that fiscal year.

ASSEMBLY BILL 43**SECTION 2434**

1 **SECTION 2434.** 196.504 (2r) of the statutes is created to read:

2 196.504 (2r) The commission shall administer the line extension assistance
3 program and shall have the following powers:

4 (a) To make financial assistance grants to residents of properties that are not
5 served by a broadband service provider to assist in paying the customer costs
6 associated with line extension necessary to connect broadband service to the
7 properties. The amount of a financial assistance grant under this subsection may
8 not exceed \$4,000. Grants awarded under this subsection shall be paid from the
9 appropriation under s. 20.155 (3) (b).

10 (b) To establish criteria for evaluating applications and awarding financial
11 assistance grants under this subsection. The criteria shall give priority to properties
12 that serve as a primary residence.

13 **SECTION 2435.** 196.504 (2t) of the statutes is created to read:

14 196.504 (2t) (a) Within 10 days of the close of the broadband expansion grant
15 application process, the commission shall publish on its website the proposed
16 geographic broadband service area and the proposed broadband service speeds for
17 each application for a broadband expansion grant submitted.

18 (b) An Internet service provider in or proximate to the proposed project area
19 may, within 30 days of publication of the information under par. (a), submit in writing
20 to the commission a challenge to an application. A challenge shall contain
21 information demonstrating one of the following:

22 1. The provider currently provides available, reliable, and affordable fixed
23 wireless or wired broadband service to any part of the proposed project area at
24 download speeds of 100 megabits per second or greater and upload speeds of 20
25 megabits per second or greater.

ASSEMBLY BILL 43**SECTION 2435**

1 2. The provider commits to complete construction of broadband infrastructure
2 and to provide available, reliable, and affordable fixed wireless or wired broadband
3 service to any part of the proposed project area at speeds equal to or greater than the
4 speeds described under subd. 1. no later than 24 months after the date of the
5 commission's order awarding broadband expansion grants. The provider shall
6 submit documentation showing this commitment, including engineering plans,
7 invoices related to project materials, permit applications, and a project timeline.

8 (bm) An Internet service provider that submits a challenge under this
9 subsection shall allow the commission to inspect the broadband infrastructure
10 identified by a provider in a challenge under par. (b) 1. or 2. to ensure it meets
11 minimum service standards.

12 (c) The commission shall evaluate an Internet service provider's challenge
13 under this subsection, and is prohibited from funding any portion of a project relating
14 to the area that is the subject of the challenge if the commission determines that the
15 challenger's provision of or commitment to provide broadband service that meets the
16 requirements of par. (b) in that area is credible.

17 (d) If the commission denies funding to an applicant as a result of an Internet
18 service provider's challenge made under this subsection and the Internet service
19 provider does not fulfill its commitment to provide available, reliable, and affordable
20 broadband service in the area that is the subject of the challenge, the commission is
21 prohibited from awarding grant funding to that Internet service provider for the
22 following 2 grant cycles and that Internet service provider is prohibited from
23 participating in the challenge process under par. (b) for the following 2 grant cycles,
24 unless the commission determines that the Internet service provider's failure to
25 fulfill its commitment was the result of factors beyond the Internet service provider's

ASSEMBLY BILL 43**SECTION 2435**

1 control. The commission shall give priority scoring treatment to an application
2 targeting a grant project area that remains unserved as a result of a successful
3 challenge and an unfulfilled commitment.

4 **SECTION 2436.** 196.504 (3) (intro.) of the statutes is amended to read:

5 196.504 (3) (intro.) The commission shall encourage the development of
6 broadband infrastructure in ~~underserved~~ unserved areas of the state and do all of the
7 following:

8 **SECTION 2437.** 196.504 (10) of the statutes is created to read:

9 196.504 (10) The commission shall administer a digital equity program under
10 which it may do all of the following:

- 11 (a) Provide outreach and assistance to promote digital equity.
12 (b) Coordinate the administration of federal and state digital equity funding.
13 (c) Provide digital navigation services.
14 (d) Implement digital inclusion activities.

15 **SECTION 2438.** 196.5048 of the statutes is created to read:

16 **196.5048 Internet service provider registration.** No person may provide
17 Internet service in this state unless the person registers with the commission.

18 **SECTION 2439.** 196.745 (2) (a) of the statutes is amended to read:

19 196.745 (2) (a) Any person violating sub. (1) (a), or any order or rule issued
20 under sub. (1) (a), shall forfeit an amount not exceeding ~~\$25,000~~ \$200,000. Each day
21 of violation is a separate violation of sub. (1) (a). No person may forfeit an amount
22 exceeding ~~\$500,000~~ \$2,000,000 for a single persisting violation of sub. (1) (a) or any
23 order or any rule issued under sub. (1) (a). The commission shall remit all forfeitures
24 paid under this paragraph to the secretary of administration for deposit in the school
25 fund.

ASSEMBLY BILL 43**SECTION 2440**

1 **SECTION 2440.** 200.57 (title) of the statutes is amended to read:

2 **200.57** (title) ~~Minority financial advisers and investment firms and~~
3 ~~disabled and veteran-owned businesses, lesbian, gay, bisexual, or~~
4 ~~transgender-owned, and disability-owned financial advisers and~~
5 ~~investment firms.~~

6 **SECTION 2441.** 200.57 (1) (a) of the statutes is renumbered 200.57 (1) (f) and
7 amended to read:

8 200.57 (1) (f) “~~Disabled veteran-owned~~ Veteran-owned financial adviser” and
9 “disabled veteran-owned investment firm” mean a financial adviser and investment
10 firm, respectively, certified by the department of administration under s. 16.283 (3).

11 **SECTION 2442.** 200.57 (1) (ae) of the statutes is created to read:

12 200.57 (1) (ae) “Disability-owned financial adviser” and “disability-owned
13 investment firm” mean a financial adviser and investment firm, respectively,
14 certified by the department of administration under s. 16.289 (3).

15 **SECTION 2443.** 200.57 (1) (c) of the statutes is created to read:

16 200.57 (1) (c) “Lesbian, gay, bisexual, or transgender-owned financial adviser”
17 and “Lesbian, gay, bisexual, or transgender-owned investment firm” mean a
18 financial adviser and investment firm, respectively, certified by the department of
19 administration under s. 16.288 (3).

20 **SECTION 2444.** 200.57 (3) of the statutes is amended to read:

21 200.57 (3) The commission shall make efforts to ensure that at least 1 percent
22 of the total funds expended for financial and investment analysis and for common
23 stock and convertible bond brokerage commissions in each fiscal year is expended for
24 the services of disabled veteran-owned financial advisers or disabled
25 veteran-owned investment firms.

ASSEMBLY BILL 43**SECTION 2445**

1 **SECTION 2445.** 200.57 (4) of the statutes is created to read:

2 200.57 (4) The commission shall make efforts to ensure that at least 1 percent
3 of the total funds expended for financial and investment analysis and for common
4 stock and convertible bond brokerage commissions in each fiscal year is expended for
5 the services of lesbian, gay, bisexual, or transgender-owned financial advisers or
6 lesbian, gay, bisexual, or transgender-owned investment firms.

7 **SECTION 2446.** 200.57 (5) of the statutes is created to read:

8 200.57 (5) The commission shall make efforts to ensure that at least 1 percent
9 of the total funds expended for financial and investment analysis and for common
10 stock and convertible bond brokerage commissions in each fiscal year is expended for
11 the services of disability-owned financial advisers or disability-owned investment
12 firms.

13 **SECTION 2447.** 224.55 of the statutes is created to read:

14 **224.55 Support accounts for individuals with disabilities. (1)**

15 DEFINITIONS. In this section:

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

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

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

24 (b) *Review of other states' partnership programs.* The department shall review
25 section 529A ABLE state partnership programs offered by other states and, no later

ASSEMBLY BILL 43**SECTION 2447**

1 than the first day of the 10th month beginning after the effective date of this
2 subsection, determine whether, as the best option for Wisconsin residents, the
3 department will implement the ABLE program under par. (a) directly or by entering
4 into an agreement.

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

8 1. Develop and implement an ABLE program in accordance with all
9 requirements under section 529A of the Internal Revenue Code, and modify this
10 ABLE program as necessary for participants in the ABLE program to qualify for the
11 federal income tax benefits or treatment provided under section 529A of the Internal
12 Revenue Code and rules adopted under section 529A.

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

16 3. Work with organizations with expertise in supporting people with
17 disabilities and their families in administering the agreement and ensuring
18 accessibility of the ABLE program for people with disabilities.

19 4. Take any other action necessary to implement and administer the ABLE
20 program.

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

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

ASSEMBLY BILL 43**SECTION 2447**

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

3 (b) The department may promulgate rules to implement and administer this
4 section.

5 **SECTION 2448.** 224.56 of the statutes is created to read:

6 **224.56 Small business retirement savings program. (1) DEFINITIONS.** In
7 this section:

8 (a) “Account” means a retirement savings account established for an eligible
9 employee under the program under this section.

10 (b) “Board” means the small business retirement savings board.

11 (c) “Eligible employee” means an individual who resides in this state and who
12 is any of the following:

13 1. Employed by a private employer that does not offer a retirement savings
14 plan.

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

17 (d) “Investment administrator” means the vendor with which the board has
18 contracted under sub. (2) (b).

19 (e) “Participating employer” means a private employer that qualifies for and
20 has elected to participate in the program as provided in sub. (4) (a).

21 (f) “Roth IRA” has the meaning given in 26 USC 408A (b).

22 (g) “Traditional IRA” means an individual retirement account under 26 USC
23 408.

ASSEMBLY BILL 43**SECTION 2448**

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

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

- 7 1. Investment services.
- 8 2. Accounting and record-keeping services.
- 9 3. Any other professional services considered necessary by the board.

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

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

16 (b) Subject to the record-keeping requirement under sub. (6) (b), the program
17 allows the investment administrator to pool accounts for investment purposes and
18 designates the investment administrator as the trustee of account contributions and
19 earnings.

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

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

ASSEMBLY BILL 43**SECTION 2448**

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

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

7 (g) The program incorporates maximum contribution limits established by the
8 board in accordance with the Internal Revenue Code contribution limits for Roth
9 IRAs, separately and in combination with traditional IRAs, as well as any similar
10 contribution limit for account types other than a Roth IRA if the account type is
11 offered under sub. (5) (a) 2.

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

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

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

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

20 (b) After a private employer has elected under par. (a) to participate in the
21 program, the employer shall provide notice to each of its eligible employees of the
22 eligible employee's right to decline participation in the program. After providing this
23 notice, the employer shall enroll the eligible employee in the program unless the
24 eligible employee informs the employer of the eligible employee's decision not to
25 participate in the program.

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

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

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

11 a. A stable value or capital preservation fund.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ASSEMBLY BILL 43**SECTION 2448**

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

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

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

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

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

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

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

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

21 **SECTION 2449.** 224.77 (1) (o) of the statutes is amended to read:

22 224.77 **(1)** (o) In the course of practice as a mortgage banker, mortgage loan
23 originator, or mortgage broker, except in relation to housing designed to meet the
24 needs of elderly individuals, treat a person unequally solely because of sex, race,
25 color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national

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1 origin, age, or ancestry, the person's lawful source of income, or the sex, marital
2 status, status as a holder or nonholder of a license under s. 343.03 (3r), or status as
3 a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
4 (u), of the person maintaining a household.

5 **SECTION 2450.** 227.01 (13) (Lw) of the statutes is created to read:

6 227.01 (13) (Lw) Adjusts the minimum wage under s. 104.035 (8m).

7 **SECTION 2451.** 227.01 (13) (t) of the statutes is created to read:

8 227.01 (13) (t) Ascertains and determines prevailing wage rates under ss.
9 66.0903, 103.49, 103.50, and 229.8275, except that any action or inaction which
10 ascertains and determines prevailing wage rates under ss. 66.0903, 103.49, 103.50,
11 and 229.8275 is subject to judicial review under s. 227.40.

12 **SECTION 2452.** 227.01 (13) (zxm) of the statutes is created to read:

13 227.01 (13) (zxm) Establishes or adjusts a renewal date or renewal cycle for
14 credentials that are subject to periodic renewal under s. 440.08 (2) (a) 1n.

15 **SECTION 2453.** 227.10 (2g) of the statutes is repealed.

16 **SECTION 2454.** 227.11 (title) of the statutes is amended to read:

17 **227.11 (title) Agency Extent to which chapter confers rule-making**
18 **authority.**

19 **SECTION 2455.** 227.11 (3) of the statutes is repealed.

20 **SECTION 2456.** 227.13 of the statutes is amended to read:

21 **227.13 Advisory committees and informal consultations.** An agency may
22 use informal conferences and consultations to obtain the viewpoint and advice of
23 interested persons with respect to contemplated rule making. An agency may also
24 appoint a committee of experts, interested persons or representatives of the public
25 to advise it with respect to any contemplated rule making. ~~Such a~~ The committee

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1 shall have advisory powers only. ~~Whenever an agency appoints a committee under~~
2 ~~this section, the agency shall submit a list of the members of the committee to the~~
3 ~~joint committee for review of administrative rules.~~

4 **SECTION 2457.** 227.26 (2) (im) of the statutes is repealed.

5 **SECTION 2458.** 227.57 (11) of the statutes is amended to read:

6 227.57 (11) Upon review of an agency action or decision affecting a property
7 owner's use of the property owner's property, the court shall accord no deference to
8 the agency's interpretation of law if the agency action or decision restricts the
9 property owner's free use of the property owner's property.

10 **SECTION 2459.** 229.46 (1) (ae) of the statutes is created to read:

11 229.46 (1) (ae) "Disability-owned business" means a business certified by the
12 department of administration under s. 16.289 (3).

13 **SECTION 2460.** 229.46 (1) (ag) of the statutes is renumbered 229.46 (1) (bm) and
14 amended to read:

15 229.46 (1) (bm) "~~Disabled veteran-owned~~ Veteran-owned business" means a
16 business certified by the department of administration under s. 16.283 (3).

17 **SECTION 2461.** 229.46 (1) (aj) of the statutes is created to read:

18 229.46 (1) (aj) "Lesbian, gay, bisexual, or transgender-owned business" means
19 a business certified by the department of administration under s. 16.288 (3).

20 **SECTION 2462.** 229.46 (2) (intro.) of the statutes is amended to read:

21 229.46 (2) (intro.) A person who is awarded a contract by a district shall agree,
22 as a condition to receiving the contract, that at least 25 percent of the employees
23 hired because of the contract will be minority group members, at least 5 percent of
24 the employees hired because of the contract will be women, and at least 1 percent of
25 the employees hired because of the contract will be employees of a disabled

ASSEMBLY BILL 43**SECTION 2462**

1 veteran-owned business, at least 1 percent of the employees hired because of the
2 contract will be employees of a lesbian, gay, bisexual, or transgender-owned
3 business, and at least 1 percent of the employees hired because of the contract will
4 be employees of a disability-owned business, if any of the following applies:

5 **SECTION 2463.** 229.46 (3) (intro.) of the statutes is amended to read:

6 229.46 (3) (intro.) At least 25 percent of the aggregate dollar value of contracts
7 awarded by the district in the following areas shall be awarded to minority
8 businesses, at least 5 percent of the aggregate dollar value of contracts awarded by
9 the district in the following areas shall be awarded to women's businesses, and at
10 least 1 percent of the aggregate dollar value of contracts awarded by the district in
11 the following areas shall be awarded to ~~disabled~~ veteran-owned businesses, at least
12 1 percent of the aggregate dollar value of contracts awarded by the district in the
13 following areas shall be awarded to lesbian, gay, bisexual, or transgender-owned
14 businesses, and at least 1 percent of the aggregate dollar value of contracts awarded
15 by the district in the following areas shall be awarded to a disability-owned business:

16 **SECTION 2464.** 229.64 (1) of the statutes is amended to read:

17 229.64 (1) The legislature determines that the provision of assistance by state
18 agencies to a district under this subchapter, and any appropriation or grant of funds
19 to a district under this subchapter or s. 16.09 or 20.505 (1) (bm) and the moral
20 obligation pledge under s. 229.74 (7) serve a statewide public purpose by assisting
21 the development, construction, improvement, repair, and maintenance of a
22 professional baseball park facilities in the state for providing recreation, by
23 encouraging economic development and tourism, by preserving business activities
24 within the state, by generating additional tax revenues that would not exist without
25 the baseball park facilities, by reducing unemployment, and by bringing needed

ASSEMBLY BILL 43**SECTION 2464**

1 capital into the state for the benefit and welfare of people throughout the state. The
2 legislature determines that the taxes that may be imposed by a district under subch.
3 V of ch. 77 are special taxes that are generated apart from any direct annual tax on
4 taxable property.

5 **SECTION 2465.** 229.65 (1) of the statutes is renumbered 229.65 (1s) and
6 amended to read:

7 229.65 (1s) “Baseball park facilities” means property, tangible or intangible,
8 owned in whole or in substantial part, operated or leased by a district that is
9 principally for the support or performance of professional baseball operations
10 including parking lots, garages, restaurants, parks, concession facilities,
11 entertainment facilities, and transportation facilities, and other functionally related
12 or auxiliary facilities or structures.

13 **SECTION 2466.** 229.65 (1m) of the statutes is created to read:

14 229.65 (1m) “Baseball park development” means property, other than baseball
15 park facilities, tangible or intangible, operated by a professional baseball team on
16 real estate leased or subleased from a district that is part of the operations of the
17 professional baseball team for any legally permissible use, including retail facilities,
18 hospitality facilities, commercial and residential facilities, health care facilities, and
19 any other functionally related or auxiliary facilities or structures.

20 **SECTION 2467.** 229.65 (6m) of the statutes is created to read:

21 229.65 (6m) “Professional baseball team” means a baseball team that is a
22 member of a league of professional baseball teams that have home stadiums
23 approved by the league in at least 10 states and a collective average attendance for
24 all league members of at least 10,000 persons per game over the 5 years immediately
25 preceding the effective date of this subsection [LRB inserts date].

ASSEMBLY BILL 43**SECTION 2468**

1 **SECTION 2468.** 229.67 of the statutes is amended to read:

2 **229.67 Jurisdiction.** A district's jurisdiction is any county with a population
3 of more than 600,000 that is the site of baseball park facilities that are home to a
4 professional baseball team and all counties that are contiguous to that county and
5 that are not already included in a different district. Once created, a district's
6 jurisdiction is fixed even if the population of other counties within the district
7 subsequently exceeds 600,000. Once a county is included in a district's jurisdiction
8 the county remains in the district until the district is dissolved under s. 229.71. In
9 this section, "contiguous" includes a county that touches another county only at a
10 corner.

11 **SECTION 2469.** 229.68 (intro.) of the statutes is amended to read:

12 **229.68 Powers of a district.** (intro.) A district has all of the powers necessary
13 or convenient to carry out the purposes and provisions of this subchapter, except that
14 it may not incur any new obligations after the date on which the district may no
15 longer collect the tax under s. 77.707 (1), 2021 stats., if such an obligation could not
16 be paid out of the district's revenues or assets once the tax under s. 77.707 (1), 2021
17 stats., is no longer collected. The district may not incur costs or any obligations for
18 signage related to a change in naming rights for the baseball park facilities. In
19 addition to all other powers granted by this subchapter, a district may do all of the
20 following:

21 **SECTION 2470.** 229.68 (4) (intro.) of the statutes is amended to read:

22 229.68 (4) (intro.) In connection with baseball park facilities and, with respect
23 to par. (b), in connection with baseball park facilities and any baseball park
24 development:

25 **SECTION 2471.** 229.68 (4) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2471**

1 229.68 (4) (b) Acquire; lease, as lessor or lessee; authorize the sublease of; use;
2 or transfer property; except that the district may not enter into any lease that does
3 not receive the affirmative vote of a ~~supermajority~~ majority of the district board.

4 **SECTION 2472.** 229.68 (4) (d) of the statutes is amended to read:

5 229.68 (4) (d) Enter into contracts, subject to such standards as may be
6 established by the district board, which standards may include approval by a
7 professional baseball team pursuant to the terms of a lease with the district. The
8 district board may award any such contract for any combination or division of work
9 it designates and may consider any factors in awarding a contract, including price,
10 time for completion of work and qualifications and past performance of a contractor.

11 **SECTION 2473.** 229.68 (9) of the statutes is amended to read:

12 229.68 (9) Maintain funds and invest the funds in any investment that the
13 district board considers appropriate. A district may delegate the investment
14 authority over any funds held in trust under this subchapter to an investment
15 manager who is registered as an investment adviser under the federal Investment
16 Advisers Act of 1940, 15 USC 80b-3.

17 **SECTION 2474.** 229.68 (11) of the statutes is amended to read:

18 229.68 (11) Promote, advertise and publicize its the baseball park facilities and
19 related activities.

20 **SECTION 2475.** 229.68 (12) of the statutes is amended to read:

21 229.68 (12) Set standards governing the use of, and the conduct within, its the
22 baseball park facilities in order to promote public safety and convenience and to
23 maintain order.

24 **SECTION 2476.** 229.68 (13) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2476**

1 229.68 (13) Establish and collect fees, and establish shared revenue
2 arrangements or other charges for the use of its the baseball park facilities or for
3 services rendered by the district.

4 **SECTION 2477.** 229.68 (15) of the statutes is repealed.

5 **SECTION 2478.** 229.682 (1) of the statutes is amended to read:

6 229.682 (1) GIFTS AND DONATIONS. The district board shall explore and consider
7 ways to solicit and encourage gifts and donations for the development, construction,
8 improvement, repair, and maintenance of baseball park facilities and, to the extent
9 feasible, implement means to solicit such gifts and donations.

10 **SECTION 2479.** 229.682 (2) of the statutes is created to read:

11 229.682 (2) PREVAILING WAGE. The construction of a baseball park facility that
12 is financed in whole or in part by a district is subject to s. 66.0903.

13 **SECTION 2480.** 229.682 (3) of the statutes is amended to read:

14 229.682 (3) SPECIAL DEBT PAYMENTS. The district shall pay, over a 3-year period
15 beginning on October 1, 1996, any outstanding debt used to finance improvements
16 to a baseball stadium that has been used as a home field by a ~~major league~~
17 professional baseball team in the district, up to a maximum amount of \$1,500,000.

18 **SECTION 2481.** 229.682 (4) of the statutes is amended to read:

19 229.682 (4) SPECIAL TICKET PROVISIONS. A ~~major league~~ professional baseball
20 team that uses as its home field baseball park facilities that are constructed under
21 this subchapter shall annually designate, for each county that is in the district's
22 jurisdiction, at least one of the team's home games as a discount ticket day for that
23 county, for which residents of that county may purchase discounted admission
24 tickets.

25 **SECTION 2482.** 229.682 (7) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2482**

1 229.682 (7) YOUTH SPORTS ORGANIZATIONS. A major league professional baseball
2 team that uses as its home field baseball park facilities that are constructed under
3 this subchapter shall make an annual contribution of at least \$20,000 to youth sports
4 organizations in this state for the purchase of equipment or the rental or
5 maintenance of athletic facilities that are used by such organizations. The
6 contributions that are required under this subsection may be made in cash or
7 equipment.

8 **SECTION 2483.** 229.685 (1) of the statutes is amended to read:

9 229.685 (1) The district board shall maintain a special fund into which it
10 deposits only the revenue received from the department of revenue, that is derived
11 from the taxes imposed under subch. V of ch. 77, 2021 stats., and may use this
12 revenue only for purposes related to baseball park facilities.

13 **SECTION 2484.** 229.687 of the statutes is created to read:

14 **229.687 Facilities enhancement fund.** The district shall establish and
15 maintain a facilities enhancement fund. The fund shall consist of all moneys received
16 from the department of administration under s. 16.09. The district may use moneys
17 deposited in the fund solely for purposes related to the development, construction,
18 improvement, repair, and maintenance of baseball park facilities. Moneys deposited
19 in the fund may not be used for the securitization or retirement of bonds. If any
20 amount remains in the fund after the lease specified in s. 16.09 (3) (a) 1. is no longer
21 in effect, the district board shall return the amount to the department of
22 administration.

23 **SECTION 2485.** 229.69 (4) of the statutes is amended to read:

24 229.69 (4) Grant to the state land or other property, especially dedicated by the
25 grant to use for ~~a professional baseball park~~ facilities or baseball park development.

ASSEMBLY BILL 43**SECTION 2486**

1 **SECTION 2486.** 229.70 (title) of the statutes is amended to read:

2 **229.70 (title) ~~Minority contracting goals; disabled veteran-owned~~**
3 **~~business contracting goals; lesbian, gay, bisexual, or transgender-owned~~**
4 **business contracting goals; disability-owned business contracting goals.**

5 **SECTION 2487.** 229.70 (1) (ae) of the statutes is created to read:

6 229.70 (1) (ae) “Disability-owned business” means a business certified by the
7 department of administration under s. 16.289 (3).

8 **SECTION 2488.** 229.70 (1) (ag) of the statutes is renumbered 229.70 (1) (bm) and
9 amended to read:

10 229.70 (1) (bm) “~~Disabled veteran-owned~~ Veteran-owned business” means a
11 business certified by the department of administration under s. 16.283 (3).

12 **SECTION 2489.** 229.70 (1) (aj) of the statutes is created to read:

13 229.70 (1) (aj) “Lesbian, gay, bisexual, or transgender-owned business” means
14 a business certified by the department of administration under s. 16.288 (3).

15 **SECTION 2490.** 229.70 (2) of the statutes is amended to read:

16 229.70 (2) The district shall ensure that, for construction work and
17 professional services contracts, a person who is awarded such a contract by a district
18 shall agree, as a condition to receiving the contract, that his or her goal shall be to
19 ensure that at least 25 percent of the employees hired because of the contract will be
20 minority group members, at least 1 percent of the employees hired because of the
21 contract will be employees of a disabled veteran-owned business, at least 1 percent
22 of the employees hired because of the contract will be employees of a lesbian, gay,
23 bisexual, or transgender-owned business, at least 1 percent of the employees hired
24 because of the contract will be employees of a disability-owned business, and at least

ASSEMBLY BILL 43**SECTION 2490**

1 5 percent of the employees hired because of the contract will be women if the contract
2 is for the construction of any part of baseball park facilities.

3 **SECTION 2491.** 229.70 (3) (intro.) of the statutes is amended to read:

4 229.70 (3) (intro.) It shall be a goal of the district to ensure that at least 25
5 percent of the aggregate dollar value of contracts awarded by the district in the
6 following areas shall be awarded to minority businesses, at least 1 percent of the
7 aggregate dollar value of contracts awarded by the district in the following areas
8 shall be awarded to ~~disabled~~ veteran-owned businesses, at least 1 percent of the
9 aggregate dollar value of contracts awarded by the district in the following areas
10 shall be awarded to lesbian, gay, bisexual, or transgender-owned businesses, at least
11 1 percent of the aggregate dollar value of contracts awarded by the district in the
12 following areas shall be awarded to disability-owned businesses, and at least 5
13 percent of the aggregate dollar value of contracts awarded by the district in the
14 following areas shall be awarded to women's businesses:

15 **SECTION 2492.** 229.70 (4) of the statutes is amended to read:

16 229.70 (4) It shall be a goal of a district, with regard to each of the contracts
17 described under sub. (3) (a), (b) and (c), to award at least 25 percent of the dollar value
18 of such contracts to minority businesses, at least 1 percent of the dollar value of such
19 contracts to ~~disabled~~ veteran-owned businesses, at least 1 percent of the dollar value
20 of such contracts to lesbian, gay, bisexual, or transgender-owned businesses, at least
21 1 percent of the dollar value of such contracts to disability-owned businesses, and
22 at least 5 percent of the dollar value of such contracts to women's businesses.

23 **SECTION 2493.** 229.70 (4m) (a) of the statutes is amended to read:

24 229.70 (4m) (a) The district shall ensure that, for construction work and
25 professional services contracts, a person who is awarded such a contract by a district

ASSEMBLY BILL 43**SECTION 2493**

1 shall agree, as a condition to receiving the contract, that if he or she is unable to meet
2 the goal under sub. (2), he or she shall make a good faith effort to contract with the
3 technical college district board of the technical college district in which the facilities
4 are to be constructed or the professional services contract is to be performed, to
5 develop appropriate training programs designed to increase the pool of minority
6 group members, disabled veterans, lesbian, gay, bisexual, or transgender
7 individuals, individuals with a disability, and women who are qualified to perform
8 the construction work or professional services.

9 **SECTION 2494.** 229.70 (4m) (b) of the statutes is amended to read:

10 229.70 (4m) (b) If the district is unable to meet the goals under subs. (3) and
11 (4), the district shall make a good faith effort to contract with the technical college
12 district board of the technical college district in which the contracts described under
13 sub. (3) (a), (b) and (c) are to be performed, to develop appropriate training programs
14 designed to increase the pool of minority group members, disabled veterans, lesbian,
15 gay, bisexual, or transgender individuals, individuals with a disability, and women
16 who are qualified to perform the contracts described under sub. (3) (a), (b) and (c).

17 **SECTION 2495.** 229.70 (5) (b) 1. of the statutes is amended to read:

18 229.70 (5) (b) 1. The supply of eligible minority businesses, disabled
19 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
20 businesses, disability-owned businesses, and women's businesses that have the
21 financial capacity, technical capacity, and previous experience in the areas in which
22 contracts were awarded.

23 **SECTION 2496.** 229.70 (5) (b) 2. of the statutes is amended to read:

24 229.70 (5) (b) 2. The competing demands for the services provided by eligible
25 minority businesses, disabled veteran-owned businesses, lesbian, gay, bisexual, or

ASSEMBLY BILL 43**SECTION 2496**

1 transgender-owned businesses, disability-owned businesses, and women's
2 businesses, as described in subd. 1., in areas in which contracts were awarded.

3 **SECTION 2497.** 229.70 (5) (b) 3. of the statutes is amended to read:

4 229.70 (5) (b) 3. The extent to which the district or contractors advertised for
5 ~~and aggressively solicited bids from eligible minority businesses, disabled~~
6 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
7 businesses, disability-owned businesses, and women's businesses, as described in
8 subd. 1., and the extent to which eligible minority businesses, disabled
9 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
10 businesses, disability-owned businesses, and women's businesses submitted bids.

11 **SECTION 2498.** 229.70 (6) of the statutes is amended to read:

12 229.70 (6) The district shall solicit from any major league professional baseball
13 ~~club~~ team to whom the district leases baseball park facilities its minority hiring goals
14 in connection with the operation of a baseball stadium and its minority contracting
15 goals in connection with vending contractors at a baseball stadium.

16 **SECTION 2499.** 229.71 of the statutes is amended to read:

17 **229.71 Dissolution of a district.** Subject Upon or after the expiration or
18 termination of all lease arrangements between the district and a professional
19 baseball team with respect to the baseball park facilities, and subject to providing
20 for the payment of its bonds, including interest on the bonds, and the performance
21 of its other contractual obligations, a district may be dissolved by the action of the
22 district board. If the district is dissolved, the property of the district shall be
23 transferred to the state. The state shall apportion and distribute property
24 transferred under this section among the state and the counties in the jurisdiction
25 of the district, based on the tax revenues derived from each county and the

ASSEMBLY BILL 43**SECTION 2499**

1 appropriation made by the state under s. 20.505 (1) (bm), as determined by the
2 secretary of administration.

3 **SECTION 2500.** 229.75 (3) of the statutes is amended to read:

4 229.75 (3) Bonds issued by the district shall be secured only by the district's
5 interest in any baseball park facilities, including any interest in a lease with the
6 department of administration under s. 16.82 (7); by income from these facilities; by
7 proceeds of bonds issued by the district and other amounts placed in a special
8 redemption fund and investment earnings on such amounts; and by the taxes
9 imposed by the district under subch. V of ch. 77, 2021 stats. The district may not
10 pledge its full faith and credit on the bonds and the bonds are not a liability of the
11 district.

12 **SECTION 2501.** 229.76 of the statutes is amended to read:

13 **229.76 State pledge.** The state pledges to and agrees with the bondholders,
14 and persons that enter into contracts with a district under this subchapter, that the
15 state will not limit or alter the rights and powers vested in a district by this
16 subchapter, ~~including the rights and powers under s. 229.68 (15),~~ before the district
17 has fully met and discharged the bonds, and any interest due on the bonds, and has
18 fully performed its contracts, unless adequate provision is made by law for the
19 protection of the bondholders or those entering into contracts with a district.

20 **SECTION 2502.** 229.8273 (title) of the statutes is amended to read:

21 **229.8273 (title) Minority, disabled veteran, lesbian, gay, bisexual, or**
22 **transgender, disability, and women contracting.**

23 **SECTION 2503.** 229.8273 (1) (ak) of the statutes is created to read:

24 229.8273 (1) (ak) "Disability-owned business" means a business certified by
25 the department of administration under s. 16.289 (3).

ASSEMBLY BILL 43**SECTION 2504**

1 **SECTION 2504.** 229.8273 (1) (am) of the statutes is renumbered 229.8273 (1)
2 (cm) and amended to read:

3 229.8273 (1) (cm) “~~Disabled veteran-owned~~ Veteran-owned business” means
4 a business certified by the department of administration under s. 16.283 (3).

5 **SECTION 2505.** 229.8273 (1) (ar) of the statutes is created to read:

6 229.8273 (1) (ar) “Lesbian, gay, bisexual, or transgender-owned business”
7 means a business certified by the department of administration under s. 16.288 (3).

8 **SECTION 2506.** 229.8273 (2) of the statutes is amended to read:

9 229.8273 (2) A district shall ensure that, for construction or renovation work
10 and professional services contracts that relate to the construction or renovation of
11 football stadium facilities that are financed by the proceeds of bonds issued under s.
12 229.824 (8), a person who is awarded such a contract by the district or by a contractor
13 shall agree, as a condition to receiving the contract, that his or her goal shall be to
14 ensure that at least 15 percent of the employees hired because of the contract will be
15 minority group members, at least 1 percent of the employees hired because of the
16 contract will be employees of a ~~disabled veteran-owned business~~, at least 1 percent
17 of the employees hired because of the contract will be employees of a lesbian, gay,
18 bisexual, or transgender-owned business, at least 1 percent of the employees hired
19 because of the contract will be employees of a disability-owned business, and at least
20 5 percent of the employees hired because of the contract will be women.

21 **SECTION 2507.** 229.8273 (3) of the statutes is amended to read:

22 229.8273 (3) It shall be a goal of the district to ensure that at least 15 percent
23 of the aggregate dollar value of contracts that relate to the construction or renovation
24 of football stadium facilities that are financed by the proceeds of bonds issued under
25 s. 229.824 (8), shall be awarded to minority businesses, at least 1 percent of the

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1 aggregate dollar value of contracts awarded by the board shall be awarded to
2 disabled veteran-owned businesses, at least 1 percent of the aggregate dollar value
3 of contracts awarded by the board shall be awarded to lesbian, gay, bisexual, or
4 transgender-owned businesses, at least 1 percent of the aggregate dollar value of
5 contracts awarded by the board shall be awarded to disability-owned businesses,
6 and at least 5 percent of the aggregate dollar value of contracts awarded by the board
7 shall be awarded to women's businesses.

8 **SECTION 2508.** 229.8273 (4) (a) of the statutes is amended to read:

9 229.8273 (4) (a) The district shall ensure that, for construction or renovation
10 work and professional services contracts described under sub. (2), a person who is
11 awarded such a contract by the district or by a contractor shall agree, as a condition
12 to receiving the contract, that if he or she is unable to meet the goal under sub. (2),
13 he or she shall make a good faith effort to contract with the technical college district
14 board of the technical college district in which the football stadium facilities are to
15 be constructed or renovated, or the professional services contract is to be performed,
16 to develop appropriate training programs designed to increase the pool of minority
17 group members, disabled veterans, lesbian, gay, bisexual, or transgender
18 individuals, individuals with a disability, and women who are qualified to perform
19 the construction work or professional services.

20 **SECTION 2509.** 229.8273 (4) (b) of the statutes is amended to read:

21 229.8273 (4) (b) If the district is unable to meet the goals under sub. (3), the
22 district shall make a good faith effort to contract with the technical college district
23 board of the technical college district in which the contracts described under sub. (3)
24 are to be performed to develop appropriate training programs designed to increase
25 the pool of minority group members, disabled veterans, lesbian, gay, bisexual, or

ASSEMBLY BILL 43**SECTION 2509**

1 transgender individuals, individuals with a disability, and women who are qualified
2 to perform the contracts described under sub. (3).

3 **SECTION 2510.** 229.8273 (5) (b) 1. of the statutes is amended to read:

4 229.8273 (5) (b) 1. The supply of eligible minority businesses, disabled
5 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
6 businesses, disability-owned businesses, and women's businesses that have the
7 financial capacity, technical capacity and previous experience in the areas in which
8 contracts were awarded.

9 **SECTION 2511.** 229.8273 (5) (b) 2. of the statutes is amended to read:

10 229.8273 (5) (b) 2. The competing demands for the services provided by eligible
11 minority businesses, disabled veteran-owned businesses, lesbian, gay, bisexual, or
12 transgender-owned businesses, disability-owned businesses, and women's
13 businesses, as described in subd. 1., in areas in which contracts were awarded.

14 **SECTION 2512.** 229.8273 (5) (b) 3. of the statutes is amended to read:

15 229.8273 (5) (b) 3. The extent to which the district or contractors advertised for
16 and aggressively solicited bids from eligible minority businesses, disabled
17 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
18 businesses, disability-owned businesses, and women's businesses, as described in
19 subd. 1., and the extent to which eligible minority businesses, disabled
20 veteran-owned businesses, lesbian, gay, bisexual, or transgender-owned
21 businesses, disability-owned businesses, and women's businesses submitted bids.

22 **SECTION 2513.** 229.8275 of the statutes is created to read:

23 **229.8275 Prevailing wage.** A district may not enter into a contract under s.
24 229.827 with a professional football team, as described in s. 229.823, or a related
25 party that requires the team or related party to acquire and construct or renovate

ASSEMBLY BILL 43**SECTION 2513**

1 football stadium facilities that are part of any facilities that are leased by the district
2 to the team or to a related party unless the professional football team or related party
3 agrees to all of the following:

4 (1) Not to allow any employee working on the football stadium facilities who
5 would be entitled to receive the prevailing wage rate under s. 66.0903 and who would
6 not be required or allowed to work more than the prevailing hours of labor, if the
7 football stadium facilities were a project of public works subject to s. 66.0903, to be
8 paid less than the prevailing wage rate or to be required or allowed to work more than
9 the prevailing hours of labor, except as allowed under s. 66.0903 (4) (a).

10 (2) To require any contractor, subcontractor, or agent of a contractor or
11 subcontractor performing work on the football stadium facilities to keep and allow
12 inspection of records in the same manner as a contractor, subcontractor, or agent of
13 a contractor or subcontractor performing work on a project of public works that is
14 subject to s. 66.0903 is required to keep and allow inspection of records under s.
15 66.0903 (10).

16 (3) To comply with s. 66.0903 in the same manner as a local governmental unit
17 contracting for the erection, construction, remodeling, repairing, or demolition of a
18 project of public works is required to comply with s. 66.0903 and to require any
19 contractor, subcontractor, or agent of a contractor or subcontractor performing work
20 on the football stadium facilities to comply with s. 66.0903 in the same manner as
21 a contractor, subcontractor, or agent of a contractor or subcontractor performing
22 work on a project of public works that is subject to s. 66.0903 is required to comply
23 with s. 66.0903.

24 **SECTION 2514.** 229.845 (title) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2514**

1 **229.845** (title) **Minority business contracting goals; disabled**
2 **veteran-owned business contracting goals; lesbian, gay, bisexual, or**
3 **transgender-owned business contracting goals; disability-owned business**
4 **contracting goals; women’s business contracting goals.**

5 **SECTION 2515.** 229.845 (1) (ae) of the statutes is created to read:

6 229.845 (1) (ae) “Disability-owned business” means a business certified by the
7 department of administration under s. 16.289 (3).

8 **SECTION 2516.** 229.845 (1) (ag) of the statutes is renumbered 229.845 (1) (ap)
9 and amended to read:

10 229.845 (1) (ap) “~~Disabled veteran-owned~~ Veteran-owned business” means a
11 business certified by the department of administration under s. 16.283 (3).

12 **SECTION 2517.** 229.845 (1) (ak) of the statutes is created to read:

13 229.845 (1) (ak) “Lesbian, gay, bisexual, or transgender-owned business”
14 means a business certified by the department of administration under s. 16.288 (3).

15 **SECTION 2518.** 229.845 (2) of the statutes is amended to read:

16 229.845 (2) It shall be a goal of the district, in awarding construction work and
17 professional services contracts related to cultural arts facilities, that at least 15
18 percent of the aggregate dollar value of such contracts awarded by the district shall
19 be awarded to minority businesses, at least 1 percent of the aggregate dollar value
20 of such contracts awarded by the district shall be awarded to disabled
21 veteran-owned businesses, at least 1 percent of the aggregate dollar value of such
22 contracts awarded by the district shall be awarded to lesbian, gay, bisexual, or
23 transgender-owned businesses, at least 1 percent of the aggregate dollar value of
24 such contracts awarded by the district shall be awarded to disability-owned
25 businesses, and at least 5 percent of the aggregate dollar value of such contracts

ASSEMBLY BILL 43**SECTION 2518**

1 awarded by the district shall be awarded to women's businesses, except that if the
2 sponsoring city is a 1st class city, it shall be a goal of the district, in awarding
3 construction work and professional services contracts related to cultural arts
4 facilities, that at least 25 percent of the aggregate dollar value of such contracts
5 awarded by the district shall be awarded to minority businesses, at least 1 percent
6 of the aggregate dollar value of such contracts awarded by the district shall be
7 awarded to ~~disabled~~ veteran-owned businesses, at least 1 percent of the aggregate
8 dollar value of such contracts awarded by the district shall be awarded to lesbian,
9 gay, bisexual, or transgender-owned businesses, at least 1 percent of the aggregate
10 dollar value of such contracts awarded by the district shall be awarded to
11 disability-owned businesses, and at least 5 percent of the aggregate dollar value of
12 such contracts awarded by the district shall be awarded to women's businesses.

13 **SECTION 2519.** 230.01 (2) (b) of the statutes is amended to read:

14 230.01 (2) (b) It is the policy of this state to provide for equal employment
15 opportunity by ensuring that all personnel actions including hire, tenure or term,
16 and condition or privilege of employment be based on the ability to perform the duties
17 and responsibilities assigned to the particular position without regard to age, race,
18 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,
19 gender expression, as defined in s. 111.32 (7j), gender identity, as defined in s. 111.32
20 (7k), ~~or~~ political affiliation, or status as a holder or nonholder of a license under s.
21 343.03 (3r).

22 **SECTION 2520.** 230.08 (2) (fr) of the statutes is created to read:

23 230.08 (2) (fr) The director and staff of the legislative human resources office.

24 **SECTION 2521.** 230.08 (2) (g) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2521**

1 230.08 (2) (g) One stenographer appointed by each elective executive officer,
2 except the secretary of state and the state treasurer; and one deputy or assistant
3 appointed by each elective executive officer, except the state treasurer, ~~secretary of~~
4 ~~state~~, attorney general, and superintendent of public instruction.

5 **SECTION 2522.** 230.08 (2) (wd) of the statutes is created to read:

6 230.08 (2) (wd) The director of the office of missing and murdered indigenous
7 women in the department of justice.

8 **SECTION 2523.** 230.08 (2) (ya) of the statutes is created to read:

9 230.08 (2) (ya) The director of the office of environmental justice in the
10 department of administration.

11 **SECTION 2524.** 230.08 (2) (yf) of the statutes is created to read:

12 230.08 (2) (yf) The chief resiliency officer in the department of administration.

13 **SECTION 2525.** 230.08 (2) (yg) of the statutes is created to read:

14 230.08 (2) (yg) The chief equity officer in the department of administration.

15 **SECTION 2526.** 230.08 (2) (yh) of the statutes is created to read:

16 230.08 (2) (yh) The director of Native American affairs in the department of
17 administration.

18 **SECTION 2527.** 230.10 (2) of the statutes is amended to read:

19 230.10 (2) The compensation plan in effect at the time that a representative
20 is recognized or certified to represent employees in a collective bargaining unit and
21 the employee salary and benefit provisions under s. 230.12 (3) (e) in effect at the time
22 that a representative is certified to represent employees in a collective bargaining
23 unit under subch. V of ch. 111 constitute the compensation plan or employee salary
24 and benefit provisions for employees in the collective bargaining unit until a
25 collective bargaining agreement becomes effective for that unit. If a collective

ASSEMBLY BILL 43**SECTION 2527**

1 bargaining agreement under subch. V of ch. 111 expires prior to the effective date of
2 a subsequent agreement, and a representative continues to be recognized or certified
3 to represent employees specified in s. 111.81 (7) (a) or (ag) or certified to represent
4 employees specified in s. 111.81 (7) (ar) to (f) in that collective bargaining unit, the
5 wage rates of the employees in such a unit shall be frozen until a subsequent
6 agreement becomes effective, and the compensation plan under s. 230.12 and salary
7 and benefit changes adopted under s. 230.12 (3) (e) do not apply to employees in the
8 unit.

9 **SECTION 2528.** 230.12 (9m) of the statutes is created to read:

10 230.12 (9m) PAID FAMILY AND MEDICAL LEAVE. (a) *Definitions.* In this subsection:

11 1. "Family leave" means leave from employment for a reason specified in s.
12 103.10 (3) (b) 1. to 3.

13 2. "Medical leave" means leave from employment when an employee has a
14 serious health condition that makes the employee unable to perform his or her
15 employment duties, or makes the employee unable to perform the duties of any
16 suitable employment.

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

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

ASSEMBLY BILL 43**SECTION 2528**

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

3 **SECTION 2529.** 230.18 of the statutes is amended to read:

4 **230.18 Discrimination prohibited.** No question in any form of application
5 or in any evaluation used in the hiring process may be so framed as to elicit
6 information concerning the partisan political or religious opinions or affiliations of
7 any applicant nor may any inquiry be made concerning ~~such~~ those opinions or
8 affiliations and all disclosures ~~thereof~~ of those opinions or affiliations shall be
9 discountenanced except that the director may evaluate the competence and
10 impartiality of applicants for positions such as clinical chaplain in a state
11 institutional program. No discriminations may be exercised in the recruitment,
12 application, or hiring process against or in favor of any person because of the person's
13 political or religious opinions or affiliations or because of age, sex, disability, race,
14 color, sexual orientation, gender expression, as defined in s. 111.32 (7j), gender
15 identity, as defined in s. 111.32 (7k), national origin, or ancestry, or status as a holder
16 or nonholder of a license under s. 343.03 (3r) except as otherwise provided.

17 **SECTION 2530.** 230.26 (4) of the statutes is amended to read:

18 230.26 (4) Fringe benefits specifically authorized by statutes, with the
19 exception of leave of absence with pay owing to sickness, deferred compensation plan
20 participation under subch. VII of ch. 40, worker's compensation, unemployment
21 insurance, group insurance, retirement, and social security coverage, shall be denied
22 employees hired under this section. Such employees may not be considered
23 permanent employees and do not qualify for tenure, vacation, paid holidays, sick
24 leave, performance awards, or the right to compete in promotional processes.

25 **SECTION 2531.** 230.35 (1) (a) 1. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2531**

1 230.35 (1) (a) 1. One hundred four hours each year for a full year of service
2 during the first ~~5~~ 2 years of service;

3 **SECTION 2532.** 230.35 (1) (a) 1m. of the statutes is created to read:

4 230.35 (1) (a) 1m. One hundred twenty hours each year for a full year of service
5 during the next 3 years of service;

6 **SECTION 2533.** 230.35 (1) (c) of the statutes is amended to read:

7 230.35 (1) (c) When the rate of annual leave changes during the 2nd, 5th, 10th,
8 15th, 20th or 25th calendar year, the annual leave for that year shall be prorated.

9 **SECTION 2534.** 230.35 (1m) (bt) 1. of the statutes is amended to read:

10 230.35 (1m) (bt) 1. 120 hours each year for a full year of service during the first
11 ~~5~~ 2 years of service;

12 **SECTION 2535.** 230.35 (1m) (bt) 1m. of the statutes is created to read:

13 230.35 (1m) (bt) 1m. 136 hours each year for a full year of service during the
14 next 3 years of service;

15 **SECTION 2536.** 230.35 (2) of the statutes is amended to read:

16 230.35 (2) Leave of absence with pay owing to sickness and leave of absence
17 without pay, other than annual leave and leave under s. 103.10, shall be regulated
18 by rules of the administrator, except that unused sick leave shall accumulate from
19 year to year. Employees appointed under s. 230.26 (1) shall accrue leave of absence
20 with pay owing to sickness at the same rate as permanent and project state
21 employees, and such leave shall be prorated if the employee works less than
22 full-time. After July 1, 1973, employees appointed to career executive positions
23 under the program established under s. 230.24 or positions designated in s. 19.42
24 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e) shall have
25 any unused sick leave credits restored if they are reemployed in a career executive

ASSEMBLY BILL 43**SECTION 2536**

1 position or in a position under s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or
2 authorized under s. 230.08 (2) (e), regardless of the duration of their absence.
3 Restoration of unused sick leave credits if reemployment is to a position other than
4 those specified above shall be in accordance with rules of the administrator.

5 **SECTION 2537.** 230.35 (4) (a) 3m. of the statutes is created to read:

6 230.35 (4) (a) 3m. June 19.

7 **SECTION 2538.** 230.35 (4) (a) 5m. of the statutes is created to read:

8 230.35 (4) (a) 5m. November 11.

9 **SECTION 2539.** 230.35 (4) (a) 10. of the statutes is amended to read:

10 230.35 (4) (a) 10. The day following if January 1, June 19, July 4, November
11 11, or December 25 falls on Sunday.

12 **SECTION 2540.** 230.35 (4) (c) of the statutes is amended to read:

13 230.35 (4) (c) Except as provided in the compensation plan under s. 230.12, all
14 employees except limited term employees shall receive ~~9~~ 11 paid holidays annually
15 in addition to any other authorized paid leave, the time to be at the discretion of the
16 appointing authorities.

17 **SECTION 2541.** 230.35 (4) (d) (intro.) of the statutes is amended to read:

18 230.35 (4) (d) (intro.) In addition to the holidays granted under par. (c) and
19 except as provided in the compensation plan under s. 230.12, all employees except
20 limited term employees shall earn ~~3.5~~ 4.5 paid personal holidays each calendar year,
21 ~~plus one additional paid personal holiday each calendar year in recognition of~~
22 ~~Veterans Day.~~ Eligibility to take the personal holidays during the year earned is
23 subject to the following:

24 **SECTION 2542.** 231.02 (2) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2542**

1 231.02 (2) The authority shall appoint an executive director and associate
2 executive director who shall not be members of the authority and who shall serve at
3 the pleasure of the authority. They shall receive such compensation as the authority
4 fixes, ~~except that the compensation of the executive director shall not exceed the~~
5 ~~maximum of the salary range established under s. 20.923 (1) for positions assigned~~
6 ~~to executive salary group 6 and the compensation of each other employee of the~~
7 ~~authority shall not exceed the maximum of the salary range established under s.~~
8 ~~20.923 (1) for positions assigned to executive salary group 3.~~ The executive director
9 or associate executive director or other person designated by resolution of the
10 authority shall keep a record of the proceedings of the authority and shall be
11 custodian of all books, documents, and papers filed with the authority, the minute
12 book or journal of the authority, and its official seal. The executive director or
13 associate executive director or other person may cause copies to be made of all
14 minutes and other records and documents of the authority and may give certificates
15 under the official seal of the authority to the effect that such copies are true copies,
16 and all persons dealing with the authority may rely upon such certificates.

17 **SECTION 2543.** 231.03 (6) (L) of the statutes is created to read:

18 231.03 (6) (L) Finance working capital needs of any participating health
19 institution, participating educational institution, participating nonprofit
20 institution, or participating research institution in an amount not to exceed that
21 approved by the authority. Bonds issued for purposes of this paragraph are not
22 exempt from taxation under s. 71.05 (1) (c) 14., 71.26 (1m) (o), or 71.45 (1t) (n).

23 **SECTION 2544.** 231.03 (13) of the statutes is amended to read:

24 231.03 (13) Make loans to any participating health institution, participating
25 educational institution, participating nonprofit institution, or participating

ASSEMBLY BILL 43**SECTION 2544**

1 research institution for the cost of a project or to finance working capital under sub.
2 (6) (L) in accordance with an agreement between the authority and the participating
3 health institution, participating educational institution, participating nonprofit
4 institution, or participating research institution. The authority may secure the loan
5 by a mortgage or other security arrangement on the health facility, educational
6 facility, nonprofit facility, or research facility granted by the participating health
7 institution, participating educational institution, participating nonprofit
8 institution, or participating research institution to the authority. The loan may not
9 exceed, as applicable, the total cost of the project as determined by the participating
10 health institution, participating educational institution, participating nonprofit
11 institution, or participating research institution and approved by the authority or
12 the amount of working capital approved by the authority under sub. (6) (L).

13 **SECTION 2545.** 231.29 (title) of the statutes is amended to read:

14 **231.29** (title) ~~Disabled veteran-owned~~ **Veteran-owned business**
15 **financial interests.**

16 **SECTION 2546.** 234.02 (3) of the statutes is amended to read:

17 234.02 (3) The governor shall appoint a public member as the chairperson of
18 the authority for a one-year term beginning on the expiration of the term of the
19 chairperson's predecessor. The authority shall elect a vice chairperson. The
20 governor shall nominate, and with the advice and consent of the senate appoint, the
21 executive director of the authority, to serve a 2-year term. The authority shall
22 employ the executive director so appointed, legal and technical experts and such
23 other officers, agents and employees, permanent and temporary, as it may require,
24 and shall determine their qualifications, duties and compensation, all
25 notwithstanding subch. II of ch. 230, except that s. 230.40 shall apply, ~~and except~~

ASSEMBLY BILL 43**SECTION 2546**

1 ~~that the compensation of any employee of the authority shall not exceed the~~
2 ~~maximum of the executive salary group range established under s. 20.923 (1) for~~
3 ~~positions assigned to executive salary group 6. The authority may delegate any of~~
4 ~~its powers or duties to its employees with the consent of the executive director or to~~
5 ~~its agents.~~

6 **SECTION 2547.** 234.043 of the statutes is created to read:

7 **234.043 Workforce housing rehabilitation fund.** There is established
8 under the jurisdiction and control of the authority, for the purpose of providing
9 workforce housing rehabilitation loans under s. 234.045, a workforce housing
10 rehabilitation fund. The authority may use moneys in the fund to cover actual and
11 necessary expenses incurred to accomplish the purposes of this section and s.
12 234.045. At its discretion, the authority may also use moneys in the fund to pay costs
13 associated with marketing its programs and services to the public, including by use
14 of housing navigators. The workforce housing rehabilitation fund shall consist of all
15 of the following:

16 (1) All moneys appropriated to the authority under s. 20.490 (6) (a).

17 (2) All moneys received from the repayment of loans provided under s. 234.045.

18 (3) All income from the investment of moneys in the workforce housing
19 rehabilitation fund by the authority under s. 234.03 (18). All such investments shall
20 be the exclusive property of the fund.

21 (4) All moneys received by the authority for the workforce housing
22 rehabilitation fund from any other source.

23 **SECTION 2548.** 234.045 (1) (intro.) of the statutes is amended to read:

24 234.045 (1) DEFINITION. (intro.) In this section, “eligible rehabilitation” means
25 an improvement to housing to maintain the housing in a decent, safe, and sanitary

ASSEMBLY BILL 43**SECTION 2548**

1 condition or to restore it to that condition if the improvement is the removal of lead
2 paint or constitutes a structural or safety improvement, as determined by the
3 authority, including any of the following:

4 **SECTION 2549.** 234.045 (2) (a) (intro.) of the statutes is amended to read:

5 234.045 (2) (a) (intro.) From the workforce housing rehabilitation loan fund,
6 the authority may make a loan to a person applying for the loan to pay for the cost
7 of eligible rehabilitation to the applicant's home if all of the following apply:

8 **SECTION 2550.** 234.045 (2) (a) 2. of the statutes is amended to read:

9 234.045 (2) (a) 2. The applicant's home is a single-family residence that serves
10 as the primary residence of the applicant occupies and that was constructed before
11 1980.

12 **SECTION 2551.** 234.045 (2) (a) 3. of the statutes is amended to read:

13 234.045 (2) (a) 3. The applicant agrees to the terms of the loan, as determined
14 by the authority. The loan terms may include a requirement to repay the loan by
15 making monthly principal and interest payments so that the loan is fully repaid
16 within a given term; a requirement to repay the loan, including all interest, upon the
17 applicant selling or otherwise transferring title to the residence to another person
18 or upon the applicant and his or her family vacating the residence; and any other
19 terms determined by the authority.

20 **SECTION 2552.** 234.045 (2) (c) of the statutes is created to read:

21 234.045 (2) (c) The authority may defer the repayment or forgive the
22 outstanding balance of any loan made under par. (a) according to criteria established
23 by the authority.

24 **SECTION 2553.** 234.18 (1) of the statutes is renumbered 234.18 and amended
25 to read:

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1 **234.18 Limit on amount of outstanding bonds and notes.** The authority
2 may not issue notes and bonds that are secured by a capital reserve fund to which
3 s. 234.15 (4) applies if, upon issuance, the total aggregate outstanding principal
4 amount of notes and bonds that are secured by a capital reserve fund to which s.
5 234.15 (4) applies would exceed \$600,000,000 \$1,200,000,000. This section does not
6 apply to bonds and notes issued to refund outstanding notes and bonds.

7 **SECTION 2554.** 234.18 (2) of the statutes is repealed.

8 **SECTION 2555.** 234.29 of the statutes is amended to read:

9 **234.29 Equality of occupancy and employment.** The authority shall
10 require that occupancy of housing projects assisted under this chapter be open to all
11 regardless of sex, race, religion, sexual orientation, status as a holder or nonholder
12 of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault,
13 or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and
14 subcontractors engaged in the construction of economic development or housing
15 projects, shall provide an equal opportunity for employment, without discrimination
16 as to sex, race, religion, sexual orientation, gender expression, as defined in s. 111.32
17 (7j), gender identity, as defined in s. 111.32 (7k), or creed.

18 **SECTION 2556.** 234.36 (title) of the statutes is amended to read:

19 **234.36** (title) ~~Disabled veteran-owned~~ Veteran-owned **business**
20 **financial interests.**

21 **SECTION 2557.** 234.45 (1) (c) of the statutes is amended to read:

22 234.45 (1) (c) "Credit period" means the period of ~~6~~ 10 taxable years beginning
23 with the taxable year in which a qualified development is placed in service. For
24 purposes of this paragraph, if a qualified development consists of more than one

ASSEMBLY BILL 43**SECTION 2557**

1 building, the qualified development is placed in service in the taxable year in which
2 the last building of the qualified development is placed in service.

3 **SECTION 2558.** 234.45 (1) (e) of the statutes is amended to read:

4 234.45 (1) (e) "Qualified development" means a qualified low-income housing
5 project under section 42 (g) of the Internal Revenue Code that is financed with
6 tax-exempt bonds, ~~pursuant to section 42 (i) (2) described in section 42 (h) (4) (A) of~~
7 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 2559.** 234.45 (4) of the statutes is amended to read:

15 234.45 (4) ALLOCATION LIMITS. In any calendar year, the aggregate amount of
16 all state tax credits for which the authority certifies persons in allocation certificates
17 issued under sub. (3) in that year may not exceed ~~\$42,000,000~~ \$100,000,000,
18 including all amounts each person is eligible to claim for each year of the credit
19 period, plus the total amount of all unallocated state tax credits from previous
20 calendar years and plus the total amount of all previously allocated state tax credits
21 that have been revoked or cancelled or otherwise recovered by the authority.

22 **SECTION 2560.** 234.53 (2) of the statutes is amended to read:

23 234.53 (2) Except as provided in sub. (2m) ~~and s. 234.045~~, the authority shall
24 use moneys in the fund for the purpose of purchasing housing rehabilitation loans
25 or for funding commitments for loans to lenders for housing rehabilitation loans. All

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1 disbursements of funds under this subsection for purchasing such loans shall be
2 made payable to an authorized lender, as defined in s. 234.49 (1) (b), or a duly
3 authorized agent thereof.

4 **SECTION 2561.** 234.55 (1) of the statutes is amended to read:

5 234.55 (1) The authority shall establish the housing rehabilitation loan
6 program bond redemption fund. All housing rehabilitation loans purchased with
7 moneys from the housing rehabilitation loan fund or notes evidencing loans to
8 lenders from such fund for housing rehabilitation loans shall be the exclusive
9 property of such redemption fund. All moneys received from the repayment of such
10 loans, any amounts transferred by the authority to such fund pursuant to s. 234.52
11 or from other funds or sources, any federal insurance or guarantee payments with
12 respect to such loans, all moneys resulting from the sale of bonds for the purpose of
13 refunding outstanding housing rehabilitation bonds unless credited to the housing
14 rehabilitation loan program capital reserve fund, any other moneys which may be
15 available to the authority for the purpose of such fund, and all moneys received from
16 the repayment of loans provided under ~~ss. 234.045 and s.~~ 234.53 (2m) shall be
17 deposited into such fund to be used for the repayment of housing rehabilitation bonds
18 issued under the authority of s. 234.50.

19 **SECTION 2562.** 238.03 (4) (b) (intro.) of the statutes is renumbered 238.03 (4)
20 (b) and amended to read:

21 238.03 (4) (b) The board shall establish policies and procedures for maintaining
22 and expending any unassigned balance ~~that satisfy all of the following~~
23 ~~requirements:~~.

24 **SECTION 2563.** 238.03 (4) (b) 1. of the statutes is renumbered 238.03 (4) (bm)
25 and amended to read:

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1 238.03 (4) (bm) The policies and procedures established under par. (b) shall be
2 consistent with best practices recommended by the Government Finance Officers
3 Association.

4 **SECTION 2564.** 238.03 (4) (b) 2. of the statutes is repealed.

5 **SECTION 2565.** 238.129 of the statutes is created to read:

6 **238.129 Main street bounceback grants. (1) GRANTS.** From the
7 appropriation under s. 20.192 (1) (br), the corporation may award grants to provide
8 assistance to businesses opening a new location or expanding operations in a vacant
9 commercial space.

10 **(2) ELIGIBILITY.** (a) Subject to par. (b), the corporation shall establish eligibility
11 requirements and other policies and procedures for the grants awarded under sub.
12 (1) that are substantially similar to the eligibility requirements and policies and
13 procedures in effect on June 30, 2023, for the Wisconsin Tomorrow Main Street
14 Bounceback Grant program administered by the corporation.

15 (b) The corporation may not award a grant under this section to a nonprofit
16 organization.

17 **SECTION 2566.** 238.145 of the statutes is created to read:

18 **238.145 Venture capital fund of funds program. (1) DEFINITIONS.** In this
19 section:

20 (a) “Fund of funds program” means the program established under sub. (2).

21 (b) “Investment manager” means the person with whom the oversight board
22 enters into a contract under sub. (4).

23 (c) “Oversight board” means the oversight board created under sub. (2) (c).

24 **(2) ESTABLISHMENT OF PROGRAM.** The corporation shall establish and administer
25 a venture capital fund of funds program to invest moneys in venture capital funds

ASSEMBLY BILL 43**SECTION 2566**

1 that invest in businesses located in this state, subject to the requirements of this
2 section. In establishing the program, the corporation shall do all of the following:

3 (a) Create a fund of funds.

4 (b) Provide that the assets of the fund of funds will continuously be reinvested
5 in venture capital funds under the fund of funds program.

6 (c) Create an oversight board to conduct any activity as required by this section
7 or as directed by the corporation.

8 **(3) INVESTMENTS IN VENTURE CAPITAL FUNDS.** (a) The investment manager shall
9 request from the corporation moneys to make investments through the fund of funds
10 program and to pay the investment manager's management fee, and the corporation
11 shall, subject to the approval of the secretary of administration, pay the moneys to
12 the investment manager from the appropriation under s. 20.192 (1) (c).

13 (b) The oversight board shall establish investment policies for the fund of funds
14 program, subject to all of the following conditions:

15 1. All moneys paid to the investment manager under par. (a) to make
16 investments shall be committed for investment to venture capital funds, subject to
17 the requirements of this section, no later than 60 months after the creation of the
18 fund of funds under sub. (2) (a).

19 2. No more than \$18,750,000 of the total moneys paid to the investment
20 manager under par. (a) to make investments may be invested in any single venture
21 capital fund.

22 3. At least 20 percent of the investments made through the program shall be
23 directed to any combination of the following:

24 a. Businesses located in parts of this state that typically do not receive
25 significant investment from venture capital funds.

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1 b. Businesses that are at least 51 percent owned by one or more members of a
2 racial minority group and whose management and daily business operations are
3 controlled by one or more members of a racial minority group.

4 c. Businesses that are at least 51 percent owned by one or more women and
5 whose management and daily business operations are controlled by one or more
6 women.

7 (c) No investment may be made through the program in a lobbying or law firm.

8 **(4) INVESTMENT MANAGER.** The oversight board shall contract with an
9 investment manager who meets the qualifications established by the corporation.
10 The contract shall establish the investment manager's compensation, including any
11 management fee. A management fee may not annually exceed 1 percent of the total
12 assets under management in the fund of funds program.

13 **(5) VENTURE CAPITAL FUND REQUIREMENTS.** The investment manager shall
14 contract with each venture capital fund that receives moneys through the fund of
15 funds program. Each contract shall require the venture capital fund to do all of the
16 following:

17 (a) Make new investments in an amount equal to the amount of moneys it
18 receives through the program in one or more businesses who are headquartered in
19 this state and whose operations are primarily in this state.

20 (b) At least match any moneys it receives through the program and invests in
21 a business described in par. (a) with an investment in that business of moneys the
22 venture capital fund has raised from sources other than the program. The
23 investment manager shall ensure that, on average, for every \$1 a venture capital
24 fund receives through the program and invests in a business described in par. (a), the

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1 venture capital fund invests \$2 in that business from sources other than the
2 program.

3 (c) Provide to the investment manager the information necessary for the
4 investment manager to complete the reports under sub. (6) (a) and (c).

5 **(6) REPORTS OF THE INVESTMENT MANAGER; PUBLIC DISCLOSURES.** (a) Annually, no
6 later than 120 days after the end of the investment manager's fiscal year, the
7 investment manager shall submit to the corporation a report for that fiscal year that
8 includes all of the following:

9 1. An audit of the investment manager's financial statements performed by an
10 independent certified public accountant.

11 2. The investment manager's internal rate of return from investments made
12 through the fund of funds program.

13 3. For each venture capital fund that contracts with the investment manager
14 under sub. (5), all of the following:

15 a. The name and address of the venture capital fund.

16 b. The amounts invested in the venture capital fund through the fund of funds
17 program.

18 c. An accounting of any fee the venture capital fund paid to itself or any
19 principal or manager of the venture capital fund.

20 d. The venture capital fund's average internal rate of return on its investments
21 of the moneys it received through the fund of funds program.

22 4. For each business in which a venture capital fund held an investment of
23 moneys received through the fund of funds program, all of the following:

24 a. The name and address of the business.

25 b. A description of the nature of the business.

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1 c. An identification of the venture capital fund.

2 d. The amount of the investment and the amount invested by the venture
3 capital fund from funding sources other than the program.

4 e. The internal rate of return realized by the venture capital fund upon the
5 venture capital fund's exit from the investment in the business.

6 f. A statement of the number of employees the business employed when the
7 venture capital fund first invested moneys received through the program and the
8 number of employees the business employed on the first day and last day of the
9 investment manager's fiscal year.

10 (b) No later than 10 days after it receives the investment manager's report
11 under par. (a), the corporation shall submit the report to the chief clerk of each house
12 of the legislature, for distribution to the legislature under s. 13.172 (2).

13 (c) Quarterly, the investment manager shall submit to the oversight board a
14 report for the preceding quarter that includes all of the following:

15 1. An identification of each venture capital fund under contract with the
16 investment manager under sub. (5).

17 2. An identification of each business in which a venture capital fund held an
18 investment of moneys received through the fund of funds program and a statement
19 of the amount of the investment in each business.

20 3. A statement of the number of employees the business employed when the
21 venture capital fund first invested moneys received through the fund of funds
22 program and the number of employees the business employed on the last day of the
23 quarter.

24 (d) The oversight board shall make the reports under par. (c) readily accessible
25 to the public on the corporation's Internet site.

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1 **(7) POLICIES AND PROCEDURES.** The corporation shall establish policies and
2 procedures to administer this section.

3 **SECTION 2567.** 238.30 (2m) (a) of the statutes is amended to read:

4 238.30 **(2m)** (a) Except as provided in par. (b) and s. 238.308 (1) (b), “full-time
5 job” means a regular, nonseasonal full-time position in which an individual, as a
6 condition of employment, is required to work at least 2,080 hours per year, including
7 paid leave and holidays, and for which the individual receives pay that is equal to
8 at least 150 percent of the federal minimum wage and benefits that are not required
9 by federal or state law. “Full-time job” does not include initial training before an
10 employment position begins.

11 **SECTION 2568.** 238.308 (1) of the statutes is renumbered 238.308 (1) (intro.)
12 and amended to read:

13 238.308 **(1)** ~~DEFINITION~~ DEFINITIONS. (intro.) In this section,;

14 (a) “eligible Eligible employee” means a person employed in a full-time job by
15 a person certified under sub. (2).

16 **SECTION 2569.** 238.308 (1) (b) of the statutes is created to read:

17 238.308 **(1)** (b) 1. Except as provided in subd. 2., “full-time job” has the meaning
18 given in s. 238.30 (2m).

19 2. For contracts executed by the corporation under this section after December
20 31, 2023, “full-time job” means a regular, nonseasonal full-time position for which
21 an individual receives pay that is equal to at least \$32,000 and benefits that are not
22 required by federal or state law. “Full-time job” does not include initial training
23 before an employment position begins.

24 **SECTION 2570.** 238.308 (4) (a) 1. of the statutes is amended to read:

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1 238.308 (4) (a) 1. An amount equal to up to 10 percent of the amount of wages
2 that the person paid to an eligible employee in the taxable year. For contracts
3 executed by the corporation after December 31, 2023, the amount of wages taken into
4 account under this subdivision may not exceed \$141,300 per eligible employee per
5 year. Beginning on January 1, 2025, the dollar amount under this subdivision shall
6 be increased each year by a percentage equal to the percentage change between the
7 U.S. consumer price index for all urban consumers, U.S. city average, for the month
8 of August of the previous year and the U.S. consumer price index for all urban
9 consumers, U.S. city average, for the month of August of the year before the previous
10 year, as determined by the federal department of labor. Each amount that is revised
11 under this subdivision shall be rounded to the nearest multiple of \$10 if the revised
12 amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5, such an
13 amount shall be increased to the next higher multiple of \$10.

14 **SECTION 2571.** 238.308 (4) (a) 3. of the statutes is amended to read:

15 238.308 (4) (a) 3. An amount equal to up to 50 percent of the person's training
16 costs incurred to undertake activities to ~~enhance an eligible employee's general~~
17 ~~knowledge, employability, and flexibility in the workplace; to develop skills unique~~
18 ~~to the person's workplace or equipment; or to develop skills that will increase the~~
19 ~~quality of the person's product~~ upgrade or improve the job-related skills of an eligible
20 employee, train an eligible employee on the use of job-related new technologies, or
21 provide job-related training to an eligible employee whose employment with the
22 person represents the employee's first full-time job.

23 **SECTION 2572.** 238.308 (4) (a) 5. of the statutes is amended to read:

24 238.308 (4) (a) 5. An amount, as determined by the corporation, equal to a
25 percentage of the amount of wages that the person paid to an eligible employee in the

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1 taxable year, if the position in which the eligible employee was employed was created
2 or retained in connection with the person's location or retention of the person's
3 corporate headquarters in Wisconsin and the job duties associated with the eligible
4 employee's position involve the performance of corporate headquarters functions.

5 **SECTION 2573.** 238.308 (4) (a) 6. of the statutes is created to read:

6 238.308 (4) (a) 6. An amount equal to up to 25 percent of the person's energy
7 efficiency or renewable energy project expenditures on real or personal property
8 located in this state. When making an award under this subdivision, the corporation
9 shall ensure that the percentage of expenditures taken into account positively
10 correlates to the scale of the project.

11 **SECTION 2574.** 238.399 (1) (am) 2. of the statutes is repealed and recreated to
12 read:

13 238.399 (1) (am) 2. For contracts executed by the corporation under this section
14 after December 31, 2023, the individual is employed in a regular, nonseasonal
15 full-time position for which the individual receives annual pay that is more than
16 \$32,000 in a tier I county or municipality or more than 42,390 in a tier II county or
17 municipality and benefits that are not required by federal or state law.

18 **SECTION 2575.** 238.399 (3) (a) of the statutes is amended to read:

19 238.399 (3) (a) The corporation may designate ~~any number of~~ not more than
20 30 enterprise zones in this state.

21 **SECTION 2576.** 238.399 (3) (am) of the statutes is repealed.

22 **SECTION 2577.** 238.399 (3) (em) of the statutes is created to read:

23 238.399 (3) (em) If the corporation revokes all certifications for tax benefits
24 within a designated enterprise zone or all certifications for tax benefits within a
25 designated enterprise zone expire, the corporation may cancel the designation of that

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1 enterprise zone. After canceling the designation of an enterprise zone, the
2 corporation may designate a new enterprise zone subject to the limits under this
3 subsection.

4 **SECTION 2578.** 238.399 (6) (h) of the statutes is created to read:

5 238.399 (6) (h) Beginning on January 1, 2025, the dollar amount in sub. (1) (am)
6 2. shall be increased each year by a percentage equal to the percentage change
7 between the U.S. consumer price index for all urban consumers, U.S. city average,
8 for the month of August of the previous year and the U.S. consumer price index for
9 all urban consumers, U.S. city average, for the month of August of the year before
10 the previous year, as determined by the federal department of labor. Each amount
11 that is revised under this paragraph shall be rounded to the nearest multiple of \$10
12 if the revised amount is not a multiple of \$10 or, if the revised amount is a multiple
13 of \$5, such an amount shall be increased to the next higher multiple of \$10.

14 **SECTION 2579.** 250.04 (3) (a) of the statutes is amended to read:

15 250.04 (3) (a) The department shall establish and maintain surveillance
16 activities sufficient to detect any occurrence of acute, communicable, or chronic
17 diseases and threat of occupational or environmental hazards, injuries, or changes
18 in the health of ~~mothers~~ parents and children.

19 **SECTION 2580.** 250.15 (2) (d) of the statutes is amended to read:

20 250.15 (2) (d) To free and charitable clinics, ~~\$1,500,000~~ \$2,000,000.

21 **SECTION 2581.** 250.22 of the statutes is created to read:

22 **250.22 Payments to counties.** The department shall promulgate rules to
23 establish grants to counties to support mental health and substance use disorder
24 services. The department shall fund all grants established under this section from
25 the appropriation under s. 20.435 (5) (q).

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1 **SECTION 2582.** 251.01 (1c) of the statutes is repealed and recreated to read:
2 251.01 (1c) “Advanced practice registered nurse” means an individual licensed
3 under s. 441.09.

4 **SECTION 2583.** 252.01 (1c) of the statutes is repealed.

5 **SECTION 2584.** 252.02 (8) of the statutes is created to read:

6 252.02 (8) The department may establish and maintain a state stockpile of
7 personal protective equipment.

8 **SECTION 2585.** 252.07 (8) (a) 2. of the statutes is amended to read:

9 252.07 (8) (a) 2. The department or local health officer provides to the court a
10 written statement from a physician, physician assistant, or advanced practice
11 registered nurse prescriber that the individual has infectious tuberculosis or suspect
12 tuberculosis.

13 **SECTION 2586.** 252.07 (9) (c) of the statutes is amended to read:

14 252.07 (9) (c) If the court orders confinement of an individual under this
15 subsection, the individual shall remain confined until the department or local health
16 officer, with the concurrence of a treating physician, physician assistant, or advanced
17 practice registered nurse prescriber, determines that treatment is complete or that
18 the individual is no longer a substantial threat to himself or herself or to the public
19 health. If the individual is to be confined for more than 6 months, the court shall
20 review the confinement every 6 months.

21 **SECTION 2587.** 252.10 (7) of the statutes is amended to read:

22 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
23 shall be purchased by the department from the appropriation account under s.
24 20.435 (1) (e) and dispensed to patients through the public health dispensaries, local

ASSEMBLY BILL 43**SECTION 2587**

1 health departments, physicians, or advanced practice nurse prescribers registered
2 nurses who may issue prescription orders under s. 441.09 (2).

3 **SECTION 2588.** 252.11 (2), (4), (5) and (7) of the statutes are amended to read:

4 252.11 (2) An officer of the department or a local health officer having
5 knowledge of any reported or reasonably suspected case or contact of a sexually
6 transmitted disease for which no appropriate treatment is being administered, or of
7 an actual contact of a reported case or potential contact of a reasonably suspected
8 case, shall investigate or cause the case or contact to be investigated as necessary.
9 If, following a request of an officer of the department or a local health officer, a person
10 reasonably suspected of being infected with a sexually transmitted disease refuses
11 or neglects examination by a physician, physician assistant, or advanced practice
12 registered nurse prescriber or treatment, an officer of the department or a local
13 health officer may proceed to have the person committed under sub. (5) to an
14 institution or system of care for examination, treatment, or observation.

15 (4) If a person infected with a sexually transmitted disease ceases or refuses
16 treatment before reaching what in a physician's, physician assistant's, or advanced
17 practice nurse prescriber's registered nurse's opinion is the noncommunicable stage,
18 the physician, physician assistant, or advanced practice registered nurse prescriber
19 shall notify the department. The department shall without delay take the necessary
20 steps to have the person committed for treatment or observation under sub. (5), or
21 shall notify the local health officer to take these steps.

22 (5) Any court of record may commit a person infected with a sexually
23 transmitted disease to any institution or may require the person to undergo a system
24 of care for examination, treatment, or observation if the person ceases or refuses
25 examination, treatment, or observation under the supervision of a physician,

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1 physician assistant, or advanced practice registered nurse ~~prescriber~~. The court
2 shall summon the person to appear on a date at least 48 hours, but not more than
3 96 hours, after service if an officer of the department or a local health officer petitions
4 the court and states the facts authorizing commitment. If the person fails to appear
5 or fails to accept commitment without reasonable cause, the court may cite the
6 person for contempt. The court may issue a warrant and may direct the sheriff, any
7 constable, or any police officer of the county immediately to arrest the person and
8 bring the person to court if the court finds that a summons will be ineffectual. The
9 court shall hear the matter of commitment summarily. Commitment under this
10 subsection continues until the disease is no longer communicable or until other
11 provisions are made for treatment that satisfy the department. The certificate of the
12 petitioning officer is prima facie evidence that the disease is no longer communicable
13 or that satisfactory provisions for treatment have been made.

14 (7) Reports, examinations and inspections, and all records concerning sexually
15 transmitted diseases are confidential and not open to public inspection, and may not
16 be divulged except as may be necessary for the preservation of the public health, in
17 the course of commitment proceedings under sub. (5), or as provided under s. 938.296
18 (4) or 968.38 (4). If a physician, physician assistant, or advanced practice registered
19 nurse ~~prescriber~~ has reported a case of sexually transmitted disease to the
20 department under sub. (4), information regarding the presence of the disease and
21 treatment is not privileged when the patient, physician, physician assistant, or
22 advanced practice registered nurse ~~prescriber~~ is called upon to testify to the facts
23 before any court of record.

24 **SECTION 2589.** 252.11 (10) of the statutes is amended to read:

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1 252.11 (10) The state laboratory of hygiene shall examine specimens for the
2 diagnosis of sexually transmitted diseases for any physician, naturopathic doctor,
3 physician assistant, advanced practice registered nurse ~~prescriber~~, or local health
4 officer in the state, and shall report the positive results of the examinations to the
5 local health officer and to the department. All laboratories performing tests for
6 sexually transmitted diseases shall report all positive results to the local health
7 officer and to the department, with the name of the physician, naturopathic doctor,
8 physician assistant, or advanced practice registered nurse ~~prescriber~~ to whom
9 reported.

10 **SECTION 2590.** 252.14 (1) (ar) 3. of the statutes is amended to read:

11 252.14 (1) (ar) 3. A dentist or dental therapist licensed under ch. 447.

12 **SECTION 2591.** 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and
13 3. and (7m) (intro.) and (b) of the statutes are amended to read:

14 252.15 (3m) (d) 11. b. The coroner, medical examiner, or appointed assistant
15 is investigating the cause of death of the subject of the HIV test and has contact with
16 the body fluid of the subject of the HIV test that constitutes a significant exposure,
17 if a physician, physician assistant, or advanced practice registered nurse ~~prescriber~~,
18 based on information provided to the physician, physician assistant, or advanced
19 practice registered nurse ~~prescriber~~, determines and certifies in writing that the
20 coroner, medical examiner, or appointed assistant has had a contact that constitutes
21 a significant exposure and if the certification accompanies the request for disclosure.

22 13. If the subject of the HIV test has a positive HIV test result and is deceased,
23 by the subject's attending physician, physician assistant, or advanced practice
24 registered nurse ~~prescriber~~, to persons, if known to the physician, physician

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1 assistant, or advanced practice registered nurse ~~prescriber~~, with whom the subject
2 had sexual contact or shared intravenous drug use paraphernalia.

3 **(5g)** (c) A physician, physician assistant, or advanced practice registered nurse
4 ~~prescriber~~, based on information provided to the physician, physician assistant, or
5 advanced practice registered nurse ~~prescriber~~, determines and certifies in writing
6 that the person has had contact that constitutes a significant exposure. The
7 certification shall accompany the request for HIV testing and disclosure. If the
8 person is a physician, physician assistant, or advanced practice registered nurse
9 ~~prescriber~~, he or she may not make this determination or certification. The
10 information that is provided to a physician, physician assistant, or advanced practice
11 registered nurse ~~prescriber~~ to document the occurrence of the contact that
12 constitutes a significant exposure and the physician's, physician assistant's, or
13 advanced practice nurse ~~prescriber's~~ registered nurse's certification that the person
14 has had contact that constitutes a significant exposure, shall be provided on a report
15 form that is developed by the department of safety and professional services under
16 s. 101.02 (19) (a) or on a report form that the department of safety and professional
17 services determines, under s. 101.02 (19) (b), is substantially equivalent to the report
18 form that is developed under s. 101.02 (19) (a).

19 **(5m)** (d) 2. A physician, physician assistant, or advanced practice registered
20 nurse ~~prescriber~~, based on information provided to the physician, physician
21 assistant, or advanced practice registered nurse ~~prescriber~~, determines and certifies
22 in writing that the contact under subd. 1. constitutes a significant exposure. A health
23 care provider who has a contact under subd. 1. c. may not make the certification
24 under this subdivision for himself or herself.

ASSEMBLY BILL 43**SECTION 2591**

1 (e) 2. If the contact occurs as provided under par. (d) 1. b., the attending
2 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ of
3 the funeral director, coroner, medical examiner, or appointed assistant.

4 3. If the contact occurs as provided under par. (d) 1. c., the physician, physician
5 assistant, or advanced practice registered nurse ~~prescriber~~ who makes the
6 certification under par. (d) 2.

7 **(7m)** REPORTING OF PERSONS SIGNIFICANTLY EXPOSED. (intro.) If a positive,
8 validated HIV test result is obtained from a test subject, the test subject's physician,
9 physician assistant, or advanced practice registered nurse ~~prescriber~~ who maintains
10 a record of the HIV test result under sub. (4) (c) may report to the state epidemiologist
11 the name of any person known to the physician, physician assistant, or advanced
12 practice registered nurse ~~prescriber~~ to have had contact with body fluid of the test
13 subject that constitutes a significant exposure, only after the physician, physician
14 assistant, or advanced practice registered nurse ~~prescriber~~ has done all of the
15 following:

16 (b) Notified the HIV test subject that the name of any person known to the
17 physician, physician assistant, or advanced practice registered nurse ~~prescriber~~ to
18 have had contact with body fluid of the test subject that constitutes a significant
19 exposure will be reported to the state epidemiologist.

20 **SECTION 2592.** 252.16 (3) (c) (intro.) of the statutes is amended to read:

21 252.16 (3) (c) (intro.) Has submitted to the department a certification from a
22 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
23 registered nurse ~~prescriber~~ of all of the following:

24 **SECTION 2593.** 252.17 (3) (c) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2593**

1 252.17 (3) (c) (intro.) Has submitted to the department a certification from a
2 physician, as defined in s. 448.01 (5), physician assistant, or advanced practice
3 registered nurse prescriber of all of the following:

4 **SECTION 2594.** 253.07 (4) (d) of the statutes is amended to read:

5 253.07 (4) (d) In each fiscal year, \$31,500 as grants for employment in
6 communities of licensed registered nurses, licensed practical nurses, ~~certified~~
7 ~~nurse-midwives~~ licensed advanced practice registered nurses, or licensed physician
8 assistants who are members of a racial minority.

9 **SECTION 2595.** 253.115 (1) (f) of the statutes is created to read:

10 253.115 (1) (f) “Nurse-midwife” means an individual who is licensed as an
11 advanced practice registered nurse and possesses a certified nurse-midwife
12 specialty designation under s. 441.09.

13 **SECTION 2596.** 253.115 (4) of the statutes is amended to read:

14 253.115 (4) SCREENING REQUIRED. Except as provided in sub. (6), the physician,
15 ~~nurse-midwife licensed under s. 441.15~~, or certified professional midwife licensed
16 under s. 440.982 who attended the birth shall ensure that the infant is screened for
17 hearing loss before being discharged from a hospital, or within 30 days of birth if the
18 infant was not born in a hospital.

19 **SECTION 2597.** 253.115 (7) (a) (intro.) of the statutes is amended to read:

20 253.115 (7) (a) (intro.) The physician, ~~nurse-midwife licensed under s. 441.15~~,
21 or certified professional midwife licensed under s. 440.982 who is required to ensure
22 that the infant is screened for hearing loss under sub. (4) shall do all of the following:

23 **SECTION 2598.** 253.13 (1) of the statutes is renumbered 253.13 (1) (b) and
24 amended to read:

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1 253.13 (1) (b) The attending physician or ~~nurse licensed under s. 441.15~~
2 ~~nurse-midwife~~ shall cause every infant born in each hospital or maternity home,
3 prior to its discharge therefrom, to be subjected to tests for congenital and metabolic
4 disorders, as specified in rules promulgated by the department. If the infant is born
5 elsewhere than in a hospital or maternity home, the attending physician, ~~nurse~~
6 ~~licensed under s. 441.15~~ nurse-midwife, or birth attendant who attended the birth
7 shall cause the infant, within one week of birth, to be subjected to these tests.

8 **SECTION 2599.** 253.13 (1) (a) of the statutes is created to read:

9 253.13 (1) (a) In this subsection, “nurse-midwife” means an individual who is
10 licensed as an advanced practice registered nurse and possesses a certified
11 nurse-midwife specialty designation under s. 441.09.

12 **SECTION 2600.** 253.143 of the statutes is created to read:

13 **253.143 Maternal and infant mortality prevention and response.** From
14 the appropriation under s. 20.435 (1) (ex), the department shall do all of the
15 following:

16 (1) Annually award grants to community organizations whose goal is the
17 prevention of maternal and infant mortality.

18 (2) Annually award grants to support the expansion of fetal and infant
19 mortality review and maternal mortality review teams statewide and expand
20 technical assistance and support for existing fetal and infant mortality review and
21 child death review teams.

22 (3) Provide funding and technical assistance to community-based
23 organizations aimed at preventing infant mortality.

24 (4) Provide funding for grief and bereavement programming for those impacted
25 by infant loss.

ASSEMBLY BILL 43**SECTION 2601**

1 **SECTION 2601.** 253.15 (1) (em) of the statutes is created to read:

2 253.15 (1) (em) “Nurse-midwife” means an individual who is licensed as an
3 advanced practice registered nurse and possesses a certified nurse-midwife
4 specialty designation under s. 441.09.

5 **SECTION 2602.** 253.15 (2) of the statutes is amended to read:

6 253.15 (2) INFORMATIONAL MATERIALS. The board shall purchase or prepare or
7 arrange with a nonprofit organization to prepare printed and audiovisual materials
8 relating to shaken baby syndrome and impacted babies. The materials shall include
9 information regarding the identification and prevention of shaken baby syndrome
10 and impacted babies, the grave effects of shaking or throwing on an infant or young
11 child, appropriate ways to manage crying, fussing, or other causes that can lead a
12 person to shake or throw an infant or young child, and a discussion of ways to reduce
13 the risks that can lead a person to shake or throw an infant or young child. The
14 materials shall be prepared in English, Spanish, and other languages spoken by a
15 significant number of state residents, as determined by the board. The board shall
16 make those written and audiovisual materials available to all hospitals, maternity
17 homes, and nurse-midwives licensed under s. 441.15 that are required to provide or
18 make available materials to parents under sub. (3) (a) 1., to the department and to
19 all county departments and nonprofit organizations that are required to provide the
20 materials to child care providers under sub. (4) (d), and to all school boards and
21 nonprofit organizations that are permitted to provide the materials to pupils in one
22 of grades 5 to 8 and in one of grades 10 to 12 under sub. (5). The board shall also make
23 those written materials available to all county departments and Indian tribes that
24 are providing home visitation services under s. 48.983 (4) (b) 1. and to all providers
25 of prenatal, postpartum, and young child care coordination services under s. 49.45

ASSEMBLY BILL 43**SECTION 2602**

1 (44). The board may make available the materials required under this subsection
2 to be made available by making those materials available at no charge on the board's
3 Internet site.

4 **SECTION 2603.** 253.19 of the statutes is created to read:

5 **253.19 Grants to free-standing pediatric teaching hospitals.** From the
6 appropriation under s. 20.435 (1) (b), the department shall award grants to
7 free-standing pediatric teaching hospitals to fund programming related to
8 parenting, educational needs of and supports for chronically ill children, and case
9 management for children with asthma. A free-standing pediatric teaching hospital
10 is eligible for a grant under this section only if the percentage of Medical Assistance
11 recipient inpatient days at the free-standing pediatric teaching hospital calculated
12 under s. 49.45 (3m) (b) 1. a. is greater than 45 percent.

13 **SECTION 2604.** 254.11 (5m) of the statutes is repealed.

14 **SECTION 2605.** 254.11 (9) of the statutes is amended to read:

15 254.11 (9) "Lead poisoning or lead exposure" means a level of lead in the blood
16 of ~~5~~ 3.5 or more micrograms per 100 milliliters of blood.

17 **SECTION 2606.** 254.166 (1) of the statutes is amended to read:

18 254.166 (1) The department may shall, after being notified that an occupant
19 of a dwelling or premises who is under 6 years of age has blood lead poisoning or lead
20 exposure, present official credentials to the owner or occupant of the dwelling or
21 premises, or to a representative of the owner, and request admission to conduct a lead
22 investigation of the dwelling or premises. If the department is notified that an
23 occupant of a dwelling or premises who is a child under 6 years of age has ~~an elevated~~
24 ~~blood lead level~~ blood lead poisoning or lead exposure, the department shall conduct
25 a lead investigation of the dwelling or premises or ensure that a lead investigation

ASSEMBLY BILL 43**SECTION 2606**

1 of the dwelling or premises is conducted. The lead investigation shall be conducted
2 during business hours, unless the owner or occupant of the dwelling or premises
3 consents to an investigation during nonbusiness hours or unless the department
4 determines that the dwelling or premises presents an imminent lead hazard. The
5 department shall use reasonable efforts to provide prior notice of the lead
6 investigation to the owner of the dwelling or premises. The department may remove
7 samples or objects necessary for laboratory analysis to determine the presence of a
8 lead hazard in the dwelling or premises. The department shall prepare and file
9 written reports of all lead investigations conducted under this section and shall make
10 the contents of these reports available for inspection by the public, except for medical
11 information, which may be disclosed only to the extent that patient health care
12 records may be disclosed under ss. 146.82 to 146.835. If the owner or occupant
13 refuses admission, the department may seek a warrant to investigate the dwelling
14 or premises. The warrant shall advise the owner or occupant of the scope of the lead
15 investigation.

16 **SECTION 2607.** Subchapter IX (title) of chapter 254 [precedes 254.911] of the
17 statutes is amended to read:

CHAPTER 254**SUBCHAPTER IX****SALE OR GIFT OF CIGARETTES,****NICOTINE PRODUCTS, VAPOR****PRODUCTS, OR TOBACCO****PRODUCTS TO MINORS**

24 **SECTION 2608.** 254.911 (11) of the statutes is created to read:

25 254.911 (11) "Vapor product" has the meaning given in s. 139.75 (14).

ASSEMBLY BILL 43**SECTION 2609**

1 **SECTION 2609.** 254.916 (2) (intro.) of the statutes is amended to read:

2 254.916 (2) (intro.) ~~With the permission of his or her parent or guardian, a~~ A
3 person under ~~18~~ 21 years of age, but not under 15 years of age, may buy, attempt to
4 buy, or possess any cigarette, nicotine product, ~~or tobacco product, or vapor product~~
5 if all of the following are true:

6 **SECTION 2610.** 254.916 (2) (d) of the statutes is created to read:

7 254.916 (2) (d) If the person is under 18 years of age, he or she has obtained
8 permission from his or her parent or guardian to participate in the investigation.

9 **SECTION 2611.** 254.916 (3) (a), (b), (c) and (d) of the statutes are amended to
10 read:

11 254.916 (3) (a) If questioned about his or her age during the course of an
12 investigation, the ~~minor~~ person under 21 years of age shall state his or her true age.

13 (b) A ~~minor~~ person under 21 years of age may not be used for the purposes of
14 an investigation at a retail outlet at which the ~~minor~~ person is a regular customer.

15 (c) The appearance of a ~~minor~~ person under 21 years of age may not be
16 materially altered so as to indicate greater age.

17 (d) A photograph or videotape of the ~~minor~~ person under 21 years of age shall
18 be made before or after the investigation or series of investigations on the day of the
19 investigation or series of investigations. If a prosecution results from an
20 investigation, the photograph or videotape shall be retained until the final
21 disposition of the case.

22 **SECTION 2612.** 254.916 (3) (f) 2. of the statutes is amended to read:

23 254.916 (3) (f) 2. The age of the ~~minor~~ person under 21 years of age.

24 **SECTION 2613.** 254.916 (11) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2613**

1 254.916 (11) A person conducting an investigation under this section may not
2 have a financial interest in a regulated cigarette and tobacco product retailer, a vapor
3 product retailer, a tobacco vending machine operator, a tobacco vending machine
4 premises, or a tobacco vending machine that may interfere with his or her ability to
5 properly conduct that investigation. A person who is investigated under this section
6 may request the local health department or local law enforcement agency that
7 contracted for the investigation to conduct a review under ch. 68 to determine
8 whether the person conducting the investigation is in compliance with this
9 subsection or, if applicable, may request the state agency or state law enforcement
10 agency that contracted for the investigation to conduct a contested case hearing
11 under ch. 227 to make that determination. The results of an investigation that is
12 conducted by a person who is not in compliance with this subsection may not be used
13 to prosecute a violation of s. 134.66 (2) (a) or (am) or a local ordinance adopted under
14 s. 134.66 (5).

15 **SECTION 2614.** 254.92 (title) of the statutes is amended to read:

16 **254.92 (title) Purchase or possession of cigarettes ~~or~~ tobacco products,**
17 **nicotine products, or vapor products by person under 18 21 prohibited.**

18 **SECTION 2615.** 254.92 (1) of the statutes is amended to read:

19 254.92 (1) No person under ~~18~~ 21 years of age may falsely represent his or her
20 age for the purpose of receiving any cigarette, nicotine product, ~~or~~ tobacco product,
21 or vapor product.

22 **SECTION 2616.** 254.92 (2) of the statutes is amended to read:

23 254.92 (2) No person under ~~18~~ 21 years of age may purchase, attempt to
24 purchase, or possess any cigarette, nicotine product, ~~or~~ tobacco product, or vapor
25 product except as follows:

ASSEMBLY BILL 43**SECTION 2616**

1 (a) A person under ~~18~~ 21 years of age may purchase or possess cigarettes,
2 nicotine products, ~~or tobacco products,~~ or vapor products for the sole purpose of resale
3 in the course of employment during his or her working hours if employed by a
4 retailer.

5 (b) A person under ~~18~~ 21 years of age, but not under 15 years of age, may
6 purchase, attempt to purchase or possess cigarettes, nicotine products, ~~or tobacco~~
7 products, or vapor products in the course of his or her participation in an
8 investigation under s. 254.916 that is conducted in accordance with s. 254.916 (3).

9 **SECTION 2617.** 254.92 (2m) (intro.) of the statutes is amended to read:

10 254.92 (2m) (intro.) No person may purchase cigarettes, tobacco products, ~~or~~
11 nicotine products, or vapor products on behalf of, or to provide to, any person who is
12 under ~~18~~ 21 years of age. Any person who violates this subsection may be:

13 **SECTION 2618.** 254.92 (3) of the statutes is amended to read:

14 254.92 (3) A law enforcement officer shall seize any cigarette, nicotine product,
15 ~~or tobacco product,~~ or vapor product that has been sold to and is in the possession of
16 a person under ~~18~~ 21 years of age.

17 **SECTION 2619.** 255.06 (1) (d) of the statutes is renumbered 255.06 (1) (f) (intro.)
18 and amended to read:

19 255.06 (1) (f) (intro.) "~~Nurse practitioner~~" "Women's health nurse clinician"
20 means ~~a~~ any of the following:

21 1. A registered nurse who is licensed under ch. 441 or who holds a multistate
22 license, as defined in s. 441.51 (2) (h), issued in a party state, as defined in s. 441.51
23 (2) (k), and whose practice of professional nursing under s. 441.001 (4) includes
24 performance of delegated medical services under the supervision of a physician,
25 naturopathic doctor, dentist, ~~or podiatrist,~~ or advanced practice registered nurse.

ASSEMBLY BILL 43**SECTION 2620**

1 **SECTION 2620.** 255.06 (1) (f) 2. of the statutes is created to read:

2 255.06 (1) (f) 2. An advanced practice registered nurse.

3 **SECTION 2621.** 255.06 (2) (d) of the statutes is amended to read:

4 255.06 (2) (d) *Specialized training for rural colposcopic examinations and*
5 *activities.* Provide not more than \$25,000 in each fiscal year as reimbursement for
6 the provision of specialized training of ~~nurse practitioners~~ women's health nurse
7 clinicians to perform, in rural areas, colposcopic examinations and follow-up
8 activities for the treatment of cervical cancer.

9 **SECTION 2622.** 255.07 (1) (d) of the statutes is amended to read:

10 255.07 (1) (d) "Health care practitioner" means a physician, a physician
11 assistant, or an advanced practice registered nurse who is ~~certified to~~ may issue
12 prescription orders under s. 441.16 441.09 (2).

13 **SECTION 2623.** 255.20 (4) of the statutes is created to read:

14 255.20 (4) (a) Implement a suicide prevention program that creates public
15 awareness for issues relating to suicide prevention, builds community networks, and
16 conducts training programs on suicide prevention for law enforcement personnel,
17 health care providers, school employees, and other persons who have contact with
18 persons at risk of suicide.

19 (b) As part of the suicide prevention program under this subsection, the
20 department shall do all of the following:

21 1. Coordinate suicide prevention activities with other state agencies.

22 2. Provide educational activities to the general public relating to suicide
23 prevention.

ASSEMBLY BILL 43**SECTION 2623**

1 3. Provide training to persons who routinely interact with persons at risk of
2 suicide, including training on recognizing persons at risk of suicide and referring
3 those persons for appropriate treatment or support services.

4 4. Develop and carry out public awareness and media campaigns in each county
5 targeting groups of persons who are at risk of suicide.

6 5. Enhance crisis services relating to suicide prevention.

7 6. Link persons trained in the assessment of and intervention in suicide with
8 schools, public community centers, nursing homes, and other facilities serving
9 persons most at risk of suicide.

10 7. Coordinate the establishment of local advisory groups in each county to
11 support the efforts of the suicide prevention program under this subsection.

12 8. Work with groups advocating suicide prevention, community coalitions,
13 managers of existing crisis hotlines that are nationally accredited or certified, and
14 staff members of mental health agencies in this state to identify and address the
15 barriers that interfere with providing services to groups of persons who are at risk
16 of suicide.

17 9. Develop and maintain a website with links to appropriate resource
18 documents, suicide hotlines that are nationally accredited or certified, credentialed
19 professional personnel, state and local mental health agencies, and appropriate
20 national organizations.

21 10. Review current research on data collection for factors related to suicide and
22 develop recommendations for improved systems of surveillance for suicide and
23 uniform collection of data related to suicide.

24 11. Develop and submit proposals for funding from federal government
25 agencies and nongovernmental organizations.

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1 12. Administer grant programs involving suicide prevention.

2 (c) 1. The department shall award grants to organizations or coalitions of
3 organizations, which may include a city, village, town, county, or federally recognized
4 American Indian tribe or band in this state for any of the following purposes:

5 a. To train staff at a firearm retailer or firearm range on how to recognize a
6 person that may be considering suicide.

7 b. To provide suicide prevention materials for distribution at a firearm retailer
8 or firearm range.

9 c. To provide voluntary, temporary firearm storage.

10 2. The department may not award a grant under subd. 1. unless the recipient
11 contributes matching funds or in-kind services having a value equal to at least 20
12 percent of the grant.

13 3. The department may not award a grant to a recipient under subd. 1. for an
14 amount that exceeds \$5,000. The department may not award a grant under subd.
15 1. having a duration of more than one year and may not automatically renew a grant
16 awarded under subd. 1. This subdivision shall not be construed to prevent an
17 organization or coalition of organizations from reapplying for a grant in consecutive
18 years. In awarding grants under subd. 1., the department shall give preference to
19 organizations or coalitions of organizations that have not previously received a grant
20 under this paragraph.

21 (d) From the appropriation under s. 20.435 (1) (b), the department may
22 distribute up to \$500,000 in grants each fiscal year for grants under this subsection,
23 up to \$75,000 of which may be distributed each fiscal year for grants under par. (c).

24 **SECTION 2624.** 255.45 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2624****1 255.45 Spinal cord injury research grants and symposia. (1)**

2 DEFINITIONS. In this section:

3 (a) "Council" means the spinal cord injury council.

4 (b) "Grant program" means the program established under sub. (2).

5 **(2) GRANT PROGRAM.** The department shall establish a program to award
6 grants, from the appropriation under s. 20.435 (1) (b), to persons in this state for
7 research into spinal cord injuries. The purpose of the grants is to support research
8 into new and innovative treatments and rehabilitative efforts for the functional
9 improvement of people with spinal cord injuries, and research topics may include
10 pharmaceutical, medical device, brain stimulus, and rehabilitative approaches and
11 techniques. Grant recipients shall agree to present their research findings at
12 symposia held by the department under sub. (3).

13 **(3) SYMPOSIA.** The department may hold symposia every 2 years for recipients
14 of grants under the grant program to present findings of research supported by the
15 grants.

16 **(4) GRANT REPORTS.** By January 15 of each year, the department shall submit
17 an annual report to the appropriate standing committees of the legislature under s.
18 13.172 (3) that identifies the recipients of grants under the grant program and the
19 purposes for which the grants were used.

20 **(5) COUNCIL.** (a) The council shall do all of the following:

21 1. Develop criteria for the department to evaluate and award grants under the
22 grant program.

23 2. Review and make recommendations to the department on applications
24 submitted under the grant program.

25 3. Perform other duties specified by the department.

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1 (b) Each member of the council shall disclose in a written statement any
2 financial interest in any organization that the council recommends to receive a grant
3 under the grant program. The council shall include the written statements with its
4 recommendations to the department on grant applications.

5 **SECTION 2625.** 256.08 (4) (L) of the statutes is created to read:

6 256.08 (4) (L) Identify certified training programs for emergency medical
7 responders.

8 **SECTION 2626.** 256.08 (5) of the statutes is created to read:

9 256.08 (5) EDUCATIONAL STANDARDS. The department, in consultation with the
10 board, may promulgate rules to establish educational standards for training
11 programs for emergency medical responders and minimum examination standards
12 for training programs for emergency medical responders.

13 **SECTION 2627.** 256.15 (4) (g) of the statutes is created to read:

14 256.15 (4) (g) No emergency medical responder may replace an emergency
15 medical technician as a member of an ambulance crew unless the emergency medical
16 responder has passed the National Registry of Emergency Medical Technicians
17 examination for emergency medical responders.

18 **SECTION 2628.** 256.15 (8) (b) (intro.) of the statutes is amended to read:

19 256.15 (8) (b) (intro.) To be eligible for initial certification as an emergency
20 medical responder, except as provided in pars. (bg) and (br) and ss. 256.17 and
21 256.18, an individual shall meet all of the following requirements:

22 **SECTION 2629.** 256.15 (8) (bg) of the statutes is created to read:

23 256.15 (8) (bg) The department shall grant an initial certification as an
24 emergency medical responder to any individual who meets the requirements under
25 par. (b) 1. and 2. and successfully completes a certified training program for

ASSEMBLY BILL 43**SECTION 2629**

1 emergency medical responders identified by the department under s. 256.08 (4) (L).
2 Any relevant education, training, instruction, or other experience that an applicant
3 for initial certification as an emergency medical responder obtained in connection
4 with any military service, as defined in s. 111.32 (12g), satisfies the completion of a
5 certified training program for emergency medical responders if the applicant
6 demonstrates to the satisfaction of the department that the education, training,
7 instruction, or other experience obtained by the applicant is substantially equivalent
8 to the certified training program for emergency medical responders.

9 **SECTION 2630.** 256.15 (8) (br) of the statutes is created to read:

10 256.15 (8) (br) The department shall grant an initial certification as an
11 emergency medical responder to any individual who meets the requirements under
12 par. (b) 1. and 2. and passes the National Registry of Emergency Medical Technicians
13 examination for emergency medical responder certification.

14 **SECTION 2631.** 256.158 of the statutes is created to read:

15 **256.158 Epinephrine for ambulances. (1)** In this section:

16 (a) “Ambulance service provider” means an ambulance service provider that is
17 a public agency, volunteer fire department, or nonprofit corporation.

18 (b) “Draw-up epinephrine” means epinephrine that is administered
19 intramuscularly using a needle and syringe and drawn up from a vial or ampule.

20 (c) “Draw-up epinephrine kit” means a single-use vial or ampule of draw-up
21 epinephrine and a syringe for administration to a patient.

22 (d) “Epinephrine auto-injector” means a device for the automatic injection of
23 epinephrine into the human body.

24 (2) From the appropriation under s. 20.435 (1) (b), the department shall
25 reimburse ambulance service providers for a set of 2 epinephrine auto-injectors or

ASSEMBLY BILL 43**SECTION 2631**

1 a set of 2 draw-up epinephrine kits for each ambulance operating in the state. On
2 an ongoing basis, the department shall, upon request from an ambulance service
3 provider, reimburse the ambulance service provider for a replacement set of 2
4 epinephrine auto-injectors or a set of 2 draw-up epinephrine kits. The department
5 shall allow the ambulance service provider to choose between epinephrine
6 auto-injectors and draw-up epinephrine kits. The department may not reimburse
7 an ambulance service provider for epinephrine unless each ambulance for which the
8 ambulance service provider is reimbursed is staffed with an emergency medical
9 services practitioner who is qualified to administer the provided epinephrine.

10 **SECTION 2632.** 256.23 (5) of the statutes is amended to read:

11 256.23 (5) ~~In accordance with s. 20.940, the~~ The department shall submit to
12 the federal department of health and human services a request for any state plan
13 amendment, waiver or other approval that is required to implement this section and
14 s. 49.45 (3) (em). If federal approval is required, the department may not implement
15 the collection of the fee under sub. (2) until it receives approval from the federal
16 government to obtain federal matching funds.

17 **SECTION 2633.** 256.23 (6) of the statutes is created to read:

18 256.23 (6) In each fiscal year, the secretary of administration shall transfer
19 from the ambulance service provider trust fund under s. 25.776 to the appropriation
20 under s. 20.435 (4) (jw) an amount equal to the annual costs of administering the
21 ambulance assessment as specified under this section and making supplemental
22 reimbursements to ambulance service providers under s. 49.45 (3) (em).

23 **SECTION 2634.** 256.35 (3s) (a) 2m. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2634**

1 256.35 (3s) (a) 2m. “Emergency services IP network provider” means an entity
2 under contract with the department under par. (b) to create, operate, and maintain
3 an emergency services IP network.

4 **SECTION 2635.** 256.35 (3s) (a) 3m. of the statutes is created to read:

5 256.35 (3s) (a) 3m. “Next Generation 911 costs” means the costs incurred in the
6 operation of a Next Generation 911 emergency number system by an originating
7 service provider and, if applicable, the 3rd-party provider it uses to connect to an
8 emergency services IP network.

9 **SECTION 2636.** 256.35 (3s) (b) of the statutes is amended to read:

10 256.35 (3s) (b) *Emergency services IP network contracts.* The department shall
11 invite bids to be submitted under s. 16.75 and, from the appropriation under s. 20.465
12 (3) (qm), contract for the creation, operation, and maintenance of an emergency
13 services IP network that to the greatest extent feasible relies on industry standards
14 and existing infrastructure to provide all public safety answering points with the
15 network necessary to implement Next Generation 911. Any contract under this
16 paragraph shall include a requirement that the emergency services IP network
17 provider reimburse any originating service provider or, if applicable, the 3rd-party
18 providers it uses to connect to an emergency services IP network for all Next
19 Generation 911 costs incurred by the originating service provider or, if applicable, the
20 3rd-party provider.

21 **SECTION 2637.** 256.35 (3s) (bf) of the statutes is created to read:

22 256.35 (3s) (bf) *Next Generation 911 cost recovery.* An emergency services IP
23 network provider shall reimburse any originating service provider or, if applicable,
24 the 3rd-party provider it uses to connect to an emergency services IP network for all

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1 Next Generation 911 costs incurred by the originating service provider or, if
2 applicable, the 3rd-party provider.

3 **SECTION 2638.** 256.42 of the statutes is created to read:

4 **256.42 Emergency medical services grants.** From the appropriation under
5 s. 20.435 (1) (bc), the department may award grants to providers of emergency
6 medical services for reasonable operating expenses related to emergency medical
7 services, including expenses related to supplies, equipment, training, staffing, and
8 vehicles.

9 **SECTION 2639.** 257.01 (5) (a) of the statutes is amended to read:

10 257.01 (5) (a) An individual who is licensed as a physician, a physician
11 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.
12 466, licensed as a registered nurse, licensed practical nurse, or nurse-midwife under
13 ch. 441, licensed as a dentist or dental therapist under ch. 447, licensed as a
14 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary
15 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448.

16 **SECTION 2640.** 257.01 (5) (a) of the statutes, as affected by 2023 Wisconsin Act
17 (this act), is amended to read:

18 257.01 (5) (a) An individual who is licensed as a physician, a physician
19 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.
20 466, licensed as a registered nurse, licensed practical nurse, or ~~nurse-midwife~~
21 advanced practice registered nurse under ch. 441, licensed as a dentist or dental
22 therapist under ch. 447, licensed as a pharmacist under ch. 450, licensed as a
23 veterinarian or certified as a veterinary technician under ch. 89, or certified as a
24 respiratory care practitioner under ch. 448.

25 **SECTION 2641.** 257.01 (5) (b) of the statutes is amended to read:

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1 257.01 (5) (b) An individual who was at any time within the previous 10 years,
2 but is not currently, licensed as a physician, a physician assistant, or a podiatrist
3 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a
4 registered nurse, licensed practical nurse or nurse-midwife, under ch. 441, licensed
5 as a dentist or dental therapist under ch. 447, licensed as a pharmacist under ch. 450,
6 licensed as a veterinarian or certified as a veterinary technician under ch. 89, or
7 certified as a respiratory care practitioner under ch. 448, if the individual's license
8 or certification was never revoked, limited, suspended, or denied renewal.

9 **SECTION 2642.** 257.01 (5) (b) of the statutes, as affected by 2023 Wisconsin Act
10 (this act), is amended to read:

11 257.01 (5) (b) An individual who was at any time within the previous 10 years,
12 but is not currently, licensed as a physician, a physician assistant, or a podiatrist
13 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a
14 registered nurse, licensed practical nurse, ~~or nurse-midwife,~~ advanced practice
15 registered nurse under ch. 441, licensed as a nurse-midwife under ch. 441, 2021
16 stats., licensed as a dentist or dental therapist under ch. 447, licensed as a
17 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary
18 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448,
19 if the individual's license or certification was never revoked, limited, suspended, or
20 denied renewal.

21 **SECTION 2643.** 281.17 (8) (c) of the statutes is created to read:

22 281.17 (8) (c) If the department of health services recommends an enforcement
23 standard for a perfluoroalkyl or polyfluoroalkyl substance or a group or class of such
24 substances under s. 160.07, the department shall apply the standard as an interim
25 maximum contaminant level for public water systems, water suppliers, and

ASSEMBLY BILL 43**SECTION 2643**

1 laboratories certified to analyze drinking water, in accordance with rules
2 promulgated by the department, unless emergency or permanent rules that
3 establish maximum contaminant levels for that substance are in effect.

4 **SECTION 2644.** 281.34 (3) (a) of the statutes is amended to read:

5 281.34 (3) (a) An owner shall notify the department of the location of a well that
6 is not a high capacity well before construction of the well begins. An owner notifying
7 the department under this subsection shall pay a fee of \$50 \$70.

8 **SECTION 2645.** 281.34 (5e) of the statutes is created to read:

9 281.34 (5e) WELL CONSTRUCTION VARIANCES. The department shall collect a fee
10 of \$100 from an owner requesting a variance from the requirements of well
11 construction rules promulgated by the department.

12 **SECTION 2646.** 281.57 (7) (c) 1. of the statutes, as affected by 2017 Wisconsin
13 Act 59, is amended to read:

14 281.57 (7) (c) 1. Metropolitan sewerage districts that serve 1st class cities are
15 limited in each fiscal year to receiving total grant awards not to exceed 33 percent
16 of the sum of the amounts in the schedule for that fiscal year for the appropriation
17 under s. 20.165 (2) (kf) and the amount authorized under sub. (10) for that fiscal year
18 plus the unencumbered balance at the end of the preceding fiscal year for the amount
19 authorized under sub. (10). This subdivision is not applicable to grant awards
20 provided during fiscal years 1985-86, 1986-87, 1988-89 and 1989-90.

21 **SECTION 2647.** 281.59 (4) (f) of the statutes is amended to read:

22 281.59 (4) (f) Revenue obligations may be contracted by the building
23 commission when it reasonably appears to the building commission that all
24 obligations incurred under this subsection, and all payments under an agreement or
25 ancillary arrangement entered into under s. 18.55 (6) with respect to revenue

ASSEMBLY BILL 43**SECTION 2647**

1 obligations issued under this subsection, can be fully paid on a timely basis from
2 moneys received or anticipated to be received. Revenue obligations issued under this
3 subsection for the clean water fund program and safe drinking water loan program
4 shall not exceed ~~\$2,526,700,000~~ \$2,923,400,000 in principal amount, excluding
5 obligations issued to refund outstanding revenue obligation notes. ~~The building~~
6 ~~commission may contract additional revenue obligations in an amount up to~~
7 ~~\$24,700,000.~~

8 **SECTION 2648.** 281.61 (8) (b) of the statutes is created to read:

9 281.61 (8) (b) The department of administration shall allocate the amount
10 appropriated under s. 20.320 (2) (a) to projects involving forgivable loans to private
11 users of public water systems to replace lead service lines.

12 **SECTION 2649.** 281.75 (1) (b) (intro.), 1., 2. and 3. of the statutes are amended
13 to read:

14 281.75 (1) (b) (intro.) “Contaminated well” or “contaminated private water
15 supply” means a well or private water supply ~~which~~ that does any of the following:

16 1. Produces water containing one or more substances of public health concern
17 in excess of a primary maximum contaminant level promulgated in the national
18 drinking water standards in 40 CFR 141 and 143;

19 2. Produces water containing one or more substances of public health concern
20 in excess of an enforcement standard under ch. 160; ~~or.~~

21 3. Is subject to a written advisory opinion, issued by the department or the
22 department of health services, containing a specific descriptive reference to the well
23 or private water supply and recommending that the well or private water supply not
24 be used because of potential human health risks.

25 **SECTION 2650.** 281.75 (1) (b) 4. of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 2650**

1 281.75 (1) (b) 4. Produces water containing at least 10 parts per billion of
2 arsenic or at least 10 parts per million of nitrate nitrogen.

3 **SECTION 2651.** 281.75 (1) (b) 5. of the statutes is created to read:

4 281.75 (1) (b) 5. Produces water containing levels of a perfluoroalkyl or
5 polyfluoroalkyl substance in excess of the maximum level set out in any applicable
6 federal or state health advisory for that substance, if no primary maximum
7 contaminant level under 40 CFR 141 and 143 or enforcement standard under ch. 160
8 for that substance has been promulgated.

9 **SECTION 2652.** 281.75 (1) (f) of the statutes is amended to read:

10 281.75 (1) (f) “Private water supply” means a residential water supply or, a
11 livestock water supply, or a transient noncommunity water supply.

12 **SECTION 2653.** 281.75 (1) (gm) of the statutes is created to read:

13 281.75 (1) (gm) “Transient noncommunity water supply” means a water system
14 that serves at least 25 persons at least 60 days of the year but does not regularly serve
15 at least 25 of the same persons over 6 months per year. “Transient noncommunity
16 water supply” does not include a public water system that serves at least 15 service
17 connections used by year-round residents or regularly serves at least 25 year-round
18 residents.

19 **SECTION 2654.** 281.75 (4m) (a) of the statutes is amended to read:

20 281.75 (4m) (a) In order to be eligible for an award under this section, the
21 annual family income of the landowner or lessee of property on which is located a
22 contaminated water supply or a well subject to abandonment may not exceed ~~\$65,000~~
23 \$100,000.

24 **SECTION 2655.** 281.75 (5) (f) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2655**

1 281.75 (5) (f) ~~The~~ Except as provided in par. (g), the department shall allocate
2 money for the payment of claims according to the order in which completed claims
3 are received. The department may conditionally approve a completed claim even if
4 the appropriation under s. 20.370 (6) (cr) is insufficient to pay the claim. The
5 department shall allocate money for the payment of a claim which is conditionally
6 approved as soon as funds become available.

7 **SECTION 2656.** 281.75 (5) (g) of the statutes is created to read:

8 281.75 (5) (g) If the appropriations under s. 20.370 (6) (cf) or (cr) are insufficient
9 to pay claims, the department may, for claims based on nitrate levels, allocate money
10 for the payment of those claims in the following order of priority:

11 1. Claims based on water containing more than 40 parts per million of nitrate
12 nitrogen.

13 2. Claims based on water containing more than 30 but not more than 40 parts
14 per million of nitrate nitrogen.

15 3. Claims based on water containing more than 25 but not more than 30 parts
16 per million of nitrate nitrogen.

17 4. Claims based on water containing more than 20 but not more than 25 parts
18 per million of nitrate nitrogen.

19 5. Claims based on water containing more than 10 but not more than 20 parts
20 per million of nitrate nitrogen.

21 **SECTION 2657.** 281.75 (6) (a) of the statutes is amended to read:

22 281.75 (6) (a) Contamination of a private water supply, as defined under sub.
23 (1) (b) 1. ~~or~~, 2., 4., or 5. is required to be established by analysis of at least 2 samples
24 of water, taken at least 2 weeks apart, in a manner which assures the validity of the
25 test results. The samples shall be tested by a laboratory certified under s. 299.11.

ASSEMBLY BILL 43**SECTION 2658**

1 **SECTION 2658.** 281.75 (7) (a) of the statutes is amended to read:

2 281.75 (7) (a) If the department finds that the claimant meets all the
3 requirements of this section and rules promulgated under this section and that the
4 private water supply is contaminated or that the well is a well subject to
5 abandonment, the department shall issue an award. The Except as provided under
6 par. (am), the award may not pay more than 75 percent of the eligible costs. The
7 award may not pay any portion of eligible costs in excess of \$16,000.

8 **SECTION 2659.** 281.75 (7) (am) of the statutes is created to read:

9 281.75 (7) (am) An award under this subsection may pay up to 100 percent of
10 the eligible costs if the annual family income of the claimant is below the median
11 family income for the state, as determined by U.S. bureau of the census.

12 **SECTION 2660.** 281.75 (7) (b) of the statutes is repealed.

13 **SECTION 2661.** 281.75 (9) of the statutes is repealed.

14 **SECTION 2662.** 283.31 (8) of the statutes is amended to read:

15 283.31 (8) The holder of a permit under this section for a concentrated animal
16 feeding operation shall annually pay to the department a fee of ~~\$345~~ \$545, which
17 shall be credited to the appropriation account under s. 20.370 (9) (ag). The
18 department shall annually submit a report to the joint committee on finance and,
19 under s. 13.172 (3), to the standing committees of the legislature with jurisdiction
20 over agricultural and environmental matters describing the use of the moneys
21 credited to the appropriation account under s. 20.370 (9) (ag) under this subsection
22 and the use of the moneys appropriated under s. 20.370 (9) (ap).

23 **SECTION 2663.** 283.35 (1m) of the statutes is repealed.

24 **SECTION 2664.** 283.90 of the statutes is created to read:

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1 **283.90 Notification of violations.** Whenever, on the basis of any information
2 available to it, the department finds that a permit holder has violated any limitation
3 in a permit that is based on a groundwater protection standard under ch. 160, the
4 department shall notify the county health department and county land and
5 conservation department in the county in which the permit holder is located and the
6 county health department and county land and conservation department in any
7 adjacent county that the department determines may be negatively affected as a
8 result of the violation. The department shall provide this notice within 7 business
9 days after confirming that a violation has occurred. The department shall create and
10 maintain a notification system for notifying county health departments, county land
11 and conservation departments, and interested parties of the violations described in
12 this section. The department may establish, by rule, procedures for providing notice
13 under this section. The notification system under this section shall ensure that
14 county health departments and county land and conservation departments are
15 notified at least 24 hours prior to notifying any other interested parties.

16 **SECTION 2665.** 285.27 (2) (bm) of the statutes is created to read:

17 285.27 (2) (bm) *Standards for PFAS.* Emission standards for known
18 perfluoroalkyl or polyfluoroalkyl substances are needed to provide adequate
19 protection for public health and welfare under par. (b). The department shall
20 promulgate emission standards for any known perfluoroalkyl or polyfluoroalkyl
21 substances to provide adequate protection for public health and welfare, taking into
22 account energy, economic, and environmental impacts and other costs related to the
23 emission source.

24 **SECTION 2666.** 289.33 (3) (d) of the statutes is amended to read:

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1 289.33 (3) (d) “Local approval” includes any requirement for a permit, license,
2 authorization, approval, variance or exception or any restriction, condition of
3 approval or other restriction, regulation, requirement or prohibition imposed by a
4 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
5 a town, city, village, county or special purpose district, including without limitation
6 because of enumeration any ordinance, resolution or regulation adopted under s.
7 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2),
8 (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),
9 (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19),
10 (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10),
11 (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) (a), and (26), 59.55 (3),
12 (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16),
13 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70
14 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), (7), (8),
15 and (10), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34,
16 61.35, 61.351, 61.353, 61.354, 62.11, 62.23, 62.231, 62.233, 62.234, 66.0101, 66.0415,
17 87.30, 196.58, 200.11 (8), 236.45, 281.43 or 349.16, subch. VIII of ch. 60, or subch. III
18 of ch. 91.

19 **SECTION 2667.** 292.31 (1) (d) (intro.) of the statutes is amended to read:

20 292.31 (1) (d) *Access to information.* (intro.) Upon the request of any officer,
21 employee, or authorized representative of the department, any person who
22 generated, transported, treated, stored, or disposed of solid or hazardous waste
23 ~~which~~ that may have been disposed of at a site or facility under investigation by the
24 department and any person who generated solid or hazardous waste at a site or
25 facility under investigation by the department that was transported to, treated at,

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1 stored at, or disposed of at another site, facility, or location shall provide the officer,
2 employee, or authorized representative access to any records or documents in that
3 person's custody, possession, or control which relate to:

4 **SECTION 2668.** 292.31 (1) (d) 1m. of the statutes is created to read:

5 292.31 (1) (d) 1m. The type and quantity of waste generated at the site or
6 facility that was transported to, treated at, stored at, or disposed of at another site,
7 facility, or location, and the dates and locations of these activities.

8 **SECTION 2669.** 292.65 (14) of the statutes is amended to read:

9 292.65 (14) SUNSET. This section does not apply after ~~June 30, 2032~~ the
10 effective date of this subsection ... [LRB inserts date].

11 **SECTION 2670.** 292.66 of the statutes is created to read:

12 **292.66 Revitalize Wisconsin program. (1) DEFINITIONS.** In this section:

13 (a) "Brownfield" means a property that is abandoned, idle, or underused, the
14 expansion or redevelopment of which is adversely affected by actual or perceived
15 discharge or environmental pollution.

16 (b) "Discharge" has the meaning given in s. 292.01 (3).

17 (c) "Innocent landowner" means any of the following:

18 1. A property owner that acquired the property prior to November 1, 2006, has
19 continuously owned the property since the date of acquisition, and can demonstrate,
20 through documentation, that the discharge or environmental pollution on the
21 property was caused by another person and that the property owner did not know
22 and had no reason to know of the discharge or environmental pollution when the
23 owner acquired the property.

24 2. A property owner that acquired the property on or after November 1, 2006,
25 has continuously owned the property since the date of acquisition, and can

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1 demonstrate, through documentation, that the property owner conducted all
2 appropriate inquiries in compliance with 40 CFR part 312 prior to acquisition, that
3 the discharge or environmental pollution on the property was caused by another
4 person, and that the property owner did not know and had no reason to know of the
5 discharge or environmental pollution when the owner acquired the property.

6 (d) "Interim action" means a response action that is taken to contain or stabilize
7 a discharge or environmental pollution at a site or facility, in order to minimize any
8 threats to public health, safety, or welfare or to the environment, while other
9 response actions are being taken or planned for the site or facility.

10 (e) "Local governmental unit" has the meaning given under s. 292.11 (9) (e) 1.

11 (f) "Private party" means any of the following:

12 1. A bank, trust company, savings bank, or credit union.

13 2. A developer, as defined in s. 66.0617 (1) (b).

14 3. An organization or enterprise, other than a sole proprietorship, that is
15 operated for profit or that is nonprofit and nongovernmental, including an
16 association, business trust, corporation, joint venture, limited liability company,
17 limited liability partnership, partnership, or syndicate.

18 4. An innocent landowner.

19 (g) "Remedial action" has the meaning given in s. 292.12 (1) (d).

20 **(2) POWERS AND DUTIES OF THE DEPARTMENT.** (a) The department shall
21 administer a program to award aids from the appropriation under s. 20.370 (6) (et)
22 to eligible entities under sub. (5).

23 (b) The department may not award aid to an entity under this section if that
24 entity caused the discharge or environmental pollution at the site or facility for which
25 aid is awarded, except to eligible entities for sites or facilities under sub. (4) (a).

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1 (c) The department may award aid to eligible entities in the form of grants or
2 direct services or, for sites or facilities under sub. (4) (a), in the form of
3 reimbursements.

4 (d) The department may require a match from an eligible entity for an awarded
5 aid in the form of cash or in-kind services, except from an eligible entity for a site or
6 facility for which funds are designated under sub. (3) (a).

7 **(3) ALLOCATION OF FUNDS.** (a) In any fiscal year, if there remain any sites or
8 facilities under sub. (4) (a) for which a claim for reimbursement was submitted before
9 the effective date of this paragraph [LRB inserts date], but for which the claim has
10 not been paid, the department shall designate \$1,000,000 of the funds appropriated
11 under s. 20.370 (6) (et), or the total amount of such unpaid claims, whichever is less,
12 to the payment of those claims.

13 (b) In any fiscal year, if there remain any sites or facilities under sub. (4) (a) for
14 which an application for eligibility was submitted before the effective date of this
15 paragraph [LRB inserts date], but for which a claim has not been made to the
16 department, the department shall designate \$450,000 of the funds appropriated
17 under s. 20.370 (6) (et) to the payment of claims for such sites or facilities, until all
18 such sites or facilities have received a case closure letter under s. 292.12.

19 (c) The department shall designate 15 percent of the funds appropriated under
20 s. 20.370 (6) (et) to provide aid in small or disadvantaged communities.

21 (d) The department may not provide more than one award of aid for a site or
22 facility in a single fiscal year, except for sites or facilities under sub. (4) (a).

23 **(4) ELIGIBLE SITES AND FACILITIES.** An eligible applicant under sub. (5) may
24 receive aid under this section for any the following sites or facilities:

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1 (a) Sites or facilities for which an application for eligibility was submitted
2 under the dry cleaner environmental response program under s. 292.65, 2021 stats.,
3 and that were deemed eligible for that program before the effective date of this
4 paragraph [LRB inserts date].

5 (b) Brownfields.

6 (c) Sites or facilities regulated under s. 292.11 that are owned by entities that
7 are exempt from s. 292.11 (3), (4), and (7) (b) and (c) as provided under s. 292.11 (9)
8 (e), 292.13, or 292.21.

9 (d) Sites or facilities regulated under s. 292.11 that are owned by private
10 parties.

11 **(5) ELIGIBLE ENTITIES.** The following entities are eligible for an award under
12 this section.

13 (a) Local governmental units that did not cause the discharge or environmental
14 pollution.

15 (b) Owners or operators of dry cleaning facilities that own or operate an eligible
16 site or facility under sub. (4) (a).

17 (c) Private parties, other than a dry cleaning facility under par. (b), that did not
18 cause the discharge or environmental pollution and can demonstrate that the party's
19 property was fairly acquired through an arm's-length transaction.

20 **(6) ELIGIBLE ACTIVITIES; INELIGIBLE COSTS.** (a) All activities for which aid is
21 provided under this section shall comply with all state and federal laws and rules
22 promulgated by the department, unless otherwise provided under this section or
23 rules promulgated under this section.

24 (b) The department may award aid under this section to cover the costs of any
25 of the following activities:

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- 1 1. Assessment and investigation of a discharge or environmental pollution.
- 2 2. Interim and remedial actions to remove hazardous substances from
- 3 contaminated media.
- 4 3. Treatment and disposal of contaminated media.
- 5 4. Vapor intrusion assessment and mitigation.
- 6 5. Removal of abandoned containers, as defined in s. 292.41 (1).
- 7 6. Asbestos abatement activities, as defined in s. 254.11 (2), conducted as part
- 8 of redevelopment activities.
- 9 7. Environmental monitoring.
- 10 8. Restoration or replacement of a private potable water supply, if eligible for
- 11 temporary emergency water supplies under rules promulgated by the department.
- 12 9. The removal of underground hazardous substance or petroleum product
- 13 storage tanks.
- 14 10. Preparation of documentation to apply for case closure under s. 292.11.
- 15 11. Other costs identified by the department as reasonable and necessary for
- 16 proper investigation, analysis of remedial action options, remedial action planning,
- 17 and remedial action to meet the requirements of s. 292.11.
- 18 (c) The department may not award aid under this section to cover any of the
- 19 following costs:
- 20 1. The cost of activities conducted prior to the award of aid under this section,
- 21 except for activities conducted at a site or facility under sub. (4) (a).
- 22 2. The cost of activities that the department determines are not integral to the
- 23 investigation and remediation of a discharge or environmental pollution.
- 24 3. Legal fees.
- 25 4. The cost of investigations or remedial action conducted outside this state.

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1 5. Costs for financing eligible activities.

2 **(7) APPLICATION FOR AID.** Eligible applicants shall submit an application on a
3 form prescribed by the department and shall include any information the
4 department finds necessary to evaluate the eligibility of the project and amount of
5 aid to be awarded.

6 **(8) RULES; RECORDS.** The department shall promulgate rules to administer the
7 program under this section, including rules prescribing the criteria for determining
8 the amount of aid to be awarded, the records that must be maintained by an
9 applicant, and the periods for which those records must be retained. The department
10 may inspect any document in the possession of an applicant or any other person if
11 the document is relevant to an application for aid under this section.

12 **SECTION 2671.** 292.67 of the statutes is created to read:

13 **292.67 PFAS municipal grant program. (1) DEFINITIONS.** In this section:

14 (a) “Class B fire fighting foam” has the meaning given in s. 299.48 (1) (a).

15 (b) “Municipality” means a city, village, town, county, tribal governing body,
16 utility district, lake protection district, sewerage district, or municipal airport.

17 (c) “PFAS” means a perfluoroalkyl or polyfluoroalkyl substance.

18 **(2) FINANCIAL ASSISTANCE.** The department shall administer a program to
19 provide grants from the appropriations under s. 20.370 (6) (ed) and (es) to
20 municipalities that meet the requirements under sub. (3) for the purpose of
21 conducting any of the eligible activities under sub. (4).

22 **(3) ELIGIBILITY PREREQUISITES.** A grant may be awarded under sub. (2) only if
23 one of the following has occurred:

24 (a) The municipality tested or trained with a class B fire fighting foam that
25 contained intentionally added PFAS in accordance with applicable state and federal

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1 law, or a 3rd party tested or trained with a class B fire fighting foam that contained
2 intentionally added PFAS within the area controlled by the municipality.

3 (b) The municipality applied biosolids to land under a permit issued by DNR
4 under s. 283.31.

5 (c) PFAS are impacting the municipality's drinking water supply or surface
6 water or groundwater within the area controlled by the municipality and the
7 responsible party is unknown or is unwilling or unable to take the necessary
8 response actions.

9 **(4) ELIGIBLE ACTIVITIES.** The department may award a grant under sub. (2) for
10 any of the following activities:

11 (a) Investigating potential PFAS impacts to the air, land, or water at a site or
12 facility for the purpose of reducing or eliminating environmental contamination.

13 (b) Treating or disposing of PFAS-containing fire fighting foam containers from
14 a municipal site or facility.

15 (c) Sampling a private water supply within 3 miles of a site or facility known
16 to contain PFAS or to have caused a PFAS discharge.

17 (d) Providing a temporary emergency water supply, a water treatment system,
18 or bulk water to replace water contaminated with PFAS.

19 (e) Conducting emergency, interim, or remedial actions to mitigate, treat,
20 dispose of, or remove PFAS contamination to the air, land, or waters of the state.

21 (f) Removing or treating PFAS in a public water system using the most
22 cost-effective method to provide safe drinking water in areas where PFAS levels
23 exceed the maximum contaminant level for PFAS under ch. 281 or an enforcement
24 standard for PFAS under ch. 160 or where the state has issued a health advisory for
25 PFAS.

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1 (g) Sampling and testing water for PFAS contamination in a public, private, or
2 tribal elementary or secondary school, a child care center that is licensed under s.
3 48.65, a child care program that is established or contracted for under s. 120.13 (14),
4 or a child care provider that is certified under s. 48.651.

5 (5) APPLICATION. A municipality shall apply for a grant on a form prescribed
6 by the department and shall include any information that the department finds
7 necessary to determine the eligibility of the project, identify the funding requested,
8 determine the priority of the project, and calculate the amount of a grant.

9 (6) EVALUATION CRITERIA. The department, in awarding grants under this
10 section, shall consider all of the following criteria:

11 (a) The municipality's demonstrated commitment to performing and
12 completing eligible activities, including the municipality's financial commitment
13 and ability to successfully administer grants.

14 (b) The degree to which the project will have a positive impact on public health
15 and the environment.

16 (c) Other criteria that the department finds necessary to prioritize the funds
17 available for awarding grants.

18 (7) MATCHING FUNDS. The department may not distribute a grant under this
19 section unless the applicant contributes matching funds equal to at least 20 percent
20 of the amount of the grant. Matching funds may be in the form of cash, in-kind
21 contributions, or both.

22 **SECTION 2672.** 292.74 of the statutes is created to read:

23 **292.74 Financial responsibility for PFAS.** The department may, if it
24 determines doing so is necessary to protect human health or the environment,
25 require a person who possesses or controls a perfluoroalkyl or polyfluoroalkyl

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1 substance to provide proof of financial responsibility for conducting emergency
2 response actions, remedial actions, environmental repair, and long-term care to
3 address contamination by a potential discharge of perfluoroalkyl or polyfluoroalkyl
4 substances or environmental pollution that may be caused by a discharge of such
5 substances. The department shall establish, by rule, the procedure for determining
6 whether requiring a proof of financial responsibility is necessary to protect human
7 health or the environment, and may establish requirements for types of financial
8 responsibility, methods for calculating amounts of financial responsibility, access
9 and default, bankruptcy notifications, and any other requirements the department
10 determines are necessary under this section. The proof of financial responsibility
11 required under this section shall be in addition to any other proof of financial
12 responsibility or financial assurance required under this chapter.

13 **SECTION 2673.** 299.15 (2m) of the statutes is created to read:

14 299.15 (2m) The department shall consider all known perfluoroalkyl or
15 polyfluoroalkyl substances to be air contaminants for purposes of sub. (2) (a) 2. The
16 reporting level for these substances is zero pounds per year.

17 **SECTION 2674.** 299.44 of the statutes is created to read:

18 **299.44 Sale and use of coal tar sealants. (1) DEFINITIONS.** In this section:

19 (a) “Coal tar sealant product” means a surface-applied sealing product
20 containing coal tar, coal tar pitch, coal tar pitch volatiles, or any variation assigned
21 the Chemical Abstracts Service (CAS) number 65996-93-2, 65996-89-6, or
22 8007-45-2.

23 (b) “High PAH sealant product” means a surface-applied sealing product that
24 contains more than 0.1 percent polycyclic aromatic hydrocarbons by weight.

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1 **(2) PROHIBITIONS.** (a) Beginning January 1, 2024, no person may sell or offer
2 for sale a coal tar sealant product or high PAH sealant product, except as provided
3 in sub. (3).

4 (b) Beginning July 1, 2024, no person may apply a coal tar sealant product or
5 high PAH sealant product, except as provided in sub. (3).

6 **(3) EXEMPTIONS.** The department may grant an exemption to the prohibitions
7 under sub. (2) to any of the following upon written request:

8 (a) A person who is researching the effects of a coal tar sealant product or high
9 PAH sealant product on the environment.

10 (b) A person who is developing an alternative technology if the use of a coal tar
11 sealant product or high PAH sealant product is required for research or development.

12 **SECTION 2675.** 299.65 of the statutes is created to read:

13 **299.65 Commercial vessels subject to federal Vessel Incidental**
14 **Discharge Act. (1)** (a) Subject to pars. (b) and (c), the owner or operator of any
15 commercial vessel subject to the requirements of the federal Vessel Incidental
16 Discharge Act under 33 USC 1322 (p) that has operated outside this state shall pay
17 to the department, no later than 5 days prior to arriving in a port of this state, \$650
18 per arrival to a port of this state.

19 (b) The owner or operator of a commercial vessel engaged in coastwise trade
20 that is subject to the requirements of 46 USC 55101 to 55103 may not be required
21 to pay more than \$3,250 in fees per calendar year under this subsection.

22 (c) The owner or operator of a commercial vessel that is subject to the
23 requirements of the federal Vessel Incidental Discharge Act under 33 USC 1322 (p)
24 may not be required to pay more than \$3,250 in fees per calendar year under this
25 subsection.

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1 **(2)** The department may adjust the amount of the fee under sub. (1) (a) once
2 every 5 years to account for any changes in the U.S. consumer price index for all
3 urban consumers, U.S. city average, as determined by the U.S. department of labor
4 for the month of October immediately preceding the date of adjustment, as provided
5 under 33 USC 1322 (p) (9) (A) (iv) (III) (aa).

6 **(3)** The department shall credit all fees collected under sub. (1) (a) to the
7 appropriation account under s. 20.370 (4) (aj).

8 **SECTION 2676.** 299.66 of the statutes is renumbered 299.66 (1).

9 **SECTION 2677.** 299.66 (2) of the statutes is created to read:

10 299.66 **(2)** (a) The department may enter into a memorandum of agreement
11 with the U.S. Coast Guard concerning implementation and enforcement of the
12 provisions of 33 USC 1322 and any regulations promulgated by the secretary of the
13 U.S. department of homeland security under 33 USC 1322 (p) (5).

14 (b) If the department enters into a memorandum of agreement with the U.S.
15 Coast Guard under par. (a), an employee or agent of the department may board and
16 inspect any vessel that is subject to s. 299.65 to determine the state of compliance
17 with the federal Vessel Incidental Discharge Act under 33 USC 1322 (p) and any
18 regulations promulgated thereunder.

19 **SECTION 2678.** 301.12 (2m) of the statutes is amended to read:

20 301.12 **(2m)** The liability specified in sub. (2) shall not apply to ~~persons 17 and~~
21 ~~older~~ adults receiving care, maintenance, services, and supplies provided by prisons
22 named in s. 302.01.

23 **SECTION 2679.** 301.12 (14) (a) of the statutes is amended to read:

24 301.12 **(14)** (a) Except as provided in pars. (b) and (c), liability of a person
25 specified in sub. (2) or s. 301.03 (18) for care and maintenance of ~~persons under 17~~

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1 years of age minors in residential, nonmedical facilities such as group homes, foster
2 homes, residential care centers for children and youth, and juvenile correctional
3 institutions is determined in accordance with the cost-based fee established under
4 s. 301.03 (18). The department shall bill the liable person up to any amount of
5 liability not paid by an insurer under s. 632.89 (2) or (4m) or by other 3rd-party
6 benefits, subject to rules that include formulas governing ability to pay promulgated
7 by the department under s. 301.03 (18). Any liability of the resident not payable by
8 any other person terminates when the resident ~~reaches age 17~~ becomes an adult,
9 unless the liable person has prevented payment by any act or omission.

10 **SECTION 2680.** 301.26 (4) (d) 2. of the statutes is amended to read:

11 301.26 (4) (d) 2. ~~Beginning on July 1, 2019, and ending on June 30, 2020, the~~
12 ~~per person daily cost assessment to counties shall be \$532 for care in a Type 1~~
13 ~~juvenile correctional facility, as defined in s. 938.02 (19), and \$532 for care for~~
14 ~~juveniles transferred from a juvenile correctional institution under s. 51.35 (3).~~
15 Beginning on July 1, ~~2021~~ 2023, and ending on June 30, ~~2022~~ 2024, the per person
16 daily cost assessment to counties shall be ~~\$1,154~~ is \$1,246 for care in a Type 1
17 juvenile correctional facility, as defined in s. 938.02 (19), and ~~\$1,154~~ \$1,246 for care
18 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3).

19 **SECTION 2681.** 301.26 (4) (d) 3. of the statutes is amended to read:

20 301.26 (4) (d) 3. ~~Beginning on July 1, 2020, and ending on December 31, 2020,~~
21 ~~the per person daily cost assessment to counties shall be \$550 for care in a Type 1~~
22 ~~juvenile correctional facility, as defined in s. 938.02 (19), and \$550 for care for~~
23 ~~juveniles transferred from a juvenile correctional institution under s. 51.35 (3).~~
24 Beginning on January 1, 2021, and ending on June 30, 2021, the per person daily cost
25 assessment to counties shall be ~~\$615~~ for care in a Type 1 juvenile correctional facility,

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1 as defined in s. ~~938.02 (19)~~, and \$615 for care for juveniles transferred from a juvenile
2 correctional institution under s. ~~51.35 (3)~~. Beginning on July 1, ~~2022~~ 2024, and
3 ending on June 30, ~~2023~~ 2025, the per person daily cost assessment to counties shall
4 be ~~\$1,178~~ is \$1,268 for care in a Type 1 juvenile correctional facility, as defined in s.
5 938.02 (19), and ~~\$1,178~~ \$1,268 for care for juveniles transferred from a juvenile
6 correctional institution under s. 51.35 (3).

7 **SECTION 2682.** 301.50 (1) of the statutes is amended to read:

8 301.50 (1) In this section, “substantial parental relationship” means the
9 acceptance and exercise of significant responsibility for the daily supervision,
10 education, protection, and care of the child. In evaluating whether an individual has
11 had a substantial parental relationship with the child, factors that may be
12 considered include, but are not limited to, whether the individual has expressed
13 concern for or interest in the support, care, or well-being of the child; whether the
14 individual has neglected or refused to provide care or support for the child; and
15 whether, with respect to an individual who is or may be ~~the father~~ a parent of the
16 child, the individual has expressed concern for or interest in the support, care, or
17 well-being of the ~~mother during her~~ parent who gave birth during pregnancy.

18 **SECTION 2683.** 302.05 (title) of the statutes is amended to read:

19 **302.05 (title) Wisconsin substance abuse earned release program.**

20 **SECTION 2684.** 302.05 (1) (am) (intro.) of the statutes is amended to read:

21 302.05 (1) (am) (intro.) The department of corrections and the department of
22 health services may designate a section of a mental health institute as a correctional
23 treatment facility for the treatment of substance ~~abuse~~ use disorder of inmates
24 transferred from Wisconsin state prisons. ~~This section shall be administered by the~~
25 ~~department of corrections and shall be known as the Wisconsin substance abuse~~

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1 ~~program.~~ The department of corrections and the department of health services shall
2 ensure that the residents at the institution and the residents in the substance abuse
3 use disorder program:

4 **SECTION 2685.** 302.05 (1) (b) of the statutes is amended to read:

5 302.05 (1) (b) The department of corrections and the department of health
6 services shall, at any correctional facility the departments determine is appropriate,
7 provide a substance abuse use disorder treatment program for inmates for the
8 purposes of the program described in sub. (3).

9 **SECTION 2686.** 302.05 (1) (c) of the statutes is created to read:

10 302.05 (1) (c) 1. In this paragraph, “vocational readiness training program”
11 means an educational, vocational, treatment, or other evidence-based training
12 program to reduce recidivism.

13 2. The department shall, at any correctional facility the department
14 determines is appropriate, provide vocational readiness training programs for the
15 purposes of the program described in sub. (3).

16 **SECTION 2687.** 302.05 (2) of the statutes is amended to read:

17 302.05 (2) Transfer to a correctional treatment facility for the treatment of a
18 substance abuse use disorder shall be considered a transfer under s. 302.18.

19 **SECTION 2688.** 302.05 (3) (a) 2. of the statutes is amended to read:

20 302.05 (3) (a) 2. ~~If the inmate is serving a bifurcated sentence imposed under~~
21 ~~s. 973.01, the sentencing court decided under par. (e) or s. 973.01 (3g) The department~~
22 determines that the inmate is eligible to participate in the earned release program
23 described in this subsection. In making its determination, the department shall
24 consider a decision of the sentencing court under s. 302.05 (3) (e), 2021 stats., or s.
25 973.01 (3g), 2021 stats.

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1 **SECTION 2689.** 302.05 (3) (b) of the statutes is amended to read:

2 302.05 (3) (b) Except as provided in par. (d), if the department determines that
3 an eligible inmate serving a sentence other than one imposed under s. 973.01 has
4 successfully completed a substance use disorder treatment program described in
5 sub. (1) (b) or a vocational readiness training program described in sub. (1) (c), the
6 parole commission shall parole the inmate for that sentence under s. 304.06,
7 regardless of the time the inmate has served. If the parole commission grants parole
8 under this paragraph for the completion of a substance use disorder treatment
9 program, it shall require the parolee to participate in an intensive supervision
10 program for drug abusers as a condition of parole.

11 **SECTION 2690.** 302.05 (3) (c) 1. of the statutes is amended to read:

12 302.05 (3) (c) 1. Except as provided in par. (d), if the department determines
13 that an eligible inmate serving the term of confinement in prison portion of a
14 bifurcated sentence imposed under s. 973.01 has successfully completed a substance
15 use disorder treatment program described in sub. (1) (b) or a vocational readiness
16 training program described in sub. (1) (c), the department shall inform the court that
17 sentenced the inmate.

18 **SECTION 2691.** 302.05 (3) (c) 2. (intro.) of the statutes is amended to read:

19 302.05 (3) (c) 2. (intro.) Upon being informed by the department under subd.
20 1. that an inmate whom the court sentenced under s. 973.01 has successfully
21 completed a substance use disorder treatment program described in sub. (1) (b) or
22 a vocational readiness training program described in sub. (1) (c), the court shall
23 modify the inmate's bifurcated sentence as follows:

24 **SECTION 2692.** 302.05 (3) (d) of the statutes is amended to read:

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1 302.05 (3) (d) The department may place intensive sanctions program
2 participants in a treatment program described in sub. (1) (b), but pars. (b) and (c) do
3 not apply to those participants.

4 **SECTION 2693.** 302.05 (3) (e) of the statutes is repealed.

5 **SECTION 2694.** 302.085 of the statutes is created to read:

6 **302.085 Treatment of a pregnant or postpartum person. (1) DEFINITIONS.**

7 In this section:

8 (a) “Correctional facility” has the meaning given in s. 101.123 (1) (ac).

9 (b) “Doula” means a nonmedical, trained professional who provides continuous
10 physical, emotional, and informational support during pregnancy, labor, birth, and
11 the postpartum period.

12 (c) “Doula services” means childbirth education and support services, including
13 emotional, physical, and informational support provided during pregnancy, labor,
14 birth, and the postpartum period.

15 (d) “Postpartum” means the period of time following the birth of an infant to
16 6 months after the birth.

17 (e) “Restrain” means to use a mechanical, chemical, or other device to constrain
18 the movement of a person’s body or limbs.

19 **(2) RESTRAINING A PREGNANT PERSON.** (a) A representative of a correctional
20 facility may not restrain a person known to be pregnant unless the representative
21 makes an individualized determination that restraints are reasonably necessary to
22 ensure safety and security of the person, the staff of the correctional facility, other
23 inmates, or the public. If such a determination is made, the representative may use
24 only the least restrictive effective type of restraint that is most reasonable under the
25 circumstances.

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1 (b) A representative of a correctional facility may not restrain a person known
2 to be pregnant while the person is being transported if the restraint is through the
3 use of leg irons, waist chains or other devices that cross or otherwise touch the
4 person's abdomen, or handcuffs or other devices that cross or otherwise touch the
5 person's wrists when affixed behind the person's back.

6 (c) A representative of a correctional facility may not place a person known to
7 be pregnant in solitary confinement for any punitive purpose.

8 (d) A representative of a correctional facility may restrain a person who is in
9 labor or who has given birth in the preceding 3 days only if all of the following apply:

10 1. There is a substantial flight risk or some other extraordinary medical or
11 security circumstance that requires restraints be used to ensure the safety and
12 security of the person, the staff of the correctional or medical facility, other inmates,
13 or the public.

14 2. The representative has made an individualized determination that
15 restraints are necessary to prevent escape or ensure safety or security.

16 3. There is no objection to the use of restraints by the treating medical care
17 provider.

18 4. The restraints used are the least restrictive effective type and are used in
19 the least restrictive manner.

20 (e) All staff members who may come into contact with a pregnant or postpartum
21 person at any correctional facility shall receive training on the requirements of this
22 subsection on an annual basis.

23 **(3) TREATMENT OF A PREGNANT OR POSTPARTUM PERSON.** A correctional facility
24 shall ensure all of the following for every person incarcerated at the facility:

25 (a) That every woman under 50 years of age is offered testing for pregnancy.

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1 (b) That every pregnant person is offered testing for sexually transmitted
2 infections, including HIV.

3 (c) That every pregnant person who is on a methadone treatment regimen be
4 provided continuing methadone treatment.

5 (d) That every pregnant person and every person who has given birth in the
6 past 6 weeks is provided appropriate educational materials and resources related to
7 pregnancy, childbirth, breastfeeding, and parenting.

8 (e) That every pregnant person and every person who has given birth in the
9 past 6 weeks has access to doula services if these services are provided by a doula
10 without charge to the correctional facility or the incarcerated person pays for the
11 doula services.

12 (f) That every pregnant person and every person who has given birth in the past
13 6 months has access to a mental health assessment and, if necessary, mental health
14 treatment.

15 (g) That every pregnant person and every person who has given birth in the
16 past 6 months who is determined to be suffering from a mental illness has access to
17 evidence-based mental health treatment including psychotropic medication.

18 (h) That every pregnant person who is determined to be suffering from
19 depression and every person who has given birth in the past 6 months who is
20 determined to be suffering from postpartum depression has access to
21 evidence-based therapeutic care for depression.

22 (i) That every person who has given birth in the past 12 months whose body is
23 producing breast milk has access to the necessary supplies and is provided an
24 opportunity to express the breast milk as needed to maintain an active supply of
25 breast milk.

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1 (j) That every pregnant person and every person who has given birth in the past
2 6 months is advised orally and in writing of all applicable laws and policies governing
3 an incarcerated pregnant or postpartum person.

4 **SECTION 2695.** 302.11 (7) (am) of the statutes is amended to read:

5 302.11 (7) (am) The reviewing authority may return a parolee released under
6 sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the remainder
7 of the sentence for a violation of the conditions of parole. The remainder of the
8 sentence is the entire sentence, less time served in custody prior to parole and less
9 any earned compliance credit under s. 973.156. The revocation order shall provide
10 the parolee with credit in accordance with ss. 304.072 and 973.155.

11 **SECTION 2696.** 302.113 (9) (ag) of the statutes is renumbered 302.113 (9) (ag)
12 (intro.) and amended to read:

13 302.113 (9) (ag) (intro.) In this subsection “~~reviewing~~:

14 1. “Reviewing authority” means the division of hearings and appeals in the
15 department of administration, upon proper notice and hearing, or the department
16 of corrections, if the person on extended supervision waives a hearing.

17 **SECTION 2697.** 302.113 (9) (am) of the statutes is renumbered 302.113 (9) (am)
18 1. and amended to read:

19 302.113 (9) (am) 1. If a person released to extended supervision under this
20 section violates a condition of extended supervision, the reviewing authority may
21 revoke the extended supervision of the person. If the extended supervision of the
22 person is revoked, the reviewing authority shall order the person to be returned to
23 prison for any specified period of time that does not exceed the time remaining on the
24 bifurcated sentence. ~~The time~~

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1 (ag) 2. “Time remaining on the bifurcated sentence is” means the total length
2 of the bifurcated sentence, less time served by the person in confinement under the
3 sentence before release to extended supervision under sub. (2), less any earned
4 compliance credit under s. 973.156, and less all time served in confinement for
5 previous revocations of extended supervision under the sentence.

6 (am) 2. The order returning a person to prison under this paragraph shall
7 provide the person whose extended supervision was revoked with credit in
8 accordance with ss. 304.072 and 973.155.

9 **SECTION 2698.** 302.113 (9) (b) of the statutes is amended to read:

10 302.113 (9) (b) A person who is returned to prison after revocation of extended
11 supervision shall be incarcerated for the entire period of time specified by the order
12 under par. (am) 1. The period of time specified under par. (am) 1, may be extended
13 in accordance with sub. (3). If a person is returned to prison under par. (am) 1, for
14 a period of time that is less than the time remaining on the bifurcated sentence, the
15 person shall be released to extended supervision after he or she has served the period
16 of time specified by the order under par. (am) 1, and any periods of extension imposed
17 in accordance with sub. (3).

18 **SECTION 2699.** 302.113 (9) (c) of the statutes is amended to read:

19 302.113 (9) (c) A person who is subsequently released to extended supervision
20 after service of the period of time specified by the order under par. (am) 1, is subject
21 to all conditions and rules under sub. (7) and, if applicable, sub. (7m) until the
22 expiration of the time remaining extended supervision portion of on the bifurcated
23 sentence. ~~The remaining extended supervision portion of the bifurcated sentence is~~
24 ~~the total length of the bifurcated sentence, less the time served by the person in~~
25 ~~confinement under the bifurcated sentence before release to extended supervision~~

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1 ~~under sub. (2) and less all time served in confinement for previous revocations of~~
2 ~~extended supervision under the bifurcated sentence.~~

3 **SECTION 2700.** 302.114 (9) (ag) of the statutes is amended to read:

4 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given
5 in s. 302.113 (9) (ag) 1.

6 **SECTION 2701.** 302.31 (7) of the statutes is amended to read:

7 302.31 (7) The temporary placement of persons in the custody of the
8 department, other than persons under 17 years of age minors, and persons who have
9 ~~attained the age of 17 years but have not attained~~ adults under the age of 25 years
10 who are under the supervision of the department under s. 938.355 (4) and who have
11 been taken into custody pending revocation of community supervision or aftercare
12 supervision under s. 938.357 (5) (e).

13 **SECTION 2702.** 302.43 of the statutes is amended to read:

14 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
15 in the amount of one-fourth of his or her term for good behavior if sentenced to at
16 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
17 for time served prior to sentencing under s. 973.155, including good time under s.
18 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects
19 or refuses to perform any duty lawfully required of him or her, may be deprived by
20 the sheriff of good time under this section, except that the sheriff shall not deprive
21 the inmate of more than 2 days good time for any one offense without the approval
22 of the court. An inmate who files an action or special proceeding, including a petition
23 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of
24 the number of days of good time specified in the court order prepared under s. 807.15
25 (3). This section does not apply to a person who is confined in the county jail in

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1 connection with his or her participation in a ~~substance abuse treatment~~ program
2 that meets the requirements of s. 165.95 (3), as determined by the department of
3 justice under s. 165.95 (9) and (10).

4 **SECTION 2703.** 304.06 (1) (c) 3. of the statutes is amended to read:

5 304.06 (1) (c) 3. The victim of the crime committed by the inmate or, if the victim
6 died as a result of the crime, an adult member of the victim's family and any member
7 of the victim's family who was younger than 18 years old at the time the crime was
8 committed but is now 18 years old or older or, if the victim is younger than 18 years
9 old, the victim's parent or legal guardian, upon submission of a card under par. (f)
10 requesting notification.

11 **SECTION 2704.** 304.063 (2) (a) of the statutes is amended to read:

12 304.063 (2) (a) The victim of the crime committed by the prisoner or, if the
13 victim died as a result of the crime, an adult member of the victim's family and any
14 member of the victim's family who was younger than 18 years old at the time the
15 crime was committed but is now 18 years old or older or, if the victim is younger than
16 18 years old, the victim's parent or legal guardian.

17 **SECTION 2705.** 304.072 (4) of the statutes is amended to read:

18 304.072 (4) The sentence of a revoked parolee or person on extended
19 supervision resumes running on the day he or she is received at a correctional
20 institution subject to sentence credit for the period of custody in a jail, correctional
21 institution or any other detention facility pending revocation according to the terms
22 of s. 973.155 and subject to earned compliance credit under s. 973.156.

23 **SECTION 2706.** 321.03 (1) (f) of the statutes is created to read:

24 321.03 (1) (f) 1. In this paragraph, "substantive change" means any change that
25 modifies the elements of a punitive article of the Uniform Code of Military Justice,

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1 creates a punitive article in the Uniform Code of Military Justice, or repeals a
2 punitive article from the Uniform Code of Military Justice.

3 2. By July 1 of each year, submit to the appropriate standing committees of the
4 legislature in the manner provided under s. 13.172 (3) a report that summarizes any
5 substantive changes that have been made to the Uniform Code of Military Justice
6 during the prior federal fiscal year, compares those substantive changes to the
7 Wisconsin Code of Military Justice, and provides recommendations to the legislature
8 regarding whether those substantive changes to the Uniform Code of Military
9 Justice should be incorporated into the Wisconsin Code of Military Justice. The
10 report shall be the subject of a public hearing, conducted no less often than annually,
11 by the appropriate standing committees of the legislature.

12 **SECTION 2707.** 321.03 (1) (g) of the statutes is created to read:

13 321.03 (1) (g) Establish and maintain a case management system that allows
14 the national guard to manage and track all case-related information for cases of
15 misconduct within the national guard.

16 **SECTION 2708.** 321.03 (2) (c) of the statutes is created to read:

17 321.03 (2) (c) Provide aerial assistance for incident awareness and assessment,
18 drug interdiction and counter-drug activities, search and rescue efforts, or disasters,
19 as defined in s. 323.02 (6). The department may seek reimbursement for the cost of
20 any assistance provided under this paragraph.

21 **SECTION 2709.** 321.04 (1) (s) of the statutes is created to read:

22 321.04 (1) (s) 1. By February 1 of each year, submit to the governor and to the
23 appropriate standing committees of the legislature in the manner provided under s.
24 13.172 (3), and publish on the department's website, an annual report on sexual
25 assault and sexual harassment within the Wisconsin national guard. The report

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1 shall be the subject of a public hearing, conducted no less often than annually, by the
2 appropriate standing committees of the legislature. The report shall include, at a
3 minimum, all of the following information for the prior federal fiscal year:

4 a. Data regarding all reported incidents of sexual assault and sexual
5 harassment made by members of the Wisconsin national guard during that period,
6 including the numbers of restricted and unrestricted reports of sexual assault and
7 reports of sexual harassment, and historical trends relating to that data for the 5
8 fiscal years preceding the fiscal year covered in the report. For unrestricted reports
9 of sexual assault and for reports of sexual harassment, the report shall also include
10 all of the following information: the type of conduct that was reported to have
11 occurred; the duty status of the members involved at the time of the incident;
12 information on the status of the report, including whether the case was referred for
13 additional investigation; and a summary of any resolution or discipline taken,
14 including whether criminal charges were referred or filed.

15 b. A summary of any training relating to preventing and responding to
16 incidents of sexual assault and sexual harassment that was provided to members of
17 the Wisconsin national guard in the preceding year.

18 c. A summary of any current federal national guard bureau policies relating to
19 preventing and responding to incidents of sexual assault and sexual harassment
20 that were enacted during that period and a description of how those policies are being
21 implemented in the Wisconsin national guard.

22 d. A summary of the current policies and procedures related to preventing and
23 responding to incidents of sexual assault and sexual harassment in the Wisconsin
24 national guard and any changes made since the prior report.

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1 2. The report under subd. 1. shall protect the privacy of victims of sexual
2 assault and sexual harassment and may not provide any personal identifying
3 information that would allow a victim to be identified.

4 **SECTION 2710.** 321.04 (1) (t) of the statutes is created to read:

5 321.04 (1) (t) Prescribe in writing, make publicly available on the department's
6 website, and implement a policy that ensures that any victim of an offense under the
7 Wisconsin code of military justice is treated with dignity, respect, courtesy,
8 sensitivity, and fairness.

9 **SECTION 2711.** 321.04 (1) (u) of the statutes is created to read:

10 321.04 (1) (u) Prescribe in writing and make publicly available on the
11 department's website the procedures required under s. 322.036.

12 **SECTION 2712.** 321.37 of the statutes is amended to read:

13 **321.37 No discrimination.** No person, otherwise qualified, may be denied
14 membership in the national guard or state defense force because of sex, color, race,
15 creed, or sexual orientation, gender expression, as defined in s. 111.32 (7j), or gender
16 identity, as defined in s. 111.32 (7k), and no member of the national guard or state
17 defense force may be segregated within the national guard or state defense force on
18 the basis of sex, color, race, creed, or sexual orientation, gender expression, as defined
19 in s. 111.32 (7j), or gender identity, as defined in s. 111.32 (7k). Nothing in this section
20 prohibits separate facilities for persons of different sexes with regard to dormitory
21 accommodations, toilets, showers, saunas, and dressing rooms, except that no person
22 may be denied equal access to facilities most consistent with the person's gender
23 identity.

24 **SECTION 2713.** 321.52 of the statutes is created to read:

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1 **321.52 Office of homeland security.** The office of homeland security shall
2 coordinate with the federal department of homeland security and state and local law
3 enforcement agencies to identify, investigate, assess, report, and share tips and leads
4 linked to emerging homeland security threats.

5 **SECTION 2714.** 322.001 (15) of the statutes is amended to read:

6 322.001 (15) “Military offenses” means those offenses prescribed under articles
7 77, principals; 78, accessory after the fact; 80, attempts; 81, conspiracy; 82,
8 solicitation; 83, fraudulent enlistment, appointment, or separation; 84, unlawful
9 enlistment, appointment, or separation; 85, desertion; 86, absence without leave; 87,
10 missing movement; 88, contempt toward officials; 89, disrespect towards superior
11 commissioned officer; 90, assaulting or willfully disobeying superior commissioned
12 officer; 91, insubordinate conduct toward warrant officer, noncommissioned officer,
13 or petty officer; 92, failure to obey order or regulation; 93, cruelty and maltreatment;
14 93a, prohibited activities with military recruit or trainee by a person in a position of
15 special trust; 94, mutiny or sedition; 95, resistance, flight, breach of arrest, and
16 escape; 96, releasing prisoner without proper authority; 97, unlawful detention; 98,
17 noncompliance with procedural rules; 99, misbehavior before the enemy; 100,
18 subordinate compelling surrender; 101, improper use of countersign; 102, forcing a
19 safeguard; 103, captured or abandoned property; 104, aiding the enemy; 105,
20 misconduct as prisoner; 107, false official statements; 108, military property — loss,
21 damage, destruction, or wrongful disposition; 109, property other than military
22 property — waste, spoilage, or destruction; 110, improper hazarding of vessel; 111,
23 drunken or reckless operation of a vehicle, aircraft, or vessel; 112, drunk on duty;
24 112a, wrongful use, or possession of controlled substances; 113, misbehavior of
25 sentinel; 114, dueling; 115, malingering; 116, riot or breach of peace; 117, provoking

ASSEMBLY BILL 43**SECTION 2714**

1 speeches or gestures; ~~120, rape and sexual assault generally; 120a, stalking; 120b,~~
2 ~~rape and sexual assault of a child; 120c, sexual misconduct; 121, larceny and~~
3 ~~wrongful appropriation; 122, robbery; 123, forgery; 124, maiming; 126, arson; 127,~~
4 ~~extortion; 128, assault; 129, burglary; 130, housebreaking; 131, perjury; 132, frauds~~
5 ~~against the government; 132a, retaliation; 133, conduct unbecoming an officer and~~
6 ~~a gentleman; and; 134, general; and 134h, sexual harassment; of this code.~~

7 **SECTION 2715.** 322.001 (16) of the statutes is repealed.

8 **SECTION 2716.** 322.036 of the statutes is amended to read:

9 **322.036 Article 36 — Governor may prescribe regulations Pretrial,**
10 **trial, and post-trial procedures.** Pretrial, trial, and post-trial procedures not
11 specified in this code, including modes of proof, for courts-martial cases arising
12 under this code, and for courts of inquiry, ~~may~~ shall be prescribed by the governor
13 by regulations, ~~or as otherwise provided by law, which shall apply the principles of~~
14 ~~law and the rules of evidence generally recognized in military criminal cases in the~~
15 ~~courts of the armed forces but which may not be contrary to or inconsistent with this~~
16 ~~code~~ adjutant general in writing and made publicly available on the department of
17 military affairs' website.

18 **SECTION 2717.** 322.056 (2) of the statutes is amended to read:

19 322.056 (2) A conviction by a general court-martial of any ~~military~~ offense for
20 which an accused may receive a sentence of confinement for more than 1 year is a
21 felony offense.

22 **SECTION 2718.** 322.056 (5) of the statutes is amended to read:

23 322.056 (5) The limits of punishment for violations of the punitive sections
24 under Subch. X shall be those under the Uniform Code of Military Justice, unless

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1 otherwise prescribed by the governor according to ss. 322.018 to 322.020, but under
2 no instance shall any punishment exceed that authorized by this code.

3 **SECTION 2719.** 322.0935 of the statutes is created to read:

4 **322.0935 Article 93a — Prohibited activities with military recruit or**
5 **trainee by a person in a position of special trust. (1)** In this section:

6 (a) “Applicant for military service” means a person who, under regulations
7 prescribed by the secretary of the relevant military branch, is an applicant for
8 original enlistment or appointment in the state military forces.

9 (b) “Military recruiter” means a person who, under regulations prescribed by
10 the secretary of the relevant military branch, has the primary duty to recruit persons
11 for military service.

12 (c) “Prohibited sexual activity” means any sexual act, as defined in s. 322.120
13 (1) (e), or any sexual contact, as defined in s. 322.120 (1) (f), or any attempt or
14 solicitation to commit a sexual act or sexual contact.

15 (d) “Specially protected junior member of the state military forces” means any
16 of the following:

17 1. A member of the state military forces who is assigned to, or is awaiting
18 assignment to, basic training or other initial active duty for training, including a
19 member who is enlisted under a delayed entry program.

20 2. A member of the state military forces who is a cadet, candidate, or
21 midshipman, or a student in any other officer qualification program.

22 3. A member of the state military forces in any program that, by regulation
23 prescribed by the secretary of the relevant military branch, is identified as a training
24 program for initial career qualification.

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1 (e) "Training leadership position" means, with respect to a specially protected
2 junior member of the state military forces, any drill instructor position or other
3 leadership position in a basic training program, an officer candidate school, a reserve
4 officers' training corps unit, a training program for entry into the state military
5 forces, or any program that, by regulation prescribed by the secretary of the relevant
6 military branch, is identified as a training program for initial career qualification.

7 (2) Any officer, noncommissioned officer, or petty officer who is in a training
8 leadership position and engages in prohibited sexual activity with a specially
9 protected junior member of the state military forces shall be punished as a
10 court-martial may direct.

11 (3) Any person who is a military recruiter and engages in prohibited sexual
12 activity with an applicant for military service or a specially protected junior member
13 of the state military forces who is enlisted under a delayed entry program shall be
14 punished as a court-martial may direct.

15 (4) Consent is not a defense for any conduct at issue in a prosecution under this
16 section.

17 **SECTION 2720.** 322.120 (1) (a) of the statutes is repealed.

18 **SECTION 2721.** 322.120 (3) (a) (intro.) of the statutes is amended to read:

19 322.120 (3) (a) (intro.) Commits a sexual act upon another person ~~without~~
20 ~~consent~~ by doing any of the following:

21 **SECTION 2722.** 322.120 (3) (b) of the statutes is renumbered 322.120 (3) (b)
22 (intro.) and amended to read:

23 322.120 (3) (b) (intro.) Commits a sexual act upon another person ~~when~~ under
24 one of the following circumstances:

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1 2. When the person knows or reasonably should know that the other person is
2 asleep, unconscious, or otherwise unaware that the sexual act is occurring.

3 **SECTION 2723.** 322.120 (3) (b) 1. of the statutes is created to read:

4 322.120 (3) (b) 1. Without the consent of the other person.

5 **SECTION 2724.** 322.1325 of the statutes is created to read:

6 **322.1325 Article 132a — Retaliation. (1)** In this section:

7 (a) “Protected communication” means any of the following:

8 1. A lawful communication to a member of Congress, a member of the
9 Wisconsin legislature, the governor, or an inspector general.

10 2. A communication to a member of the U.S. department of defense or the U.S.
11 national guard bureau, a law enforcement officer, a state agency, a legislative service
12 agency, a person in the chain of command, or a court-martial proceeding in which
13 a member of the state military forces complains of, or discloses information that the
14 member reasonably believes constitutes evidence of, a violation of a law or
15 regulation, including a law or regulation prohibiting sexual harassment or unlawful
16 discrimination, or gross mismanagement, a gross waste of funds, an abuse of
17 authority, or a substantial and specific danger to public health or safety.

18 (b) “Unlawful discrimination” means discrimination on the basis of race, color,
19 religion, sex, or national origin.

20 **(2)** Any person who, with intent to retaliate against any person for reporting
21 or planning to report a criminal or military offense or for making or planning to make
22 a protected communication, or with intent to discourage any person from reporting
23 a criminal or military offense or making a protected communication, does any of the
24 following shall be punished as a court-martial may direct:

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1 (a) Wrongfully takes or threatens to take an adverse personnel action against
2 any person.

3 (b) Wrongfully withholds or threatens to withhold a favorable personnel action
4 with respect to any person.

5 **SECTION 2725.** 322.133 of the statutes is amended to read:

6 **322.133 Article 133 — Conduct unbecoming an officer and a gentleman.**

7 Any commissioned officer, cadet, candidate, or midshipman who is convicted of
8 conduct unbecoming an officer and a gentleman shall be punished as a court-martial
9 may direct.

10 **SECTION 2726.** 322.1345 of the statutes is created to read:

11 **322.1345 Article 134h — Sexual harassment.** Any person who knowingly
12 makes an unwelcome sexual advance, demand, or request for a sexual favor or
13 knowingly engages in other unwelcome conduct of a sexual nature shall be punished
14 as a court-martial may direct if all of the following apply:

15 (1) The sexual advance, demand, request, or conduct of a sexual nature
16 satisfies any of the following conditions:

17 (a) It would, under the circumstances, cause a reasonable person to believe, and
18 at least one person did believe, that submission to or rejection of such an advance,
19 demand, request, or conduct would be made, either explicitly or implicitly, a term or
20 condition of that person's job, pay, career, benefits, or entitlements or would be used
21 as a basis for decisions affecting that person's job, pay, career, benefits, or
22 entitlements.

23 (b) It was so severe, repetitive, or pervasive that a reasonable person would
24 perceive, and at least one person did perceive, an intimidating, hostile, or offensive
25 working environment.

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1 **(2)** The sexual advance, demand, request, or conduct of a sexual nature was to
2 the prejudice of good order and discipline in the state military forces or of a nature
3 to bring discredit upon the state military forces, or both.

4 **SECTION 2727.** 323.19 (3) and (4) of the statutes are repealed.

5 **SECTION 2728.** 341.085 (1) of the statutes is amended to read:

6 341.085 **(1)** The department shall inspect all ambulances prior to issuing an
7 original or renewal registration to determine that the vehicles meet requirements
8 specified by law or administrative rule as to specifications, ~~medical equipment,~~
9 supplies, and sanitation.

10 **SECTION 2729.** 341.085 (1m) of the statutes is created to read:

11 341.085 **(1m)** Prior to the department issuing an original or renewal
12 registration for an ambulance under sub. (1), the department of health services shall
13 inspect the ambulance to determine whether the vehicle meets requirements
14 specified by law or administrative rule as to medical equipment.

15 **SECTION 2730.** 341.085 (2) of the statutes is amended to read:

16 341.085 **(2)** The department may adopt rules necessary for administration of
17 this section and prescribe ambulance service equipment and standards therefor,
18 except that any ambulance which does not conform to rules adopted by the
19 department may be used until December 30, 1979. The department of health
20 services may adopt rules necessary to administer sub. (1m) and establish ambulance
21 medical equipment standards.

22 **SECTION 2731.** 341.13 (5) of the statutes is created to read:

23 341.13 **(5)** A hybrid electric vehicle, as defined under s. 341.25 (1) (L) 1. b., or
24 a nonhybrid electric vehicle, as defined under s. 341.25 (1) (L) 1. c., shall bear decals

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1 issued by the department to indicate that the vehicle is an electric vehicle. The decals
2 shall be displayed as provided in s. 341.15 (1m) (c).

3 **SECTION 2732.** 341.14 (1a), (1e) (a), (1m) and (1q) of the statutes are amended
4 to read:

5 341.14 **(1a)** If any resident of this state, who is registering or has registered an
6 automobile, or a motor truck, dual purpose motor home or dual purpose farm truck
7 which has a gross weight of not more than 8,000 pounds, a farm truck which has a
8 gross weight of not more than 12,000 pounds or a motor home, submits a statement
9 once every 4 years, as determined by the department, from a physician licensed to
10 practice medicine in any state, from an advanced practice registered nurse licensed
11 to practice nursing in any state, from a public health nurse certified or licensed to
12 practice in any state, from a physician assistant licensed or certified to practice in
13 any state, from a podiatrist licensed to practice in any state, from a chiropractor
14 licensed to practice chiropractic in any state, or from a Christian Science practitioner
15 residing in this state and listed in the Christian Science journal certifying to the
16 department that the resident is a person with a disability that limits or impairs the
17 ability to walk, the department shall procure, issue and deliver to the disabled
18 person plates of a special design in lieu of plates which ordinarily would be issued
19 for the vehicle, and shall renew the plates. The plates shall be so designed as to
20 readily apprise law enforcement officers of the fact that the vehicle is owned by a
21 nonveteran disabled person and is entitled to the parking privileges specified in s.
22 346.50 (2a). No charge in addition to the registration fee shall be made for the
23 issuance or renewal of such plates.

24 **(1e)** (a) If any resident of this state, who is registering or has registered a
25 motorcycle, submits a statement once every 4 years, as determined by the

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1 department, from a physician licensed to practice medicine in any state, from an
2 advanced practice registered nurse licensed to practice nursing in any state, from a
3 public health nurse certified or licensed to practice in any state, from a physician
4 assistant licensed or certified to practice in any state, from a podiatrist licensed to
5 practice in any state, from a chiropractor licensed to practice chiropractic in any
6 state, from a Christian Science practitioner residing in this state and listed in the
7 Christian Science journal, or from the U.S. department of veterans affairs certifying
8 to the department that the resident is a person with a disability that limits or impairs
9 the ability to walk, the department shall procure, issue and deliver to the disabled
10 person a plate of a special design in lieu of the plate which ordinarily would be issued
11 for the motorcycle, and shall renew the plate. The statement shall state whether the
12 disability is permanent or temporary and, if temporary, the opinion of the physician,
13 advanced practice registered nurse, public health nurse, physician assistant,
14 podiatrist, chiropractor, practitioner, or U.S. department of veterans affairs as to the
15 duration of the disability. The plate shall be so designed as to readily apprise law
16 enforcement officers of the fact that the motorcycle is owned by a disabled person and
17 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
18 to the registration fee may be made for the issuance or renewal of the plate.

19 **(1m)** If any licensed driver submits to the department a statement once every
20 4 years, as determined by the department, from a physician licensed to practice
21 medicine in any state, from a public health nurse certified or licensed to practice in
22 any state, from an advanced practice registered nurse licensed to practice nursing
23 in any state, from a physician assistant licensed or certified to practice in any state,
24 from a podiatrist licensed to practice in any state, from a chiropractor licensed to
25 practice chiropractic in any state, or from a Christian Science practitioner residing

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1 in this state and listed in the Christian Science journal certifying that another
2 person who is regularly dependent on the licensed driver for transportation is a
3 person with a disability that limits or impairs the ability to walk, the department
4 shall issue and deliver to the licensed driver plates of a special design in lieu of the
5 plates which ordinarily would be issued for the automobile or motor truck, dual
6 purpose motor home or dual purpose farm truck having a gross weight of not more
7 than 8,000 pounds, farm truck having a gross weight of not more than 12,000 pounds
8 or motor home, and shall renew the plates. The plates shall be so designed as to
9 readily apprise law enforcement officers of the fact that the vehicle is operated by a
10 licensed driver on whom a disabled person is regularly dependent and is entitled to
11 the parking privileges specified in s. 346.50 (2a). No charge in addition to the
12 registration fee may be made for the issuance or renewal of the plates. The plates
13 shall conform to the plates required in sub. (1a).

14 **(1q)** If any employer who provides an automobile, or a motor truck, dual
15 purpose motor home or dual purpose farm truck which has a gross weight of not more
16 than 8,000 pounds, a farm truck which has a gross weight of not more than 12,000
17 pounds or a motor home, for an employee's use submits to the department a
18 statement once every 4 years, as determined by the department, from a physician
19 licensed to practice medicine in any state, from an advanced practice registered
20 nurse licensed to practice nursing in any state, from a public health nurse certified
21 or licensed to practice in any state, from a physician assistant licensed or certified
22 to practice in any state, from a podiatrist licensed to practice in any state, from a
23 chiropractor licensed to practice chiropractic in any state, or from a Christian
24 Science practitioner residing in this state and listed in the Christian Science journal
25 certifying that the employee is a person with a disability that limits or impairs the

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1 ability to walk, the department shall issue and deliver to such employer plates of a
2 special design in lieu of the plates which ordinarily would be issued for the vehicle,
3 and shall renew the plates. The plates shall be so designed as to readily apprise law
4 enforcement officers of the fact that the vehicle is operated by a disabled person and
5 is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition
6 to the registration fee may be made for the issuance or renewal of the plates. The
7 plates shall conform to the plates required in sub. (1a).

8 **SECTION 2733.** 341.14 (6r) (f) 60. of the statutes is amended to read:

9 341.14 **(6r)** (f) 60. Persons interested in expressing their support of a major
10 league professional baseball team that uses as its home field baseball park facilities
11 that are constructed under subch. III of ch. 229.

12 **SECTION 2734.** 341.15 (1m) (a) of the statutes is amended to read:

13 341.15 **(1m)** (a) Except as provided in par. (b) or (c), any registration decal or
14 tag issued by the department shall be placed on the rear registration plate of the
15 vehicle in the manner directed by the department.

16 **SECTION 2735.** 341.15 (1m) (c) of the statutes is created to read:

17 341.15 **(1m)** (c) Decals issued by the department to indicate that a vehicle is
18 an electric vehicle shall be displayed on the registration plates attached to the front
19 and the rear of the vehicle.

20 **SECTION 2736.** 341.26 (8) of the statutes is created to read:

21 341.26 **(8)** ELECTRIC VEHICLES. A registration fee of \$1 shall be paid to the
22 department for the issuance of the decals required under s. 341.13 (5) for a hybrid
23 electric vehicle, as defined under s. 341.25 (1) (L) 1. b., or a nonhybrid electric vehicle,
24 as defined under s. 341.25 (1) (L) 1. c.

25 **SECTION 2737.** 343.03 (3m) of the statutes is amended to read:

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1 343.03 **(3m)** NONCITIZEN LIMITED-TERM LICENSE. If the issuance of any license
2 described under sub. (3) requires the license applicant to present any documentary
3 proof specified in s. 343.14 (2) (es) ~~2. to 7.~~ 1m. b. to g. or (im) 2m. b., the license shall
4 display on the front side of the license, in addition to any legend or label described
5 in sub. (3), a legend identifying the license as limited term or, if the license authorizes
6 the operation of a commercial motor vehicle, as a nondomiciled license. This
7 noncitizen limited-term license may not be renewed except as provided in s. 343.165
8 (4) (c). A nondomiciled license may not be issued to a resident of Canada or Mexico.

9 **SECTION 2738.** 343.03 (3r) of the statutes is amended to read:

10 343.03 **(3r)** REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
11 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
12 addition to any legend or label described in sub. (3), be marked in a manner
13 consistent with requirements under applicable federal law and regulations to
14 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),
15 and is not intended to be accepted by any federal agency for federal identification or
16 any other official purpose. Section 344.62 applies to a person operating a motor
17 vehicle under the authorization of a license issued under this subsection.

18 **SECTION 2739.** 343.06 (1) (c) of the statutes is amended to read:

19 343.06 **(1)** (c) To any person under age 18 unless the person is enrolled in a
20 school program or high school equivalency program and is not a habitual truant as
21 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
22 declaration of high school graduation equivalency, or is enrolled in a home-based
23 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
24 completed a course in driver education in public schools approved by the department
25 of public instruction, or in technical colleges approved by the technical college system

ASSEMBLY BILL 43**SECTION 2739**

1 board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001
2 (15m), that meet the minimum standards set by the department of public
3 instruction, or has satisfactorily completed a substantially equivalent course in
4 driver training approved by the department and given by a school licensed by the
5 department under s. 343.61, or has satisfactorily completed a substantially
6 equivalent course in driver education or training approved by another state and has
7 attained the age of 16, except as provided in s. 343.07 (1g). The department shall not
8 issue a license to any person under the age of 18 authorizing the operation of “Class
9 M” vehicles unless the person has successfully completed a basic rider course
10 approved by the Wisconsin department of transportation motorcycle safety program.
11 The department may, by rule, exempt certain persons from the basic rider course
12 requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135
13 are exempt from the driver education, basic rider or driver training course
14 requirement. The secretary shall prescribe rules for licensing of schools and
15 instructors to qualify under this paragraph. The driver education course shall be
16 made available to every eligible student in the state. Except as provided under s.
17 343.16 (1) (a) 5., (bm), and (c) and (2) (cm) to (e), no operator’s license may be issued
18 unless a driver’s examination has been administered by the department.

19 **SECTION 2740.** 343.085 (2m) (b) 2. of the statutes is amended to read:

20 343.085 **(2m)** (b) 2. If the department extends a restriction period under subd.
21 1., the department shall immediately provide notice of the extension by 1st class mail
22 to the person’s last-known residence address, or if the person has requested
23 electronic notification in the manner prescribed by the department, by any electronic
24 means offered by the department.

ASSEMBLY BILL 43**SECTION 2741**

1 **SECTION 2741.** 343.14 (2) (br) of the statutes is renumbered 343.14 (2) (br) 1.
2 and amended to read:

3 343.14 (2) (br) 1. If Except as provided in subd. 2., if the applicant does not have
4 a social security number, a statement made or subscribed under oath or affirmation
5 that the applicant does not have a social security number and is not eligible for a
6 social security number. The statement shall provide the basis or reason that the
7 applicant is not eligible for a social security number, as well as any information
8 requested by the department that may be needed by the department for purposes of
9 verification under s. 343.165 (1) (c). The form of the statement shall be prescribed
10 by the department, with the assistance of the department of children and families.
11 A license that is issued or renewed under s. 343.17 in reliance on a statement
12 submitted under this paragraph subdivision is invalid if the statement is false.

13 **SECTION 2742.** 343.14 (2) (br) 2. of the statutes is created to read:

14 343.14 (2) (br) 2. If the applicant does not have a social security number and
15 the application is for an operator's license that contains the marking specified in s.
16 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
17 (3) (b), a statement made or subscribed under oath or affirmation that the applicant
18 does not have a social security number. The form of the statement shall be prescribed
19 by the department, with the assistance of the department of children and families.
20 A license that is issued or renewed under s. 343.17 in reliance on a statement
21 submitted under this subdivision is invalid if the statement is false.

22 **SECTION 2743.** 343.14 (2) (es) of the statutes is renumbered 343.14 (2) (es) 1m.,
23 and 343.14 (2) (es) 1m. (intro.), as renumbered, is amended to read:

24 343.14 (2) (es) 1m. (intro.) Subject to sub. (2g) (a) 2. d. and s. 343.125 (2) (a) and
25 (b), and except as provided in subd. 2m., valid documentary proof that the individual

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1 is a citizen or national of the United States or an alien lawfully admitted for
2 permanent or temporary residence in the United States or has any of the following:

3 **SECTION 2744.** 343.14 (2) (es) 2m. of the statutes is created to read:

4 343.14 (2) (es) 2m. Valid documentary proof under subd. 1m. is not required if
5 the application is for an operator's license that contains the marking specified in s.
6 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
7 (3) (b).

8 **SECTION 2745.** 343.14 (2j) of the statutes is amended to read:

9 343.14 (2j) Except as otherwise required to administer and enforce this
10 chapter, the department of transportation may not disclose a social security number
11 obtained from an applicant for a license under sub. (2) (bm) to any person except to
12 the department of children and families for the sole purpose of administering s.
13 49.22, to the department of workforce development for the sole purpose of enforcing
14 or administering s. 108.22, to the department of revenue for the purposes of
15 administering state taxes and collecting debt, to the driver licensing agency of
16 another jurisdiction, or to the elections commission for the sole purpose of allowing
17 the chief election officer to comply with the terms of the agreement under s. 6.36 (1)
18 (ae). The department of transportation may not disclose to any person the fact that
19 an applicant has provided verification under s. 343.165 (7) (c) 2. that the applicant
20 does not have a social security number, except to the elections commission for
21 purposes of administering the agreement described in s. 5.056.

22 **SECTION 2746.** 343.14 (2p) of the statutes is created to read:

23 343.14 (2p) (a) The forms for application for a license or identification card or
24 for renewal thereof shall inform the applicant of the department's duty to make
25 available to the elections commission the information described in s. 6.256 (2) for the

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1 purposes specified in s. 6.256 (1) and (3) and shall provide the applicant an
2 opportunity to elect not to have this information made available for these purposes.

3 (b) If the applicant elects not to have the information described in s. 6.256 (2)
4 made available for the purposes specified in s. 6.256 (1) and (3), the department may
5 not make this information available for these purposes. This paragraph does not
6 preclude the department from making available to the elections commission
7 information for the purposes specified in s. 6.34 (2m) or for any purpose other than
8 those specified in s. 6.256 (1) and (3).

9 **SECTION 2747.** 343.14 (3) of the statutes is amended to read:

10 343.14 (3) Except as provided in sub. (3m) and s. 343.16 (3) (c), the department
11 shall, as part of the application process, take a digital photograph including facial
12 image capture of the applicant to comply with s. 343.17 (3) (a) 2. Except as provided
13 in sub. (3m) and s. 343.16 (3) (c), no application may be processed without the
14 photograph being taken. Except as provided in sub. (3m) and ~~s.~~ ss. 343.16 (3) (c) and
15 343.165 (4) (d), in the case of renewal licenses, the photograph shall be taken once
16 every 8 years, and shall coincide with the appearance for examination which is
17 required under s. 343.16 (3).

18 **SECTION 2748.** 343.16 (1) (a) 1. of the statutes is amended to read:

19 343.16 (1) (a) 1. Except as provided in subd. 5. and when examination by an
20 authorized 3rd-party tester is permitted under pars. (b) to (c), the department shall
21 examine every applicant for an operator's license, including applicants for license
22 renewal as provided in sub. (3), and every applicant for authorization to operate a
23 vehicle class or type for which the applicant does not hold currently valid
24 authorization, other than an instruction permit.

25 **SECTION 2749.** 343.16 (1) (a) 2. a. of the statutes is amended to read:

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1 343.16 (1) (a) 2. a. Except as provided in par. (cm) and sub. (2) (cm) and (e), the
2 examinations of applicants for licenses authorizing operation of “Class A”, “Class B”,
3 “Class C”, “Class D” or “Class M” vehicles shall include both a knowledge test and
4 an actual demonstration in the form of a driving skills test of the applicant’s ability
5 to exercise ordinary and reasonable control in the operation of a representative
6 vehicle.

7 **SECTION 2750.** 343.16 (1) (a) 5. of the statutes is created to read:

8 343.16 (1) (a) 5. The department may waive the driving skills test of an
9 individual applying for an operator’s license if all of the following apply:

10 a. The applicant is under 18 years of age.

11 b. The application is for authorization to operate only “Class D” vehicles.

12 c. The applicant has satisfactorily completed a course in driver education in a
13 public school approved by the department of public instruction, or in a technical
14 college approved by the technical college system board, or in a nonpublic and private
15 school or tribal school, as defined in s. 115.001 (15m), that meets the minimum
16 standards set by the department of public instruction, or has satisfactorily completed
17 a substantially equivalent course in driver training approved by the department and
18 given by a school licensed by the department under s. 343.61, or has satisfactorily
19 completed a substantially equivalent course in driver education or training approved
20 by another state.

21 d. An adult sponsor who has signed for the applicant under s. 343.15 (1)
22 consents to a waiver of the driving skills test.

23 **SECTION 2751.** 343.16 (3) (a) of the statutes is amended to read:

24 343.16 (3) (a) Except as provided in s. 343.165 (4) (d), the department shall
25 examine every applicant for the renewal of an operator’s license once every 8 years.

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1 The department may institute a method of selecting the date of renewal so that such
2 examination shall be required for each applicant for renewal of a license to gain a
3 uniform rate of examinations. Subject to ~~par.~~ pars. (am) and (c), the examination
4 shall consist of a test of eyesight. The department shall make provisions for giving
5 such examinations at examining stations in each county to all applicants for an
6 operator's license. The person to be examined shall appear at the examining station
7 nearest the person's place of residence or at such time and place as the department
8 designates in answer to an applicant's request. In lieu of examination, the applicant
9 may present or mail to the department a report of examination of the applicant's
10 eyesight by an ophthalmologist, optometrist or physician licensed to practice
11 medicine. The report shall be based on an examination made not more than 3 months
12 prior to the date it is submitted. The report shall be on a form furnished and in the
13 form required by the department. The department shall decide whether, in each
14 case, the eyesight reported is sufficient to meet the current eyesight standards.

15 **SECTION 2752.** 343.16 (3) (c) of the statutes is created to read:

16 343.16 (3) (c) 1. An applicant for the renewal of an operator's license may apply
17 for the license, and the department may issue the license, by any electronic means
18 offered by the department if all of the following apply:

19 a. The applicant verifies that his or her eyesight is sufficient to meet the current
20 eyesight standards.

21 b. The applicant satisfies any eligibility criteria established by the department
22 under subd. 2.

23 2. The department may establish additional criteria for eligibility for license
24 renewal by electronic means under this paragraph.

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1 3. a. The department may renew a license under this paragraph without a test
2 of eyesight.

3 b. Subject to s. 343.165 (7), the department may renew a license under this
4 paragraph without a photograph being taken if the department is able to produce a
5 photograph of the applicant from its records.

6 4. The department may not make consecutive renewals of an operator's license
7 by electronic means.

8 **SECTION 2753.** 343.16 (5) (a) of the statutes is amended to read:

9 343.16 (5) (a) The secretary may require any applicant for a license or any
10 licensed operator to submit to a special examination by such persons or agencies as
11 the secretary may direct to determine incompetency, physical or mental disability,
12 disease, or any other condition that might prevent such applicant or licensed person
13 from exercising reasonable and ordinary control over a motor vehicle. If the
14 department requires the applicant to submit to an examination, the applicant shall
15 pay for the examination. If the department receives an application for a renewal or
16 duplicate license after voluntary surrender under s. 343.265 or receives a report from
17 a physician, physician assistant, advanced practice registered nurse ~~prescriber~~
18 ~~certified under s. 441.16 (2)~~ licensed under s. 441.09, or optometrist under s. 146.82
19 (3), or if the department has a report of 2 or more arrests within a one-year period
20 for any combination of violations of s. 346.63 (1) or (5) or a local ordinance in
21 conformity with s. 346.63 (1) or (5) or a law of a federally recognized American Indian
22 tribe or band in this state in conformity with s. 346.63 (1) or (5), or s. 346.63 (1m),
23 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved
24 the use of a vehicle, the department shall determine, by interview or otherwise,
25 whether the operator should submit to an examination under this section. The

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1 examination may consist of an assessment. If the examination indicates that
2 education or treatment for a disability, disease or condition concerning the use of
3 alcohol, a controlled substance or a controlled substance analog is appropriate, the
4 department may order a driver safety plan in accordance with s. 343.30 (1q). If there
5 is noncompliance with assessment or the driver safety plan, the department shall
6 revoke the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

7 **SECTION 2754.** 343.165 (1) (c) of the statutes is amended to read:

8 343.165 (1) (c) Proof of the applicant's social security number or, except as
9 provided in sub. (7) (c) 2. and s. 343.14 (2g) (a) 4., verification that the applicant is
10 not eligible for a social security number.

11 **SECTION 2755.** 343.165 (1) (e) of the statutes is amended to read:

12 343.165 (1) (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., and
13 except as provided in sub. (7) (c) 1. and s. 343.14 (2) (es) 2m., the documentary proof
14 described in s. 343.14 (2) (es) 1m.

15 **SECTION 2756.** 343.165 (3) (b) of the statutes is amended to read:

16 343.165 (3) (b) The department may not accept any foreign document, other
17 than an official passport, to satisfy a requirement under sub. (1). This paragraph
18 does not apply to an application processed under sub. (7) (c).

19 **SECTION 2757.** 343.165 (3) (c) of the statutes is amended to read:

20 343.165 (3) (c) For purposes of par. (a) and sub. (1) (c), if an applicant presents
21 a social security number that is already registered to or associated with another
22 person, the department shall direct the applicant to investigate and take appropriate
23 action to resolve the discrepancy and shall not issue any operator's license or
24 identification card until the discrepancy is resolved. The department shall adopt

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1 procedures for purposes of verifying that an applicant is not eligible for a social
2 security number, except with respect to applications processed under sub. (7) (c).

3 **SECTION 2758.** 343.165 (4) (b) of the statutes is amended to read:

4 343.165 (4) (b) The department shall establish an effective procedure to
5 confirm or verify an applicant's information for purposes of any application described
6 in par. (a). The procedure shall include verification of the applicant's social security
7 number or, except with respect to applications processed under sub. (7) (c),
8 ineligibility for a social security number.

9 **SECTION 2759.** 343.165 (4) (d) of the statutes is amended to read:

10 343.165 (4) (d) With any license or identification card renewal following a
11 license or identification card expiration established under s. 343.20 (1m) or 343.50
12 (5) (bm) or (c) at other than an 8-year interval, the department may determine
13 whether the applicant's photograph is to be taken, or if the renewal is for a license
14 the applicant is to be examined, or both, at the time of such renewal, so long as the
15 applicant's photograph is taken, and if the renewal is for a license the applicant is
16 examined, with a license or card renewal at least once every 8 years and the
17 applicant's license or identification card at all times includes a photograph unless an
18 exception under s. 343.14 (3m) or 343.50 (4g) applies.

19 **SECTION 2760.** 343.165 (7) (a) (intro.) of the statutes is amended to read:

20 343.165 (7) (a) (intro.) The Subject to par. (c), the department may process an
21 application for, and issue or renew, an operator's license or identification card
22 without meeting the requirements under subs. (2) and (3) if all of the following apply:

23 **SECTION 2761.** 343.165 (7) (c) of the statutes is created to read:

24 343.165 (7) (c) 1. Notwithstanding s. 343.14 (2) (f), in processing an application
25 for, and issuing or renewing, an operator's license that contains the marking

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1 specified in s. 343.03 (3r) or an identification card that contains the marking
2 specified in s. 343.50 (3) (b), the department may not include any question or require
3 any proof or documentation as to whether the applicant is a citizen or national of the
4 United States or lawfully present in the United States.

5 2. For an application processed under this paragraph, if the applicant does not
6 provide proof of the applicant's social security number, the applicant shall provide
7 verification, in the manner described in s. 343.14 (2) (br) 2., that the applicant does
8 not have a social security number.

9 3. Notwithstanding sub. (1) (a), for an application processed under this
10 paragraph, an applicant may provide an individual taxpayer identification number,
11 a foreign passport, or any other documentation deemed acceptable to the
12 department, in lieu of the documentation required under sub. (1) (a).

13 4. Notwithstanding sub. (1) (b) and (d), for an application processed under this
14 paragraph, an applicant may provide any documentation deemed acceptable to the
15 department, in lieu of the documentation required under sub. (1) (b) or (d).

16 **SECTION 2762.** 343.17 (3) (a) 16. of the statutes is created to read:

17 343.17 (3) (a) 16. If the license is marked as provided in s. 343.03 (3r) and the
18 license applicant did not provide a verified social security number with the license
19 application, the words "Not valid for voting purposes. Not evidence of citizenship or
20 immigration status."

21 **SECTION 2763.** 343.17 (3) (d) 1g. of the statutes is amended to read:

22 343.17 (3) (d) 1g. "F" endorsement, which authorizes a seasonal employee of
23 a farm service industry employer who is eligible for a restricted commercial driver
24 license under applicable federal law or regulation to operate "Class B" and "Class C"
25 vehicles as described in s. 343.04 (1) (b) and (c) for a seasonal period not to exceed 180

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1 210 days in any calendar year. This endorsement permits the transporting of liquid
2 fertilizers in vehicles or implements of husbandry with total capacities of 3,000
3 gallons or less, solid fertilizers that are not transported with any organic substance
4 or 1,000 gallons or less of diesel fuel, but no combination of these materials. The
5 endorsement does not permit operation of a commercial motor vehicle beyond 150
6 miles of the farm service industry employer's place of business or, in the case of
7 custom harvesters, the farm currently being served.

8 **SECTION 2764.** 343.20 (1) (f) of the statutes is amended to read:

9 343.20 (1) (f) The department shall cancel an operator's license, regardless of
10 the license expiration date, if the department receives information from a local, state,
11 or federal government agency that the licensee no longer satisfies the requirements
12 for issuance of a license under ss. 343.14 (2) (es) and 343.165 (1) (e). This paragraph
13 does not apply to an operator's license if the license application was processed under
14 s. 343.165 (7) (c).

15 **SECTION 2765.** 343.20 (1m) of the statutes is amended to read:

16 343.20 (1m) Notwithstanding sub. (1) (a), and except as provided in s. 343.165
17 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person
18 who is not a United States citizen or permanent resident and who provides
19 documentary proof of legal status as provided under s. 343.14 (2) (es) ~~2., 4., 5., 6., or~~
20 ~~7.~~ 1m. b., d., e., f., or g. shall expire on the date that the person's legal presence in the
21 United States is no longer authorized or on the expiration date determined under
22 sub. (1), whichever date is earlier. If the documentary proof as provided under s.
23 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
24 United States is no longer authorized, sub. (1) shall apply except that, if the license
25 was issued or renewed based upon the person's presenting of any documentary proof

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1 specified in s. 343.14 (2) (es) ~~4. to 7. 1m. d. to g.~~, the license shall, subject to s. 343.165
2 (4) (c), expire one year after the date of issuance or renewal. This subsection does not
3 apply to a license that contains the marking specified in s. 343.03 (3r).

4 **SECTION 2766.** 343.20 (2) (a) of the statutes is amended to read:

5 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
6 the department shall provide to the licensee notice of renewal of the license either
7 by mail at the licensee's last-known address or, if desired by the licensee, by any
8 electronic means offered by the department. If the license was issued or last renewed
9 based upon the person's presenting of any documentary proof specified in s. 343.14
10 (2) (es) ~~4. to 7. 1m. d. to g.~~, the notice shall inform the licensee of the requirement
11 under s. 343.165 (4) (c).

12 **SECTION 2767.** 343.301 (1g) (a) 2. a. of the statutes is amended to read:

13 343.301 (1g) (a) 2. a. The person ~~had an~~ offense involved the use of alcohol
14 concentration of 0.15 or more at the time of the offense.

15 **SECTION 2768.** 343.305 (8) (b) 7. of the statutes is amended to read:

16 343.305 (8) (b) 7. The hearing examiner shall notify the person in writing of the
17 hearing decision, of the right to judicial review and of the court's authority to issue
18 a stay of the suspension under par. (c). If the person has requested electronic
19 communication in the manner prescribed by the department, the hearing examiner
20 may provide the notice under this subdivision by any electronic means offered by the
21 department. The administrative suspension is vacated and the person's operating
22 privilege shall be automatically reinstated under s. 343.39 if the hearing examiner
23 fails to mail or provide this notice in the manner specified under this subdivision to
24 the person within 30 days after the date of the notification under par. (a).

25 **SECTION 2769.** 343.315 (4) of the statutes is amended to read:

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1 343.315 (4) NOTIFICATION AND COMMENCEMENT. ~~The~~ Except as provided in this
2 section, the department shall send ~~the~~ a notice of disqualification under this section
3 by 1st class mail to a person's last-known residence address. If a person has
4 requested electronic notification in the manner prescribed by the department, the
5 department may provide the notice of disqualification by any electronic means
6 offered by the department. A period of disqualification ordered under this section
7 commences on the date on which the notice is sent under this subsection. This
8 subsection does not apply to disqualifications under sub. (2) (g).

9 **SECTION 2770.** 343.44 (3) of the statutes is amended to read:

10 343.44 (3) FAILURE TO RECEIVE NOTICE. Refusal to accept or failure to receive an
11 order of revocation, suspension, or disqualification ~~mailed by 1st class mail to such~~
12 ~~person's last-known address shall not be~~ provided as authorized by the statutes is
13 not a defense to the charge of driving after revocation, suspension, or
14 disqualification. If the person has changed his or her address and fails to notify the
15 department as required in s. 343.22 then failure to receive notice of revocation,
16 suspension, or disqualification ~~shall not be~~ mailed as authorized by the statutes is
17 not a defense to the charge of driving after revocation, suspension or disqualification.
18 If a person has requested electronic notification in the manner prescribed by the
19 department and the person has changed the electronic contact information provided
20 to the department without informing the department, failure to receive notice of
21 revocation, suspension, or disqualification is not a defense to the charge of driving
22 after revocation, suspension, or disqualification.

23 **SECTION 2771.** 343.50 (1) (c) 1. of the statutes is amended to read:

24 343.50 (1) (c) 1. The department may issue a receipt to any applicant for an
25 identification card, and shall issue a receipt to an applicant requesting an

ASSEMBLY BILL 43**SECTION 2771**

1 identification card under sub. (5) (a) 3., which receipt shall constitute a temporary
2 identification card while the application is being processed and shall be valid for a
3 period not to exceed ~~60~~ 180 days. If the application for an identification card is
4 processed under the exception specified in s. 343.165 (7) or (8), the receipt shall
5 include the marking specified in sub. (3) (b).

6 **SECTION 2772.** 343.50 (3) (a) and (b) of the statutes are amended to read:

7 343.50 (3) (a) The card shall be the same size as an operator's license but shall
8 be of a design which is readily distinguishable from the design of an operator's license
9 and bear upon it the words "IDENTIFICATION CARD ONLY." The information on
10 the card shall be the same as specified under s. 343.17 (3). If the issuance of the card
11 requires the applicant to present any documentary proof specified in s. 343.14 (2) (es)
12 ~~4. to 7. 1m. d. to g.~~, the card shall display, on the front side of the card, a legend
13 identifying the card as temporary. The card shall contain physical security features
14 consistent with any requirement under federal law. The card may serve as a record
15 of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided
16 in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2)
17 (u). Except as provided in sub. (4g), the card shall contain the holder's photograph
18 and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

19 (b) If an identification card is issued based upon the exception specified in s.
20 343.165 (7) or (8), the card shall, in addition to any other required legend or design,
21 be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar
22 or identical to the marking described in s. 343.03 (3r) and, if applicable, the words
23 specified in s. 343.17 (3) (a) 16.

24 **SECTION 2773.** 343.50 (5) (b) of the statutes is amended to read:

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1 343.50 (5) (b) Except as provided in pars. (bm), (c), and (d) and s. 343.165 (4)
2 (c), an original or reinstated card shall be valid for the succeeding period of 8 years
3 from the applicant's next birthday after the date of issuance, and a renewed card
4 shall be valid for the succeeding period of 8 years from the card's last expiration date.

5 **SECTION 2774.** 343.50 (5) (bm) of the statutes is created to read:

6 343.50 (5) (bm) Notwithstanding par. (d), if the identification card application
7 was processed under s. 343.165 (7) (c) and the applicant did not provide a verified
8 social security number, an original or reinstated card shall be valid for the succeeding
9 period of 2 years from the applicant's next birthday after the date of issuance, and
10 a renewed card shall be valid for the succeeding period of 2 years from the card's last
11 expiration date.

12 **SECTION 2775.** 343.50 (5) (c) of the statutes is amended to read:

13 343.50 (5) (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided
14 in this paragraph, an identification card that is issued to a person who is not a United
15 States citizen and who provides documentary proof of legal status as provided under
16 s. 343.14 (2) (es) 1m. shall expire on the date that the person's legal presence in the
17 United States is no longer authorized or on the expiration date determined under
18 par. (b), whichever date is earlier. If the documentary proof as provided under s.
19 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
20 United States is no longer authorized, then the card shall be valid for the period
21 specified in par. (b) except that, if the card was issued or renewed based upon the
22 person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~
23 1m. d. to g., the card shall, subject to s. 343.165 (4) (c), expire one year after the date
24 of issuance or renewal. This paragraph does not apply to an identification card that
25 contains the marking specified in sub. (3) (b).

ASSEMBLY BILL 43**SECTION 2776**

1 **SECTION 2776.** 343.50 (6) of the statutes is amended to read:

2 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
3 identification card, the department shall provide to the card holder notice of renewal
4 of the card either by mail at the card holder's last-known address or, if desired by
5 the card holder, by any electronic means offered by the department. If the card was
6 issued or last renewed based upon the person's presenting of any documentary proof
7 specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the card holder
8 of the requirement under s. 343.165 (4) (c). The department shall include with the
9 notice information, as developed by all organ procurement organizations in
10 cooperation with the department, that promotes anatomical donations and which
11 relates to the anatomical donation opportunity available under s. 343.175. The
12 department may renew an identification card by mail or by any electronic means
13 available to the department, but the department may not make consecutive renewals
14 by mail or electronic means.

15 **SECTION 2777.** 343.50 (8) (c) 6. of the statutes is created to read:

16 343.50 (8) (c) 6. Notwithstanding any other provision of par. (b) and this
17 paragraph, the department may not disclose to any person the fact that an applicant
18 has provided verification under s. 343.165 (7) (c) 2. that the applicant does not have
19 a social security number, except to the elections commission for purposes of
20 administering the agreement described in s. 5.056.

21 **SECTION 2778.** 343.50 (10) (c) of the statutes is amended to read:

22 343.50 (10) (c) Whenever the department receives information from a local,
23 state, or federal government agency that the card holder no longer satisfies the
24 requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A
25 card cancelled under this paragraph may not be reinstated under sub. (5) until these

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1 requirements are again satisfied. This paragraph does not apply to a card if the card
2 application was processed under s. 343.165 (7) (c).

3 **SECTION 2779.** 343.51 (1) of the statutes is amended to read:

4 343.51 (1) Any person who qualifies for registration plates of a special design
5 under s. 341.14 (1), (1a), (1m), or (1q) or any other person with a disability that limits
6 or impairs the ability to walk may request from the department a special
7 identification card that will entitle any motor vehicle parked by, or under the
8 direction of, the person, or a motor vehicle operated by or on behalf of the
9 organization when used to transport such a person, to parking privileges under s.
10 346.50 (2), (2a), and (3). The department shall issue the card at a fee to be determined
11 by the department, upon submission by the applicant, if the applicant is an
12 individual rather than an organization, of a statement from a physician licensed to
13 practice medicine in any state, from an advanced practice registered nurse licensed
14 to practice nursing in any state, from a public health nurse certified or licensed to
15 practice in any state, from a physician assistant licensed or certified to practice in
16 any state, from a podiatrist licensed to practice in any state, from a chiropractor
17 licensed to practice chiropractic in any state, or from a Christian Science practitioner
18 residing in this state and listed in the Christian Science journal that the person is
19 a person with a disability that limits or impairs the ability to walk. The statement
20 shall state whether the disability is permanent or temporary and, if temporary, the
21 opinion of the physician, advanced practice registered nurse, public health nurse,
22 physician assistant, podiatrist, chiropractor, or practitioner as to the duration of the
23 disability. The department shall issue the card upon application by an organization
24 on a form prescribed by the department if the department believes that the
25 organization meets the requirements under this subsection.

ASSEMBLY BILL 43**SECTION 2780**

1 **SECTION 2780.** 343.62 (4) (a) 4. of the statutes is amended to read:

2 343.62 (4) (a) 4. The applicant submits with the application a statement
3 completed within the immediately preceding 24 months, except as provided by rule,
4 by a physician licensed to practice medicine in any state, from an advanced practice
5 registered nurse licensed to practice nursing in any state, from a physician assistant
6 licensed or certified to practice in any state, from a podiatrist licensed to practice in
7 any state, from a chiropractor licensed to practice chiropractic in any state, or from
8 a Christian Science practitioner residing in this state, and listed in the Christian
9 Science journal certifying that, in the medical care provider's judgment, the
10 applicant is physically fit to teach driving.

11 **SECTION 2781.** 344.02 (1) of the statutes is amended to read:

12 344.02 (1) Whenever the department under s. 344.13 gives notice of the amount
13 of security required to be deposited and that an order of suspension or impoundment
14 will be made if such the security is not deposited, it the department shall afford the
15 person so notified subject to the proposed action an opportunity for a hearing on the
16 proposed action, if written request for a hearing is received by the department prior
17 to the date specified in the notice, or prior to the postponed effective date of
18 suspension if postponement has been granted under s. 344.14 (1). Upon Except as
19 provided under this section, upon receipt of timely request for hearing, the
20 department shall fix the time and place of the hearing and give notice thereof of the
21 time and place of the hearing to such the person by regular mail. If the person has
22 requested electronic notification in the manner prescribed by the department, the
23 department may provide the notice of the time and place of the hearing by any
24 electronic means offered by the department. The scope of the hearing is limited to
25 the matter set forth in s. 344.14 (2) (k) and, subject to s. 344.14 (2m), to whether or

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1 not the person is the owner of the motor vehicle to be impounded. Any person who
2 fails without reasonable cause to appear at the time and place specified in the notice
3 shall forfeit the right to a hearing.

4 **SECTION 2782.** 344.13 (2) of the statutes is amended to read:

5 344.13 (2) The secretary shall determine the amount of security required to be
6 deposited by each person on the basis of the accident reports or other information
7 submitted. In addition to the accident reports required by law, the secretary may
8 request from any of the persons, including passengers and pedestrians, involved in
9 such accident such further information, sworn statements, or other evidence relating
10 to property damage, personal injury, or death in motor vehicle accidents as deemed
11 necessary to aid in determining the amount to be deposited as security under s.
12 344.14. Failure of a person to comply with such request is grounds for suspending
13 such person's operating privilege but no suspension shall be made on such grounds
14 until one follow-up request has been made and at least 20 days have elapsed since
15 the mailing of providing the first request. The first request under this subsection
16 shall be mailed to the person or, if the person has requested electronic
17 communication in the manner prescribed by the department, may be provided by any
18 electronic means offered by the department

19 **SECTION 2783.** 345.05 (1) (ag) of the statutes is created to read:

20 345.05 (1) (ag) "Authority" means a transit authority created under s. 66.1039.

21 **SECTION 2784.** 345.05 (2) of the statutes is amended to read:

22 345.05 (2) A person suffering any damage proximately resulting from the
23 negligent operation of a motor vehicle owned and operated by a municipality or
24 authority, which damage was occasioned by the operation of the motor vehicle in the
25 course of its business, may file a claim for damages against the municipality or

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1 authority concerned and the governing body of the municipality or the board of
2 directors of the authority may allow, compromise, settle and pay the claim. In this
3 subsection, a motor vehicle is deemed owned and operated by a municipality or
4 authority if the vehicle is either being rented or leased, or is being purchased under
5 a contract whereby the municipality or authority will acquire title.

6 **SECTION 2785.** 347.50 (2m) (a) of the statutes is amended to read:

7 347.50 (2m) (a) Any person who violates s. 347.48 (2m) (b) or (c) and any person
8 16 years of age or older who violates s. 347.48 (2m) (d) shall be required to forfeit \$10
9 \$25.

10 **SECTION 2786.** 349.02 (2) (b) 4. of the statutes is amended to read:

11 349.02 (2) (b) 4. Local ordinances enacted under s. 59.54 (25) (a) or (25m) or
12 66.0107 (1) (bm).

13 **SECTION 2787.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

14 350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) The
15 moneys appropriated from s. 20.370 (3) ~~(ak)~~ and (aq), (5) (es) and (9) (mu) and (mw)
16 may be used for the following:

17 **SECTION 2788.** 350.12 (4) (a) 3m. of the statutes is amended to read:

18 350.12 (4) (a) 3m. The cost of state law enforcement efforts as appropriated
19 under s. 20.370 (3) ~~(ak)~~ and (aq); and

20 **SECTION 2789.** 350.12 (4) (am) of the statutes is amended to read:

21 350.12 (4) (am) *Enforcement aids to department.* Of the amounts appropriated
22 under s. 20.370 (3) ~~(ak)~~ and (aq), the department shall allocate \$26,000 in each fiscal
23 year to be used exclusively for the purchase of snowmobiles or trailers to carry
24 snowmobiles, or both, to be used in state law enforcement efforts.

25 **SECTION 2790.** 351.025 (2) of the statutes is amended to read:

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1 351.025 (2) ~~The revocation is effective~~ Revocation under this section takes
2 effect on the date the department mails, if the notice is sent by 1st class mail, or
3 provides, if the notice is by electronic means, the notice of revocation under s. 351.027
4 (1).

5 **SECTION 2791.** 351.027 (1) of the statutes is amended to read:

6 351.027 (1) Whenever the secretary ~~under authority of s. 351.025~~ revokes a
7 person's operating privilege under s. 351.025, the secretary shall immediately notify
8 the person ~~in writing~~ of the revocation and of the person's right to a hearing on the
9 revocation as provided in sub. (2). ~~The.~~ Except as provided in this subsection, the
10 department shall send the notice by 1st class mail to the address most recently
11 provided to the department by the person. If a person has requested electronic
12 notification in the manner prescribed by the department, the department may
13 provide the notice by any electronic means offered by the department.

14 **SECTION 2792.** 440.01 (1) (dL) of the statutes is created to read:

15 440.01 (1) (dL) "Renewal cycle" means the period of time between 2 successive
16 renewal dates.

17 **SECTION 2793.** 440.01 (1) (dm) of the statutes is amended to read:

18 440.01 (1) (dm) "Renewal date" means the date, determined by the department
19 under s. 440.08 (2), on which a credential expires and before which it must be
20 renewed for the holder to maintain without interruption the rights, privileges and
21 authority conferred by the credential.

22 **SECTION 2794.** 440.03 (13) (b) 3. of the statutes is repealed.

23 **SECTION 2795.** 440.03 (13) (b) 20m. of the statutes is created to read:

24 440.03 (13) (b) 20m. Dental therapist.

25 **SECTION 2796.** 440.03 (13) (b) 39m. of the statutes is created to read:

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1 440.03 (13) (b) 39m. Nurse, advanced practice registered.

2 **SECTION 2797.** 440.03 (13) (b) 42. of the statutes is repealed.

3 **SECTION 2798.** 440.03 (13) (br) of the statutes is created to read:

4 440.03 (13) (br) When conducting an investigation of an arrest or conviction
5 record under par. (a) or (bm), the department shall review and obtain information to
6 determine the circumstances of each case or offense, except that the department may,
7 in its discretion, complete its investigation of an arrest or conviction record without
8 reviewing the circumstances of any of the following types of violations:

9 1. If the violation occurred more than 5 years before the application date, a first
10 violation of s. 346.63 (1) (a), (am), or (b) or a local ordinance in conformity therewith
11 or a law of a federally recognized American Indian tribe or band in this state in
12 conformity with s. 346.63 (1) (a), (am), or (b) or the law of another jurisdiction
13 prohibiting driving or operating a motor vehicle while intoxicated or under the
14 influence of alcohol, a controlled substance, a controlled substance analog, or a
15 combination thereof or under the influence of any drug that renders the person
16 incapable of safely driving, as those or substantially similar terms are used in that
17 jurisdiction's laws.

18 2. A violation of s. 125.07 (4) (a) or (b) or a local ordinance that strictly conforms
19 to s. 125.07 (4) (a) or (b) or of a substantially similar law of another jurisdiction.

20 3. A minor, nonviolent ordinance violation, as determined by the department.

21 **SECTION 2799.** 440.03 (14) (c) of the statutes is amended to read:

22 440.03 (14) (c) The renewal dates for certificates granted under par. (a) and
23 licenses granted under par. (am) ~~are specified in~~ shall be determined by the
24 department under s. 440.08 (2) (a). Renewal applications shall be submitted to the
25 department on a form provided by the department and shall include the renewal fee

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1 determined by the department under s. 440.03 (9) (a) and evidence satisfactory to the
2 department that the person's certification, registration, or accreditation specified in
3 par. (a) 1. a., 2. a., or 3. a. has not been revoked.

4 **SECTION 2800.** 440.03 (15) of the statutes is amended to read:

5 440.03 (15) The department shall promulgate rules that establish the fees
6 specified in ss. 440.05 (10) and 440.08 (2)-(d) (2m) (c).

7 **SECTION 2801.** 440.03 (18) of the statutes is created to read:

8 440.03 (18) The department may promulgate rules to facilitate enhanced
9 credential portability to help facilitate streamlined pathways to credentialing for
10 internationally trained professionals and increased reciprocity.

11 **SECTION 2802.** 440.032 (5) of the statutes is amended to read:

12 440.032 (5) LICENSE RENEWAL. The renewal dates for licenses granted under
13 sub. (3) ~~are specified in~~ shall be as determined by the department under s. 440.08 (2)
14 ~~(a) 68e.~~ Renewal applications shall be submitted to the department on a form
15 provided by the department and shall include the renewal fee determined by the
16 department under s. 440.03 (9) (a) and evidence satisfactory to the department that
17 the person's certification or membership specified in sub. (3) that is required for the
18 license has not been revoked or invalidated.

19 **SECTION 2803.** 440.035 (3) of the statutes is created to read:

20 440.035 (3) A credentialing board may promulgate rules to facilitate enhanced
21 credential portability to help facilitate streamlined pathways to credentialing for
22 internationally trained professionals and increased reciprocity.

23 **SECTION 2804.** 440.077 (1) (a) of the statutes is amended to read:

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1 440.077 (1) (a) “Advanced practice registered nurse ~~prescriber~~” means an
2 advanced practice registered nurse ~~prescriber~~ certified licensed under s. 441.16 (2)
3 441.09.

4 **SECTION 2805.** 440.077 (2) (c) of the statutes is amended to read:

5 440.077 (2) (c) Under the program under par. (a), a participating military
6 medical personnel shall be supervised by a physician, physician assistant,
7 podiatrist, registered professional nurse, or advanced practice registered nurse
8 ~~prescriber~~. The supervising physician, physician assistant, podiatrist, registered
9 professional nurse, or advanced practice registered nurse ~~prescriber~~ shall retain
10 responsibility for the care of the patient.

11 **SECTION 2806.** 440.08 (2) (title) of the statutes is amended to read:

12 440.08 (2) (title) ~~RENEWAL DATES, FEES AND APPLICATIONS.~~

13 **SECTION 2807.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

14 440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04,
15 444.03, 444.11, 447.04 (2) (c) 2., 447.05 (1) (b), 449.17 (1m) (d), 449.18 (2) (e), 455.06
16 (1) (b), 463.10, 463.12, and 463.25 and subch. II of ch. 448, ~~the renewal dates for~~
17 ~~credentials are as follows~~ all of the following apply with respect to renewals of
18 credentials:

19 **SECTION 2808.** 440.08 (2) (a) 1. to 37. of the statutes, as affected by 2023
20 Wisconsin Act (this act), are repealed.

21 **SECTION 2809.** 440.08 (2) (a) 1n. and 2n. of the statutes are created to read:

22 440.08 (2) (a) 1n. The department shall establish renewal dates and renewal
23 cycles for credentials that are subject to periodic renewal and may adjust the renewal
24 dates and renewal cycles so established. For practicality and expediency, the
25 department may stagger renewal cycles among credential holders. The department

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1 shall consult with the relevant credentialing boards in establishing renewal dates
2 and renewal cycles under this subdivision and shall notify each credential holder of
3 any renewal date or renewal cycle established or adjusted under this subdivision.
4 The department shall publish a schedule of renewal dates and renewal cycles on its
5 website.

6 2n. The department or a credentialing board may promulgate rules to do any
7 of the following:

8 a. Establish interim continuing education or other reporting requirements
9 between renewal dates established under subd. 1n. as needed to account for the
10 length of a renewal cycle established under subd. 1n.

11 b. Notwithstanding any specific continuing education or similar requirement
12 in chs. 440 to 480, adjust or prorate the requirement to align it with the length of a
13 renewal cycle established under subd. 1n.

14 **SECTION 2810.** 440.08 (2) (a) 25m. of the statutes is created to read:

15 440.08 (2) (a) 25m. Dental therapist: October 1 of each odd-numbered year.

16 **SECTION 2811.** 440.08 (2) (a) 37m. of the statutes, as created by 2021 Wisconsin
17 Act 251, is repealed.

18 **SECTION 2812.** 440.08 (2) (a) 38. to 72. of the statutes are repealed.

19 **SECTION 2813.** 440.08 (2) (ar) of the statutes is created to read:

20 440.08 (2) (ar) 1. Notwithstanding par. (a) and chs. 440 to 480, the department
21 may, in cooperation with credentialing boards, establish a system or process to
22 transition credential holders from 2-year renewal cycles under chs. 440 to 480, 2021
23 stats., to renewal cycles established by the department under par. (a) 1n.

24 2. Notwithstanding the fees for credential renewals determined under s.
25 440.03 (9), if the department under subd. 1. transitions credential holders from

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1 2-year renewal cycles under chs. 440 to 480, 2021 stats., to different renewal cycles
2 under par. (a) 1n. before revised renewal fees can be determined under s. 440.03 (9),
3 the department may adjust the applicable renewal fee accordingly, in cooperation
4 with credentialing boards, until a revised fee can be determined under s. 440.03 (9).

5 **SECTION 2814.** 440.08 (2) (b) of the statutes is amended to read:

6 440.08 (2) (b) ~~The renewal fee for an apprentice, journeyman, student or~~
7 ~~temporary credential is \$10. The renewal dates specified in par. (a) determined~~
8 ~~under par. (a) do not apply to apprentice, journeyman, student or temporary~~
9 ~~credentials.~~

10 **SECTION 2815.** 440.08 (2) (c) of the statutes is renumbered 440.08 (2m) (a) and
11 amended to read:

12 440.08 (2m) (a) Except as provided in par. (e) ~~(d)~~ and sub. (3), renewal
13 applications shall include the applicable renewal fee as determined by the
14 department under s. 440.03 (9) (a) or as specified in par. (b).

15 **SECTION 2816.** 440.08 (2) (d) of the statutes is renumbered 440.08 (2m) (c).

16 **SECTION 2817.** 440.08 (2) (e) of the statutes is renumbered 440.08 (2m) (d).

17 **SECTION 2818.** 440.08 (2m) (title) of the statutes is created to read:

18 440.08 (2m) (title) RENEWAL FEES AND APPLICATIONS.

19 **SECTION 2819.** 440.08 (2m) (b) of the statutes is created to read:

20 440.08 (2m) (b) The renewal fee for an apprentice, journeyman, student, or
21 temporary credential is \$10.

22 **SECTION 2820.** 440.08 (4) (a) of the statutes is amended to read:

23 440.08 (4) (a) *Generally.* If the department or the interested examining board
24 or affiliated credentialing board, as appropriate, determines that an applicant for
25 renewal has failed to comply with sub. ~~(2) (e)~~ (2m) (a) or (3) or with any other

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1 applicable requirement for renewal established under chs. 440 to 480 or that the
2 denial of an application for renewal of a credential is necessary to protect the public
3 health, safety or welfare, the department, examining board or affiliated
4 credentialing board may summarily deny the application for renewal by mailing to
5 the holder of the credential a notice of denial that includes a statement of the facts
6 or conduct that warrant the denial and a notice that the holder may, within 30 days
7 after the date on which the notice of denial is mailed, file a written request with the
8 department to have the denial reviewed at a hearing before the department, if the
9 department issued the credential, or before the examining board or affiliated
10 credentialing board that issued the credential.

11 **SECTION 2821.** 440.09 (3) (a) of the statutes is amended to read:

12 440.09 (3) (a) A reciprocal credential granted under this section expires on the
13 applicable renewal date ~~specified in~~ determined by the department under s. 440.08
14 (2) (a), except that if the first renewal date ~~specified in s. 440.08 (2) (a)~~ after the date
15 on which the credential is granted is within 180 days of the date on which the
16 credential is granted, the credential expires on the 2nd renewal date ~~specified in s.~~
17 ~~440.08 (2) (a)~~ after the date on which the credential is granted.

18 **SECTION 2822.** 440.094 (1) (c) 1. of the statutes is amended to read:

19 440.094 (1) (c) 1. A registered nurse, licensed practical nurse, or ~~nurse midwife~~
20 ~~licensed under ch. 441, or an advanced practice~~ registered nurse ~~prescriber certified~~
21 licensed under ch. 441.

22 **SECTION 2823.** 440.094 (1) (c) 3. of the statutes is amended to read:

23 440.094 (1) (c) 3. A dentist or dental therapist licensed under ch. 447.

24 **SECTION 2824.** 440.094 (2) (a) (intro.) of the statutes is amended to read:

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1 440.094 (2) (a) (intro.) Notwithstanding ss. 441.06 (4), ~~441.15 (2), 441.16,~~
2 ~~441.09 (3) (b),~~ 446.02 (1), 447.03 (1) and (2), 448.03 (1) (a), (b), and (c) and (1m), 448.51
3 (1), 448.61, 448.76, 448.961 (1) and (2), 449.02 (1), 450.03 (1), 451.04 (1), 455.02 (1m),
4 457.04 (4), (5), (6), and (7), 459.02 (1), 459.24 (1), and 460.02, a health care provider
5 may provide services within the scope of the credential that the health care provider
6 holds and the department shall grant the health care provider a temporary
7 credential to practice under this section if all of the following apply:

8 **SECTION 2825.** 440.26 (3) of the statutes is amended to read:

9 440.26 (3) ISSUANCE OF LICENSES; FEES. Upon receipt and examination of an
10 application executed under sub. (2), and after any investigation that it considers
11 necessary, the department shall, if it determines that the applicant is qualified, grant
12 the proper license upon payment of the initial credential fee determined by the
13 department under s. 440.03 (9) (a). ~~No license shall be issued for a longer period than~~
14 ~~2 years, and the~~ The license of a private detective shall expire on the renewal date
15 of the license of the private detective agency, even if the license of the private
16 detective has not been in effect for a full ~~2 years~~ licensure period. Renewals of the
17 original licenses issued under this section shall be issued in accordance with renewal
18 forms prescribed by the department and shall be accompanied by the applicable fees
19 specified in s. 440.08 or determined by the department under s. 440.03 (9) (a). The
20 department may not renew a license unless the applicant provides evidence that the
21 applicant has in force at the time of renewal the bond or liability policy specified in
22 this section.

23 **SECTION 2826.** 440.26 (5m) (b) of the statutes is amended to read:

24 440.26 (5m) (b) The renewal dates for permits issued under this subsection ~~are~~
25 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a). Renewal

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1 applications shall be submitted to the department on a form provided by the
2 department and shall include the renewal fee determined by the department under
3 s. 440.03 (9) (a).

4 **SECTION 2827.** 440.313 (1) of the statutes is amended to read:

5 440.313 (1) The renewal date for licenses granted under this subchapter is
6 ~~specified in~~ shall be as determined by the department under s. 440.08 (2) (a).
7 Renewal applications shall be submitted to the department on a form provided by the
8 department and shall include the renewal fee determined by the department under
9 s. 440.03 (9) (a).

10 **SECTION 2828.** 440.415 (2) (a) of the statutes is amended to read:

11 440.415 (2) (a) The renewal date for a license granted under sub. (1) ~~is specified~~
12 ~~in~~ shall be as determined by the department under s. 440.08 (2) (a) ~~69m~~. A renewal
13 application shall be submitted to the department on a form prescribed by the
14 department and shall include any information required by the department by rule.

15 **SECTION 2829.** 440.71 (3) of the statutes is amended to read:

16 440.71 (3) RENEWAL. Renewal applications shall be submitted to the
17 department on a form provided by the department on or before the applicable
18 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a) and
19 shall include the applicable renewal fee determined by the department under s.
20 440.03 (9) (a).

21 **SECTION 2830.** 440.88 (4) of the statutes is amended to read:

22 440.88 (4) APPLICATIONS; CERTIFICATION PERIOD. An application for certification
23 as a substance abuse counselor, clinical supervisor, or prevention specialist under
24 this section shall be made on a form provided by the department and filed with the
25 department and shall be accompanied by the initial credential fee determined by the

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1 department under s. 440.03 (9) (a). The renewal date for certification as a substance
2 abuse counselor, clinical supervisor, or prevention specialist ~~is specified~~ shall be as
3 determined by the department under s. 440.08 (2) (a), and the renewal fee for such
4 certifications is determined by the department under s. 440.03 (9) (a). ~~Renewal of~~
5 The department shall by rule prescribe the number of times that a certification as
6 a substance abuse counselor-in-training, a clinical supervisor-in-training, or a
7 prevention specialist-in-training may be made only twice renewed.

8 **SECTION 2831.** 440.905 (2) of the statutes is amended to read:

9 440.905 (2) The board has rule-making authority and may promulgate rules
10 relating to the regulation of cemetery authorities, cemetery salespersons, and
11 cemetery preneed sellers. ~~The board may determine, by rule, a fee under s. 440.05~~
12 ~~(1) (a) and under s. 440.08 (2) (a) 21. that is sufficient to fund the board's operating~~
13 ~~costs.~~

14 **SECTION 2832.** 440.91 (1) (c) of the statutes is amended to read:

15 440.91 (1) (c) The renewal dates for licenses granted under par. (b) ~~are specified~~
16 ~~in~~ shall be as determined by the department under s. 440.08 (2) (a), and the renewal
17 fees for such licenses are determined by the department under s. 440.03 (9) (a).

18 **SECTION 2833.** 440.91 (1m) (c) of the statutes is amended to read:

19 440.91 (1m) (c) The renewal date ~~and renewal fee~~ for a registration granted
20 under par. (b) ~~are specified in~~ shall be as determined by the department under s.
21 440.08 (2). The department shall determine the renewal fee for a registration
22 granted under par. (b) under s. 440.03 (9) (a).

23 **SECTION 2834.** 440.91 (4) of the statutes is amended to read:

24 440.91 (4) Renewal applications shall be submitted to the board on a form
25 provided by the board on or before the applicable renewal date ~~specified~~ determined

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1 by the department under s. 440.08 (2) (a) and shall include the applicable renewal
2 fee determined by the department under s. 440.03 (9) (a).

3 **SECTION 2835.** 440.92 (1) (c) of the statutes is amended to read:

4 440.92 (1) (c) Renewal applications shall be submitted to the board on a form
5 provided by the board on or before the applicable renewal date ~~specified~~ determined
6 by the department under s. 440.08 (2) (a) and shall include the applicable renewal
7 fee determined by the department under s. 440.03 (9) (a).

8 **SECTION 2836.** 440.972 (2) of the statutes is amended to read:

9 440.972 (2) The renewal date for certificates granted under this section is
10 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a) ~~38g.~~, and
11 the renewal fee for such certificates is determined by the department under s. 440.03
12 (9) (a).

13 **SECTION 2837.** 440.974 (2) of the statutes is amended to read:

14 440.974 (2) The department shall promulgate rules establishing continuing
15 education requirements for individuals registered under this subchapter. The rules
16 promulgated under this subsection shall require the completion of at least 40 hours
17 of continuing education every ~~2 years~~, ~~except that the rules may not require~~
18 ~~continuing education for an applicant for renewal of a registration that expires on~~
19 ~~the 1st and 2nd renewal dates after the date on which the department initially~~
20 ~~granted the registration~~ 2-year period, except that the department shall shall, for
21 up to a 2-year period, exempt new registrants from the requirement under this
22 subsection.

23 **SECTION 2838.** 440.98 (6) of the statutes is amended to read:

24 440.98 (6) APPLICATIONS. An application for a sanitarian registration under this
25 section shall be made on a form provided by the department and filed with the

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1 department and shall be accompanied by the initial credential fee determined by the
2 department under s. 440.03 (9) (a). The renewal date for a sanitarian registration
3 ~~is specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
4 renewal fee for such registration is determined by the department under s. 440.03
5 (9) (a).

6 **SECTION 2839.** 440.981 (1) of the statutes is amended to read:

7 440.981 (1) No person may use the title “licensed midwife,” describe or imply
8 that he or she is a licensed midwife, or represent himself or herself as a licensed
9 midwife unless the person is granted a license under this subchapter or is licensed
10 as ~~a nurse-midwife under s. 441.15~~ an advanced practice registered nurse and
11 possesses a certified nurse-midwife specialty designation under s. 441.09.

12 **SECTION 2840.** 440.982 (1) of the statutes is amended to read:

13 440.982 (1) No person may engage in the practice of midwifery unless the
14 person is granted a license under this subchapter, is granted a temporary permit
15 pursuant to a rule promulgated under s. 440.984 (2m), or is licensed as ~~a~~
16 ~~nurse-midwife under s. 441.15~~ an advanced practice registered nurse and possesses
17 a certified nurse-midwife specialty designation under s. 441.09.

18 **SECTION 2841.** 440.983 (1) of the statutes is amended to read:

19 440.983 (1) The renewal date for licenses granted under this subchapter is
20 ~~specified in~~ shall be as determined by the department under s. 440.08 (2) (a).
21 Renewal applications shall be submitted to the department on a form provided by the
22 department and shall include the renewal fee determined by the department under
23 s. 440.03 (9) (a).

24 **SECTION 2842.** 440.987 (2) of the statutes is amended to read:

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1 440.987 (2) One member who is licensed as ~~a nurse-midwife under s. 441.15~~
2 an advanced practice registered nurse and possesses a certified nurse-midwife
3 specialty designation under s. 441.09 and who practices in an out-of-hospital
4 setting.

5 **SECTION 2843.** 440.992 (6) of the statutes is repealed.

6 **SECTION 2844.** 440.9935 of the statutes is amended to read:

7 **440.9935 Renewal.** The renewal date for certificates of registration issued
8 under this subchapter ~~is specified in~~ shall be as determined by the department under
9 s. 440.08 (2) (a), and the renewal fee for such certificates is determined by the
10 department under s. 440.03 (9) (a). Renewal applications shall be submitted to the
11 department on a form provided by the department.

12 **SECTION 2845.** 441.001 (1c) of the statutes is created to read:

13 441.001 (1c) ADVANCED PRACTICE REGISTERED NURSING. “Advanced practice
14 registered nursing” means the practice of a certified nurse-midwife, the practice of
15 a certified registered nurse anesthetist, the practice of a clinical nurse specialist, and
16 the practice of a nurse practitioner.

17 **SECTION 2846.** 441.001 (3c) of the statutes is created to read:

18 441.001 (3c) PRACTICE OF A CERTIFIED NURSE-MIDWIFE. “Practice of a certified
19 nurse-midwife” means practice in the management of women’s health care,
20 pregnancy, childbirth, postpartum care for newborns, family planning, and
21 gynecological services consistent with the standards of practice of the American
22 College of Nurse-Midwives or its successor.

23 **SECTION 2847.** 441.001 (3g) of the statutes is created to read:

24 441.001 (3g) PRACTICE OF A CERTIFIED REGISTERED NURSE ANESTHETIST. “Practice
25 of a certified registered nurse anesthetist” means providing anesthesia care, pain

ASSEMBLY BILL 43**SECTION 2847**

1 management care, and care related to anesthesia and pain management for persons
2 across their lifespan, whose health status may range from healthy through all levels
3 of acuity, including persons with immediate, severe, or life-threatening illness or
4 injury, in diverse settings, including hospitals, ambulatory surgery centers,
5 outpatient clinics, medical offices, and home health care settings.

6 **SECTION 2848.** 441.001 (3n) of the statutes is created to read:

7 441.001 (3n) PRACTICE OF A CLINICAL NURSE SPECIALIST. “Practice of a clinical
8 nurse specialist” means providing advanced nursing care, primarily in health care
9 facilities, including the diagnosis and treatment of illness for identified specific
10 populations based on a specialty.

11 **SECTION 2849.** 441.001 (3r) of the statutes is created to read:

12 441.001 (3r) PRACTICE OF A NURSE PRACTITIONER. “Practice of a nurse
13 practitioner” means practice in ambulatory, acute, long-term, or other health care
14 settings as a primary or specialty care provider who provides health services,
15 including assessing, diagnosing, treating, or managing acute, episodic, and chronic
16 illnesses.

17 **SECTION 2850.** 441.001 (3w) of the statutes is created to read:

18 441.001 (3w) PRESCRIPTION ORDER. “Prescription order” has the meaning given
19 in s. 450.01 (21).

20 **SECTION 2851.** 441.001 (5) of the statutes is created to read:

21 441.001 (5) RECOGNIZED ROLE. “Recognized role” means one of the following
22 roles:

- 23 (a) Certified nurse-midwife.
- 24 (b) Certified registered nurse anesthetist.
- 25 (c) Clinical nurse specialist.

ASSEMBLY BILL 43**SECTION 2851**

1 (d) Nurse practitioner.

2 **SECTION 2852.** 441.01 (3) of the statutes is amended to read:

3 441.01 (3) The board may promulgate rules to establish minimum standards
4 for schools for professional nurses ~~and~~, schools for licensed practical nurses, and
5 schools for advanced practice registered nurses, including all related clinical units
6 and facilities, and make and provide periodic surveys and consultations to such
7 schools. ~~It~~ The board may also ~~establish~~ promulgate rules to prevent unauthorized
8 persons from practicing professional nursing. ~~It shall approve all rules for the~~
9 ~~administration of this chapter in accordance with ch. 227.~~

10 **SECTION 2853.** 441.01 (4) of the statutes is amended to read:

11 441.01 (4) The board shall direct that those schools that qualify be placed on
12 a list of schools the board has approved for professional nurses ~~or~~, of schools the board
13 has approved for licensed practical nurses, or of schools the board has approved for
14 advanced practice registered nurses on application and proof of qualifications, and
15 the board shall make a study of nursing education and ~~initiate~~ promulgate rules and
16 policies to improve it.

17 **SECTION 2854.** 441.01 (7) (a) (intro.) and 1. of the statutes are amended to read:

18 441.01 (7) (a) (intro.) ~~The board shall require each applicant for the renewal~~
19 Biennially, each holder of a registered nurse or licensed practical nurse license issued
20 under this chapter to shall do all of the following as a condition for renewing the
21 license:

22 1. Complete and submit to the department ~~with the application for renewal of~~
23 ~~the license~~ a nursing workforce survey developed by the department of workforce
24 development under s. 106.30 (2).

ASSEMBLY BILL 43**SECTION 2855**

1 **SECTION 2855.** 441.01 (7) (a) (intro.) of the statutes, as affected by 2023
2 Wisconsin Act (this act), is amended to read:

3 441.01 (7) (a) (intro.) Biennially, each holder of a registered nurse ~~or~~, licensed
4 practical nurse, or licensed advanced practice registered nurse license issued under
5 this chapter shall do all of the following:

6 **SECTION 2856.** 441.01 (7) (b) of the statutes is amended to read:

7 441.01 (7) (b) ~~The board may not renew a registered nurse or licensed practical~~
8 ~~nurse license under this chapter unless the renewal applicant has completed the~~
9 ~~nursing workforce survey to the satisfaction of the board.~~ The board shall establish
10 standards to determine whether the nursing workforce survey has been completed.
11 The board shall, by no later than June 30 of each odd-numbered year, submit all
12 completed nursing workforce survey forms to the department of workforce
13 development.

14 **SECTION 2857.** 441.01 (7) (c) of the statutes is created to read:

15 441.01 (7) (c) An applicant who is renewing both a registered nurse and
16 advanced practice registered nurse license under s. 441.09 (1) (c) is only required to
17 pay a single fee under par. (a) 2.

18 **SECTION 2858.** 441.06 (title) of the statutes is repealed and recreated to read:

19 **441.06 (title) Registered nurses; civil liability exemption.**

20 **SECTION 2859.** 441.06 (3) of the statutes is amended to read:

21 441.06 (3) A registered nurse practicing for compensation shall, on or before
22 the applicable renewal date ~~specified~~ determined by the department under s. 440.08
23 (2) ~~(a)~~, submit to the board on furnished forms a statement giving name, residence,
24 and other facts that the board requires, with ~~the nursing workforce survey and fee~~

ASSEMBLY BILL 43**SECTION 2859**

1 required under s. 441.01 (7) and the applicable renewal fee determined by the
2 department under s. 440.03 (9) (a).

3 **SECTION 2860.** 441.06 (3) of the statutes, as affected by 2023 Wisconsin Act ...
4 (this act), is amended to read:

5 441.06 (3) ~~A~~ Except as provided in s. 441.09 (1) (c), a registered nurse
6 practicing for compensation shall, on or before the applicable renewal date
7 determined by the department under s. 440.08 (2), submit to the board on furnished
8 forms a statement giving name, residence, and other facts that the board requires,
9 with the applicable renewal fee determined by the department under s. 440.03 (9)
10 (a).

11 **SECTION 2861.** 441.06 (4) of the statutes is amended to read:

12 441.06 (4) Except as provided in ss. 257.03 and 440.077, no person may practice
13 or attempt to practice professional nursing, nor use the title, letters, or anything else
14 to indicate that he or she is a registered or professional nurse unless he or she is
15 licensed under this section. Except as provided in ss. 257.03 and 440.077, no person
16 not so licensed may use in connection with his or her nursing employment or vocation
17 any title or anything else to indicate that he or she is a trained, certified or graduate
18 nurse. This subsection does not apply to any registered nurse who holds a multistate
19 license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than this state,
20 that has adopted the nurse licensure compact under s. 441.51.

21 **SECTION 2862.** 441.06 (7) of the statutes is renumbered 441.09 (7) and amended
22 to read:

23 441.09 (7) CIVIL LIABILITY. No person ~~certified licensed~~ as an advanced practice
24 registered nurse prescriber under s. 441.16 (2) this section is liable for civil damages
25 for any of the following:

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1 (a) Reporting in good faith to the department of transportation under s. 146.82
2 (3) a patient's name and other information relevant to a physical or mental condition
3 of the patient that in the advanced practice ~~nurse-prescriber's~~ registered nurse's
4 judgment impairs the patient's ability to exercise reasonable and ordinary control
5 over a motor vehicle.

6 (b) In good faith, not reporting to the department of transportation under s.
7 146.82 (3) a patient's name and other information relevant to a physical or mental
8 condition of the patient that in the advanced practice ~~nurse-prescriber's~~ registered
9 nurse's judgment does not impair the patient's ability to exercise reasonable and
10 ordinary control over a motor vehicle.

11 **SECTION 2863.** 441.07 (1g) (intro.), (a), (c) and (e) of the statutes are amended
12 to read:

13 441.07 (**1g**) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
14 board may deny an initial license or revoke, limit, suspend, or deny the renewal of
15 a license of a registered nurse, ~~nurse-midwife~~ advanced practice registered nurse,
16 or licensed practical nurse; ~~deny an initial certificate or revoke, limit, suspend, or~~
17 ~~deny the renewal of a certificate to prescribe drugs or devices granted under s.~~
18 441.16; or reprimand a registered nurse, ~~nurse-midwife~~ advanced practice
19 registered nurse, or licensed practical nurse, if the board finds that the applicant or
20 licensee committed any of the following:

21 (a) Fraud in the procuring or renewal of the ~~certificate or~~ license.

22 (c) Acts ~~which~~ that show the registered nurse, ~~nurse-midwife~~ advanced
23 practice registered nurse, or licensed practical nurse to be unfit or incompetent by
24 reason of negligence, abuse of alcohol or other drugs, or mental incompetency.

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1 (e) A violation of any state or federal law that regulates prescribing or
2 dispensing drugs or devices, if the person has a certificate to prescribe drugs or
3 devices under s. 441.16 may issue prescription orders under s. 441.09 (2).

4 **SECTION 2864.** 441.09 of the statutes is created to read:

5 **441.09 Advanced practice registered nurses; civil liability exemption.**

6 **(1) LICENSE.** (a) An applicant who satisfies all of the following requirements may
7 apply to the board for initial licensure by the board as an advanced practice
8 registered nurse:

9 1. The applicant satisfies one of the following criteria:

10 a. The applicant holds a valid license to practice as a registered nurse issued
11 under s. 441.06 (1), (1c), or (1m).

12 b. The applicant applies concurrently for a license under s. 441.06 (1), (1c), or
13 (1m) with the application for a license under this paragraph.

14 c. The applicant is a registered nurse who holds a multistate license, as defined
15 in s. 441.51 (2) (h), issued by a jurisdiction, other than this state, that has adopted
16 the nurse licensure compact.

17 2. The applicant provides evidence satisfactory to the board that he or she
18 satisfies one of the following criteria:

19 a. The applicant has completed a graduate-level or postgraduate-level
20 education program that is approved by the board and that prepares the applicant for
21 the practice of advanced practice registered nursing in one of the 4 recognized roles,
22 and the applicant holds a current certification by a national certifying body approved
23 by the board.

24 b. On January 1, 2023, the applicant was licensed as a registered nurse in this
25 state and was practicing in a recognized role, and the applicant satisfies additional

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1 criteria established by the board by rule under sub. (6) (a) 3. relating to practice,
2 education, or certification.

3 3. The applicant pays the fee specified under s. 440.05 (1).

4 4. The applicant provides to the board evidence of any malpractice liability
5 insurance coverage required under sub. (5).

6 5. If the applicant is applying to receive a certified nurse-midwife specialty
7 designation under par. (b) 1., the applicant does all of the following:

8 a. Provides evidence satisfactory to the board that the applicant is currently
9 certified by the American Midwifery Certification Board or its successor.

10 b. Files with the board any plan required under sub. (3m) (i).

11 6. The applicant does not have an arrest or conviction record, subject to ss.
12 111.321, 111.322, and 111.335.

13 7. The applicant meets any other criteria established by the board by rule under
14 sub. (6) (a) 3. relating to the education, training, or experience required for each
15 recognized role.

16 (b) 1. a. Subject to s. 441.07 (1g), the board shall grant an advanced practice
17 registered nurse license to an applicant the board determines meets the
18 requirements under par. (a). The board shall also grant a person who is granted a
19 license under this subd. 1. a. one or more specialty designations corresponding to the
20 recognized roles for which the board determines that the person qualifies based on
21 the person's qualifications under par. (a).

22 b. The board shall grant an advanced practice registered nurse license to each
23 individual who, on the day before the effective date of this subd. 1. b. [LRB inserts
24 date], was certified to issue prescription orders under s. 441.16, 2021 stats. The
25 board shall also grant a person who is granted a license under this subd. 1. b. one or

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1 more specialty designations corresponding to the recognized roles for which the
2 board determines that the person qualifies based on the person's qualifications.

3 c. The board shall grant an advanced practice registered nurse license to each
4 individual who, on the day before the effective date of this subd. 1. c. [LRB inserts
5 date], was licensed as a nurse-midwife under s. 441.15, 2021 stats. The board shall
6 also grant a person who is granted a license under this subd. 1. c. a nurse-midwife
7 specialty designation.

8 2. Each specialty designation granted under subd. 1. shall appear on the
9 person's advanced practice registered nurse license.

10 3. The board may not grant an advanced practice registered nurse license to
11 a person applying concurrently for a license under s. 441.06 (1), (1c), or (1m), unless
12 the board also grants the person the license under s. 441.06 (1), (1c), or (1m).

13 4. The board may place specific limitations on a person licensed as an advanced
14 practice registered nurse as a condition of licensure.

15 5. If all of the following apply to a person, a notation indicating that the person
16 may not issue prescription orders shall appear on the person's advanced practice
17 registered nurse license:

18 a. The person is granted an advanced practice registered nurse license under
19 subd. 1. a. and satisfies only par. (a) 2. b. but not par. (a) 2. a., or the person is granted
20 an advanced practice registered nurse license under subd. 1. c.

21 b. On January 1, 2023, the person did not hold a certificate under s. 441.16 (2),
22 2021 stats.

23 (c) On or before the applicable renewal date determined by the department
24 under s. 440.08 (2), an advanced practice registered nurse shall submit to the board
25 on a form furnished by the board a statement giving his or her name and residence,

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1 the nursing workforce survey and fee required under s. 441.01 (7), evidence of having
2 satisfied the continuing education requirements under sub. (4), evidence of any
3 malpractice liability insurance coverage required under sub. (5), any plan required
4 under sub. (3m) (i), current evidence that the person satisfies each of the
5 requirements under par. (a) 1., 2., 5. a., and 7. that apply with respect to the person,
6 and any other information that the board requires by rule, with the applicable
7 renewal fee determined by the department under s. 440.03 (9) (a). The board shall
8 grant to a person who satisfies the requirements under this paragraph the renewal
9 of his or her advanced practice registered nurse license and specialty designations
10 granted under par. (b) 1. and shall, if the person holds a license under s. 441.06 (1),
11 (1c), or (1m), also grant the renewal of that license.

12 **(2) PRESCRIBING AUTHORITY.** (a) Except as provided in par. (b), an advanced
13 practice registered nurse may issue prescription orders, subject to the rules
14 promulgated under sub. (6) (a) 1. and 4., and may provide expedited partner therapy
15 in the manner described in s. 441.092.

16 (b) An advanced practice registered nurse may not issue prescription orders if
17 a notation under sub. (1) (b) 4. indicating that the advanced practice registered nurse
18 may not issue prescription orders appears on the advanced practice registered
19 nurse's license.

20 **(3) LICENSE REQUIRED; USE OF TITLES.** (a) 1. The holder of a license issued under
21 this section is an "advanced practice registered nurse," may append to his or her
22 name the title "A.P.R.N.," and is authorized to practice advanced practice registered
23 nursing.

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1 2. Notwithstanding s. 448.03 (3m), the holder of a specialty designation for a
2 recognized role granted under sub. (1) (b) 1. may append to his or her name the title
3 and an abbreviation described under par. (b) 2. corresponding to that recognized role.

4 (b) 1. Except as provided in sub. (3m) (h) and s. 257.03, no person may practice
5 or attempt to practice advanced practice registered nursing, nor use the title
6 “advanced practice registered nurse,” the title “A.P.R.N.,” or anything else to indicate
7 that he or she is an advanced practice registered nurse unless he or she is licensed
8 under this section.

9 2. Except as provided in s. 257.03, no person may do any of the following:

10 a. Use the title “certified nurse–midwife,” the title “C.N.M.,” or anything else
11 to indicate that he or she is a certified nurse–midwife unless he or she has been
12 granted a certified nurse–midwife specialty designation under sub. (1) (b) 1.

13 b. Use the title “certified registered nurse anesthetist,” the title “C.R.N.A.,” or
14 anything else to indicate that he or she is a certified registered nurse anesthetist
15 unless he or she has been granted a certified registered nurse anesthetist specialty
16 designation under sub. (1) (b) 1.

17 c. Use the title “clinical nurse specialist,” the title “C.N.S.,” or anything else to
18 indicate that he or she is a clinical nurse specialist unless he or she has been granted
19 a clinical nurse specialist specialty designation under sub. (1) (b) 1.

20 d. Use the title “nurse practitioner,” the title “N.P.,” or anything else to indicate
21 that he or she is a nurse practitioner unless he or she has been granted a nurse
22 practitioner specialty designation under sub. (1) (b) 1.

23 **(3m) PRACTICE REQUIREMENTS AND LIMITATIONS.** (a) 1. An advanced practice
24 registered nurse licensed under this section may, except as provided in subd. 2. and

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1 par. (b), practice advanced practice registered nursing only in collaboration with a
2 physician or dentist.

3 2. Subdivision 1. does not apply to an advanced practice registered nurse with
4 a certified nurse-midwife specialty designation.

5 (b) An advanced practice registered nurse to whom par. (a) 1. applies may,
6 except as provided in pars. (d) 1. and (f), practice advanced practice registered
7 nursing in a recognized role without being supervised by or collaborating with, and
8 independent of, a physician or dentist if the board verifies, upon application of the
9 advanced practice registered nurse, that the advanced practice registered nurse
10 satisfies all of the following:

11 1. The advanced practice registered nurse has, except as provided in subd. 3.,
12 completed 3,840 hours of professional nursing in a clinical setting. Clinical hours
13 completed as a requirement of a nursing program offered by a qualifying school of
14 nursing described under s. 441.06 (1) (c) may be used to satisfy the requirement
15 under this subdivision. Hours completed to satisfy a requirement of an education
16 program described in sub. (1) (a) 2. a. may not be used to satisfy the requirement
17 under this subdivision.

18 2. At least 24 months have elapsed since the advanced practice registered nurse
19 first began completing the clinical hours required by a nursing program described
20 under subd. 1.

21 3. The advanced practice registered nurse has completed 3,840 clinical hours
22 of advanced practice registered nursing practice in that recognized role while
23 working with a physician or dentist who was immediately available for consultation
24 and accepted responsibility for the actions of the advanced practice registered nurse
25 during those 3,840 hours of practice. The advanced practice registered nurse may

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1 substitute additional hours of advanced practice registered nursing working with a
2 physician or dentist described in this subdivision to count toward the requirement
3 under subd. 1. Each such additional hour shall count toward one hour of the
4 requirement under subd. 1.

5 4. At least 24 months have elapsed since the advanced practice registered nurse
6 first began practicing advanced practice registered nursing in that recognized role
7 as described in subd. 3.

8 (c) For purposes of par. (b) 3., hours of advanced practice registered nursing
9 practice may include the lawful practice of advanced practice registered nursing
10 outside this state or the lawful practice of advanced practice registered nursing in
11 this state prior to the effective date of this paragraph [LRB inserts date].

12 (d) 1. An advanced practice registered nurse may provide pain management
13 services only while working in a collaborative relationship with a physician who,
14 through education, training, and experience, specializes in pain management.
15 Except as provided in subd. 2., this subdivision applies regardless of whether the
16 advanced practice registered nurse has qualified for independent practice under par.
17 (b).

18 2. Except as provided in par. (f), subd. 1. does not apply to an advanced practice
19 registered nurse who is providing pain management services in a hospital, as defined
20 in s. 50.33 (2), or a clinic associated with a hospital, and who has qualified for
21 independent practice under par. (b).

22 (e) For purposes of pars. (a) 1. and (d) 1., a collaborative relationship is a process
23 in which an advanced practice registered nurse is working with a physician or
24 dentist, in each other's presence when necessary, to deliver health care services
25 within the scope of the advanced practice registered nurse's training, education, and

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1 experience. The advanced practice registered nurse shall document such a
2 collaborative relationship.

3 (f) Nothing in this section prohibits an entity employing or with a relationship
4 with an advanced practice registered nurse from establishing additional
5 requirements for an advanced practice registered nurse as a condition of
6 employment or relationship.

7 (g) An advanced practice registered nurse shall adhere to professional
8 standards when managing situations that are beyond the advanced practice
9 registered nurse's expertise. If a particular patient's needs are beyond the advanced
10 practice registered nurse's expertise, the advanced practice registered nurse shall,
11 as warranted by the patient's needs, consult or collaborate with or refer the patient
12 to at least one of the following:

13 1. A physician licensed under ch. 448.

14 2. Another health care provider for whom the advanced practice registered
15 nurse has reasonable evidence of having a scope of practice that includes the
16 authorization to address the patient's needs.

17 (h) An advanced practice registered nurse licensed under this section may
18 delegate a task or order to another clinically trained health care worker if the task
19 or order is within the scope of the advanced practice registered nurse's practice, the
20 advanced practice registered nurse is competent to perform the task or issue the
21 order, and the advanced practice registered nurse has reasonable evidence that the
22 health care worker is minimally competent to perform the task or issue the order
23 under the circumstances.

24 (i) An advanced practice registered nurse with a certified nurse-midwife
25 specialty designation may not offer to deliver babies outside of a hospital setting

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1 unless the advanced practice registered nurse files with the board, and the board
2 approves, a proactive plan for ensuring appropriate care or care transitions
3 conforming with professional standards for patients with higher acuity or emergency
4 care needs that exceed the advanced practice registered nurse's scope of practice. An
5 advanced practice registered nurse who offers to deliver babies outside of a hospital
6 setting shall file a plan under this paragraph when applying for an initial license
7 under this section or a renewal of a license under this section, shall keep the plan
8 current with the board, and shall follow the plan.

9 (4) CONTINUING EDUCATION. Every advanced practice registered nurse shall
10 submit to the board evidence of having completed at least 16 contact hours per
11 biennium in clinical pharmacology or therapeutics relevant to the advanced practice
12 registered nurse's area of practice. The board may promulgate rules regarding the
13 continuing education requirements under this subsection.

14 (5) MALPRACTICE LIABILITY INSURANCE. No person may practice advanced
15 practice registered nursing unless he or she at all times has in effect malpractice
16 liability insurance coverage in the minimum amounts specified under s. 655.23 (4).
17 An advanced practice registered nurse shall submit evidence of that coverage to the
18 board when applying for an initial license under this section or a renewal of a license
19 under this section. An advanced practice registered nurse shall also submit such
20 evidence to the board upon request of the board.

21 (6) RULES. (a) The board shall promulgate rules necessary to administer this
22 section, including rules for all of the following:

23 1. Further defining the scope of practice of an advanced practice registered
24 nurse, practice of a certified nurse-midwife, practice of a certified registered nurse
25 anesthetist, practice of a nurse practitioner, and practice of a clinical nurse specialist

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1 and defining the scope of practice within which an advanced practice registered
2 nurse may issue prescription orders under sub. (2).

3 2. Determining acceptable national certification for purposes of sub. (1) (a) 2.
4 a.

5 3. Establishing the appropriate education, training, or experience
6 requirements that a registered nurse must satisfy in order to be an advanced practice
7 registered nurse and to obtain each specialty designation corresponding to the
8 recognized roles.

9 4. Specifying the classes of drugs, individual drugs, or devices that may not be
10 prescribed by an advanced practice registered nurse under sub. (2).

11 5. Specifying the conditions to be met for registered nurses to do the following:

12 a. Administer a drug prescribed by an advanced practice registered nurse.

13 b. Administer a drug at the direction of an advanced practice registered nurse.

14 7. Establishing standards of professional conduct for advanced practice
15 registered nurses generally and for practicing in each recognized role.

16 (am) Notwithstanding par. (a), the board may promulgate rules to implement
17 sub. (3m) (b).

18 (b) The board may not promulgate rules that expand the scope of practice of an
19 advanced practice registered nurse beyond the practices within advanced practice
20 registered nursing.

21 **SECTION 2865.** 441.092 of the statutes is created to read:

22 **441.092 Expedited partner therapy. (1)** In this section:

23 (b) “Antimicrobial drug” has the meaning given in s. 448.035 (1) (b).

24 (c) “Expedited partner therapy” has the meaning given in s. 448.035 (1) (c).

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1 **(2)** Notwithstanding the requirements of s. 448.9785, an advanced practice
2 registered nurse who may issue prescription orders under s. 441.09 (2) may provide
3 expedited partner therapy if a patient is diagnosed as infected with a chlamydial
4 infection, gonorrhea, or trichomoniasis and the patient has had sexual contact with
5 a sexual partner during which the chlamydial infection, gonorrhea, or
6 trichomoniasis may have been transmitted to or from the sexual partner. The
7 advanced practice registered nurse shall attempt to obtain the name of the patient's
8 sexual partner. A prescription order for an antimicrobial drug prepared under this
9 subsection shall include the name and address of the patient's sexual partner, if
10 known. If the advanced practice registered nurse is unable to obtain the name of the
11 patient's sexual partner, the prescription order shall include, in ordinary, bold-faced
12 capital letters, the words, "expedited partner therapy" or the letters "EPT."

13 **(3)** The advanced practice registered nurse shall provide the patient with a
14 copy of the information sheet prepared by the department of health services under
15 s. 46.03 (44) and shall request that the patient give the information sheet to the
16 person with whom the patient had sexual contact.

17 **(4)** (a) Except as provided in par. (b), an advanced practice registered nurse is
18 immune from civil liability for injury to or the death of a person who takes any
19 antimicrobial drug if the antimicrobial drug is prescribed, dispensed, or furnished
20 under this section and if expedited partner therapy is provided as specified under
21 this section.

22 (b) The immunity under par. (a) does not extend to the donation, distribution,
23 furnishing, or dispensing of an antimicrobial drug by an advanced practice
24 registered nurse whose act or omission involves reckless, wanton, or intentional
25 misconduct.

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1 **SECTION 2866.** 441.10 (6) of the statutes is amended to read:

2 441.10 (6) On or before the applicable renewal date ~~specified~~ determined by the
3 department under s. 440.08 (2) (a), a licensed practical nurse practicing for
4 compensation shall submit to the board, on forms furnished by the department, an
5 application for license renewal, together with a statement giving name, residence,
6 nature and extent of practice as a licensed practical nurse during the prior year and
7 prior unreported years, ~~the nursing workforce survey and fee required under s.~~
8 ~~441.01 (7),~~ and other facts bearing upon current competency that the board requires,
9 accompanied by the applicable license renewal fee determined by the department
10 under s. 440.03 (9) (a).

11 **SECTION 2867.** 441.10 (7) of the statutes is amended to read:

12 441.10 (7) No license is required for practical nursing, but, except as provided
13 in s. 257.03, no person without a license may hold himself or herself out as a licensed
14 practical nurse or licensed attendant, use the title or letters “Trained Practical
15 Nurse” or “T.P.N.,” “Licensed Practical Nurse” or “L.P.N.,” “Licensed Attendant” or
16 “L.A.,” “Trained Attendant” or “T.A.,” or otherwise seek to indicate that he or she is
17 a licensed practical nurse or licensed attendant. No licensed practical nurse or
18 licensed attendant may use the title, or otherwise seek to act as a registered, licensed,
19 graduate or professional nurse. Anyone violating this subsection shall be subject to
20 the penalties prescribed by s. 441.13. ~~The board shall grant without examination a~~
21 ~~license as a licensed practical nurse to any person who was on July 1, 1949, a licensed~~
22 ~~attendant.~~ This subsection does not apply to any licensed practical nurse who holds
23 a multistate license, as defined in s. 441.51 (2) (h), issued by a jurisdiction, other than
24 this state, that has adopted the nurse licensure compact ~~under s. 441.51.~~

25 **SECTION 2868.** 441.11 (title) of the statutes is repealed.

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1 **SECTION 2869.** 441.11 (1) of the statutes is repealed.

2 **SECTION 2870.** 441.11 (2) of the statutes is renumbered 441.09 (5m) and
3 amended to read:

4 441.09 **(5m)** LICENSURE EXEMPTION. The provisions of s. 448.04 ~~(1) (g)~~ 448.03
5 (1) (d) do not apply to ~~a~~ an advanced practice registered nurse licensed under this
6 section who possesses a certified registered nurse anesthetist specialty designation
7 under sub. (1) (b) 1. or to a person who engages in the practice of a nurse anesthetist
8 while performing official duties for the armed services or federal health services of
9 the United States.

10 **SECTION 2871.** 441.11 (3) of the statutes is repealed.

11 **SECTION 2872.** 441.15 of the statutes, as affected by 2023 Wisconsin Act (this
12 act), is repealed.

13 **SECTION 2873.** 441.15 (3) (b) of the statutes is amended to read:

14 441.15 **(3)** (b) On or before the applicable renewal date specified determined
15 by the department under s. 440.08 (2) ~~(a)~~, a person issued a license under par. (a) and
16 practicing nurse-midwifery shall submit to the board on furnished forms a
17 statement giving his or her name, residence, and other information that the board
18 requires by rule, with the applicable renewal fee determined by the department
19 under s. 440.03 (9) (a). If applicable, the person shall also submit evidence
20 satisfactory to the board that he or she has in effect the malpractice liability
21 insurance required under the rules promulgated under sub. (5) (bm). The board shall
22 grant to a person who pays the fee determined by the department under s. 440.03 (9)
23 (a) for renewal of a license to practice nurse-midwifery and who satisfies the
24 requirements of this paragraph the renewal of his or her license to practice

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1 nurse-midwifery and the renewal of his or her license to practice as a registered
2 nurse.

3 **SECTION 2874.** 441.16 of the statutes is repealed.

4 **SECTION 2875.** 441.18 (2) (a) (intro.) of the statutes is amended to read:

5 441.18 (2) (a) (intro.) An advanced practice registered nurse ~~certified to who~~
6 may issue prescription orders under s. 441.16 441.09 (2) may do any of the following:

7 **SECTION 2876.** 441.18 (2) (b) of the statutes is amended to read:

8 441.18 (2) (b) An advanced practice registered nurse who prescribes or delivers
9 an opioid antagonist under par. (a) 1. shall ensure that the person to whom the opioid
10 antagonist is prescribed has or has the capacity to provide the knowledge and
11 training necessary to safely administer the opioid antagonist to an individual
12 undergoing an opioid-related overdose and that the person demonstrates the
13 capacity to ensure that any individual to whom the person further delivers the opioid
14 antagonist has or receives that knowledge and training.

15 **SECTION 2877.** 441.18 (3) of the statutes is amended to read:

16 441.18 (3) An advanced practice registered nurse who, acting in good faith,
17 prescribes or delivers an opioid antagonist in accordance with sub. (2), or who, acting
18 in good faith, otherwise lawfully prescribes or dispenses an opioid antagonist, shall
19 be immune from criminal or civil liability and may not be subject to professional
20 discipline under s. 441.07 for any outcomes resulting from prescribing, delivering,
21 or dispensing the opioid antagonist.

22 **SECTION 2878.** 441.19 of the statutes is repealed.

23 **SECTION 2879.** 442.083 (1) of the statutes is amended to read:

24 442.083 (1) The renewal dates for licenses issued under this chapter are
25 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the

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1 renewal fees for such licenses are determined by the department under s. 440.03 (9)
2 (a). The department may not renew a license issued to a firm unless, at the time of
3 renewal, the firm satisfies the requirements under s. 442.08 (2) and demonstrates,
4 to the satisfaction of the department, that the firm has complied with the
5 requirements under s. 442.087.

6 **SECTION 2880.** 442.083 (2) (a) of the statutes is amended to read:

7 442.083 (2) (a) The examining board shall promulgate rules establishing
8 continuing education requirements for ~~renewal of licenses granted to individuals~~
9 licensed under this chapter. The rules promulgated under this paragraph may not
10 require an individual to complete more than 80 continuing education credits during
11 the per 2-year period ~~immediately preceding the renewal date specified under s.~~
12 ~~440.08 (2) (a).~~

13 **SECTION 2881.** 443.015 (1e) of the statutes is amended to read:

14 443.015 (1e) The rules promulgated under sub. (1) by the registered interior
15 designer section of the examining board shall require a Wisconsin registered interior
16 designer to complete at least 15 hours of continuing education during the per 2-year
17 period ~~immediately preceding the renewal date specified under s. 440.08 (2) (a).~~ At
18 least 10 of the 15 hours shall be in subjects related to the practice of interior design
19 that safeguard the public's health, safety, and welfare.

20 **SECTION 2882.** 443.07 (6) of the statutes is amended to read:

21 443.07 (6) The renewal date for permits under this section is ~~specified~~ shall be
22 as determined by the department under s. 440.08 (2) (~~a~~), and the fee for renewal of
23 such permits is determined by the department under s. 440.03 (9) (a).

24 **SECTION 2883.** 443.08 (3) (b) of the statutes is amended to read:

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1 443.08 (3) (b) The renewal date for certificates of authorization under this
2 section is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a),
3 and the fee for renewal of such certificates is determined by the department under
4 s. 440.03 (9) (a).

5 **SECTION 2884.** 443.10 (2) (e) of the statutes is amended to read:

6 443.10 (2) (e) The renewal date dates for certificates of registration for
7 architects, landscape architects, professional engineers, and Wisconsin registered
8 interior designers is ~~specified~~ shall be as determined by the department under s.
9 440.08 (2) (a), and the fee for renewal of such certificates is determined by the
10 department under s. 440.03 (9) (a).

11 **SECTION 2885.** 443.10 (5) of the statutes is amended to read:

12 443.10 (5) FEES; RENEWALS. The professional land surveyor section shall grant
13 a license to engage in the practice of professional land surveying to any applicant who
14 has met the applicable requirements of this chapter. The renewal date for the license
15 is ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
16 renewal fee for the license is determined by the department under s. 440.03 (9) (a).

17 **SECTION 2886.** 445.06 (1) of the statutes is amended to read:

18 445.06 (1) The renewal date for a funeral director's license is ~~specified~~ shall be
19 as determined by the department under s. 440.08 (2) (a), and the renewal fee for such
20 license is determined by the department under s. 440.03 (9) (a).

21 **SECTION 2887.** 445.07 (1) of the statutes is repealed.

22 **SECTION 2888.** 445.07 (2) of the statutes is amended to read:

23 445.07 (2) (a) The examining board may waive the requirement under sub. (1)
24 (a) (3) (b) in cases where the examining board is satisfied that an applicant would be

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1 unable to satisfy the requirement prior to the renewal date by which the requirement
2 must be satisfied.

3 (b) Subsection ~~(1)(a)~~ (3)(b) does not apply to an applicant who was granted a
4 reciprocal license under s. 445.08.

5 **SECTION 2889.** 445.07 (3) of the statutes is renumbered 445.07 (3) (a) and
6 amended to read:

7 445.07 **(3)** (a) The examining board shall promulgate rules to ~~implement this~~
8 section establish continuing education requirements for an applicant licensed under
9 this chapter. The rules shall, except as required in par. (b) and sub. (2), require
10 completion of 15 hours of continuing education per 2-year period.

11 **SECTION 2890.** 445.07 (3) (b) of the statutes is created to read:

12 445.07 **(3)** (b) The examining board shall establish separate continuing
13 education requirements for new licensees. The examining board shall specify
14 permitted or required subjects for the continuing education under this paragraph,
15 which shall be subjects that the examining board determines prepare a new licensee
16 for practice as a funeral director.

17 **SECTION 2891.** 445.095 (1) (c) of the statutes is amended to read:

18 445.095 **(1)** (c) A certificate of apprenticeship issued under this section shall
19 be renewable annually upon the payment on January 1 of each year of the renewal
20 fee specified in s. 440.08 ~~(2)~~ (2m) (b).

21 **SECTION 2892.** 445.105 (3) of the statutes is amended to read:

22 445.105 **(3)** Applications for funeral establishment permits shall be made on
23 forms provided by the department and filed with the department and shall be
24 accompanied by the initial credential fee determined by the department under s.
25 440.03 (9) (a). The renewal date for a funeral establishment permit ~~is specified~~ shall

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1 be as determined by the department under s. 440.08 (2) (a), and the renewal fee for
2 such permit is determined by the department under s. 440.03 (9) (a).

3 **SECTION 2893.** 446.02 (1) (b) of the statutes is amended to read:

4 446.02 (1) (b) Submits evidence satisfactory to the examining board that the
5 person meets the requirements of continuing education for license renewal as the
6 examining board may require, which requirements shall include current proficiency
7 in the use of an automated external defibrillator achieved through instruction
8 provided by an individual, organization, or institution of higher education approved
9 under s. 46.03 (38) to provide such instruction. The person shall include the approval
10 number assigned under sub. (5) (b) to each educational program completed by the
11 person to satisfy the requirements of this paragraph. ~~During the time between~~
12 ~~initial licensure and commencement of a full 2-year licensure period~~ The examining
13 board shall, for up to a 2-year period, exempt new licensees ~~shall not be required to~~
14 ~~meet continuing education requirements~~ from the requirements under this
15 paragraph. Any person who has not engaged in the practice of chiropractic for 2
16 years or more, while holding a valid license under this chapter, and desiring to
17 engage in such practice, shall be required by the examining board to complete a
18 continuing education course at a school of chiropractic approved by the examining
19 board or pass a practical examination administered by the examining board or both.

20 **SECTION 2894.** 446.02 (4) of the statutes is amended to read:

21 446.02 (4) The renewal date for all licenses granted by the examining board is
22 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
23 renewal fee for such licenses is determined by the department under s. 440.03 (9) (a).

24 **SECTION 2895.** 446.025 (3) (a) of the statutes is renumbered 446.025 (3) (a) 1.
25 and amended to read:

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1 446.025 (3) (a) 1. The renewal date and fees for a certificate issued under this
2 section are specified in shall be as determined by the department under s. 440.08 (2)
3 ~~(a)~~.

4 **SECTION 2896.** 446.025 (3) (a) 2. of the statutes is created to read:

5 446.025 (3) (a) 2. The renewal fees for a certificate issued under this section are
6 determined by the department under s. 440.03 (9) (a).

7 **SECTION 2897.** 446.025 (3) (b) of the statutes is amended to read:

8 446.025 (3) (b) A chiropractic radiological technician shall, at the time that he
9 or she applies for renewal of a certificate under par. (a), submit evidence satisfactory
10 to the examining board that he or she has completed ~~at least 12~~ continuing
11 educational credit hours in programs established by rules promulgated by the
12 examining board, which shall require at least 12 credit hours per 2-year period.

13 **SECTION 2898.** 446.026 (3) (a) of the statutes is renumbered 446.026 (3) (a) 1.
14 and amended to read:

15 446.026 (3) (a) 1. The renewal date and fees for a certificate issued under this
16 section are specified in shall be as determined under s. 440.08 (2) (a).

17 **SECTION 2899.** 446.026 (3) (a) 2. of the statutes is created to read:

18 446.026 (3) (a) 2. The renewal fees for a certificate issued under this section are
19 determined by the department under s. 440.03 (9) (a).

20 **SECTION 2900.** 446.026 (3) (b) of the statutes is amended to read:

21 446.026 (3) (b) A chiropractic technician shall, at the time that he or she applies
22 for renewal of a certificate under par. (a), submit evidence satisfactory to the
23 examining board that he or she has completed ~~at least 6~~ continuing educational
24 credit hours in programs established by rules promulgated by the examining board,
25 which shall require at least 6 credit hours per 2-year period.

ASSEMBLY BILL 43**SECTION 2901**

1 **SECTION 2901.** 447.01 (6g) of the statutes is created to read:

2 447.01 **(6g)** “Dental therapist” means an individual who practices dental
3 therapy.

4 **SECTION 2902.** 447.01 (6r) of the statutes is created to read:

5 447.01 **(6r)** “Dental therapy” means the limited practice of dentistry, consisting
6 of the services, treatments, and procedures specified in s. 447.06 (3) (b).

7 **SECTION 2903.** 447.02 (1) (a) of the statutes is amended to read:

8 447.02 **(1)** (a) Governing the reexamination of an applicant who fails an
9 examination specified in s. 447.04 (1) (a) 5., (1m) (e), or (2) (a) 5. The rules may specify
10 additional educational requirements for those applicants and may specify the
11 number of times an applicant may be examined.

12 **SECTION 2904.** 447.02 (1) (b) of the statutes is amended to read:

13 447.02 **(1)** (b) Governing the standards and conditions for the use of radiation
14 and ionizing equipment in the practice of dentistry or dental therapy.

15 **SECTION 2905.** 447.02 (1) (g) of the statutes is created to read:

16 447.02 **(1)** (g) Specifying services, treatments, or procedures, in addition to
17 those specified under s. 447.06 (3) (b) 1. to 27., that are included within the practice
18 of dental therapy.

19 **SECTION 2906.** 447.02 (2) (a) of the statutes is amended to read:

20 447.02 **(2)** (a) The conditions for supervision and the degree of supervision
21 required under ss. 447.03 (3) (a), (am), (b) and (d) 2. and 447.065.

22 **SECTION 2907.** 447.02 (3) (a) (intro.) of the statutes is amended to read:

23 447.02 **(3)** (a) (intro.) The examining board may issue a permit authorizing the
24 practice in this state, without compensation, of dentistry, dental therapy, or dental

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1 hygiene to an applicant who is licensed to practice dentistry, dental therapy, or dental
2 hygiene in another state, if all of the following apply:

3 **SECTION 2908.** 447.02 (3) (a) 2. of the statutes is amended to read:

4 447.02 (3) (a) 2. The examining board determines that the applicant is qualified
5 and satisfies the criteria specified under s. 447.04 (1) (b) 1. to 3., except that the
6 examining board may not require the applicant to pass an examination of state
7 statutes and rules relating to dentistry, dental therapy, or dental hygiene.

8 **SECTION 2909.** 447.02 (3) (a) 3. of the statutes is created to read:

9 447.02 (3) (a) 3. If the applicant is applying for a permit to practice dental
10 therapy, the applicant graduated from a dental therapy education program approved
11 under s. 447.04 (1m) (c) 1. to 3.

12 **SECTION 2910.** 447.02 (3) (b) of the statutes is amended to read:

13 447.02 (3) (b) A permit under this subsection shall authorize the practice of
14 dentistry, dental therapy, or dental hygiene in a specified area of the state for a period
15 of time not more than 10 days in a year and may be renewed by the examining board.
16 The examining board may not require an applicant to pay a fee for the issuance or
17 renewal of a permit under this subsection.

18 **SECTION 2911.** 447.02 (5) of the statutes is amended to read:

19 447.02 (5) Except as provided in ss. 447.058 and 447.063, nothing in this
20 chapter may be construed as authorizing the examining board to regulate business
21 or administrative support functions or services, that do not constitute the practice
22 of dentistry, dental therapy, or dental hygiene, provided to a business that provides
23 dental or dental hygiene services.

24 **SECTION 2912.** 447.02 (6) of the statutes is created to read:

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1 447.02 (6) The examining board shall send a notice to the legislative reference
2 bureau for publication in the Wisconsin Administrative Register when the board
3 determines that 50 or more individuals are currently licensed as dental therapists
4 in this state under s. 447.04 (1m). This subsection does not apply on or after the first
5 day of the 6th year beginning after the effective date of this subsection [LRB
6 inserts date].

7 **SECTION 2913.** 447.03 (1m) of the statutes is created to read:

8 447.03 (1m) DENTAL THERAPISTS. Except as provided under sub. (3) and s.
9 447.02 (3), no person may do any of the following unless he or she is licensed to
10 practice dental therapy under this chapter:

11 (a) Practice or offer to practice dental therapy.

12 (b) Represent himself or herself to the public as a dental therapist or use, in
13 connection with his or her name, any title or description that may convey the
14 impression that he or she is a dental therapist.

15 **SECTION 2914.** 447.03 (3) (am) of the statutes is created to read:

16 447.03 (3) (am) A dental therapy student who practices dental therapy under
17 the supervision of a dentist in an infirmary, clinic, hospital, or other institution
18 connected or associated for training purposes with a dental therapy school accredited
19 by the American Dental Association commission on dental accreditation or its
20 successor agency.

21 **SECTION 2915.** 447.03 (3) (c) of the statutes is amended to read:

22 447.03 (3) (c) An individual licensed to practice dentistry, dental therapy, or
23 dental hygiene in another state or country who practices dentistry, dental therapy,
24 or dental hygiene in a program of dental education or research at the invitation of
25 a group of dentists or practices dentistry, dental therapy, or dental hygiene under the

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1 jurisdiction of the army, navy, air force, U.S. public health service, or veterans
2 bureau.

3 **SECTION 2916.** 447.04 (1m) of the statutes is created to read:

4 447.04 **(1m)** DENTAL THERAPISTS. The examining board shall grant a license to
5 practice dental therapy to an individual who does all of the following:

6 (a) Submits an application for the license to the department on a form provided
7 by the department.

8 (b) Pays the fee specified in s. 440.05 (1).

9 (c) Submits evidence satisfactory to the examining board that he or she has
10 done one of the following:

11 1. Graduated from a dental therapy education program accredited by the
12 American Dental Association commission on dental accreditation or its successor
13 agency.

14 2. Graduated from a dental therapy education program that was not accredited
15 by the American Dental Association commission on dental accreditation or its
16 successor agency at the time of graduation, but was, on or before the effective date
17 of this subdivision [LRB inserts date], accredited or approved by the Minnesota
18 Board of Dentistry.

19 3. Graduated from a dental therapy education program located outside this
20 state that was not accredited by the American Dental Association commission on
21 dental accreditation or its successor agency, but that is approved by the examining
22 board. The examining board shall approve a program under this subdivision if the
23 examining board determines that the dental therapy education program is
24 substantially similar to a program accredited by the American Dental Association
25 commission on dental accreditation or its successor agency.

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1 (d) Submits evidence satisfactory to the examining board that he or she has
2 passed a national board dental therapy examination and a dental therapy clinical
3 examination administered by a regional testing service that has been approved by
4 the examining board to administer clinical examinations for dental professionals.
5 If a national board examination or a regional testing service examination for dental
6 therapy does not exist, the examining board shall accept evidence of passing an
7 alternative examination administered by another entity or testing service that is
8 approved by the examining board.

9 (e) Passes an examination administered by the examining board on the
10 statutes and rules relating to dental therapy.

11 (f) Submits evidence satisfactory to the examining board that he or she has
12 current proficiency in cardiopulmonary resuscitation, including the use of an
13 automated external defibrillator achieved through instruction provided by an
14 individual, organization, or institution of higher education approved under s. 46.03
15 (38) to provide such instruction.

16 (g) If the individual was licensed or is currently licensed in another state or
17 territory of the United States or in another country, the individual submits
18 information related to his or her licensure in other jurisdictions as required by the
19 examining board.

20 (h) Completes any other requirements established by the examining board by
21 rule that are comparable to and no more restrictive than the requirements
22 established by the board for dentists under sub. (1) (a) 6. and dental hygienists under
23 sub. (2) (a) 6.

24 **SECTION 2917.** 447.05 (1) (a) of the statutes is amended to read:

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1 447.05 (1) (a) Except as provided in par. (b), renewal applications shall be
2 submitted to the department on a form provided by the department on or before the
3 applicable renewal date ~~specified~~ determined by the department under s. 440.08 (2)
4 (a) and shall include the applicable renewal fee determined by the department under
5 s. 440.03 (9) (a).

6 **SECTION 2918.** 447.05 (2m) of the statutes is created to read:

7 447.05 (2m) The examining board may not renew a license to practice dental
8 therapy unless the applicant for renewal attests that he or she has complied with s.
9 447.057 and any rules promulgated under s. 447.057, that he or she has current
10 proficiency in cardiopulmonary resuscitation, and that he or she has current
11 proficiency in the use of an automated external defibrillator achieved through
12 instruction provided by an individual, organization, or institution of higher
13 education approved under s. 46.03 (38) to provide such instruction.

14 **SECTION 2919.** 447.055 (1) (a) of the statutes is amended to read:

15 447.055 (1) (a) 1. Except as provided in subs. (3) and (4), a person is not eligible
16 for renewal of a license to practice dental hygiene, other than a permit issued under
17 s. 447.02 (3), unless the person has ~~taught, prepared, attended, or otherwise~~
18 ~~completed, during the 2-year period immediately preceding the renewal date~~
19 ~~specified under s. 440.08 (2) (a), 12 credit hours of~~ satisfied the applicable continuing
20 education ~~relating to the clinical practice of dental hygiene that is sponsored or~~
21 ~~recognized by a local, state, regional, national, or international dental, dental~~
22 ~~hygiene, dental assisting, or medical-related professional organization.~~
23 requirements established under subd. 2.

24 2. Notwithstanding subd. 1., the The examining board may shall promulgate
25 ~~a rule~~ rules requiring not more than 20 nor less than 12 credit hours of continuing

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1 ~~education for eligibility for renewal of a license to practice dental hygiene to be~~
2 ~~taught, prepared, attended, or otherwise completed per 2-year period. The rules~~
3 ~~shall require that continuing education be sponsored or recognized by a local, state,~~
4 ~~regional, national, or international dental, dental hygiene, dental assisting, or~~
5 ~~medical-related professional organization in order to qualify under this paragraph.~~

6 **SECTION 2920.** 447.055 (1) (b) 1. of the statutes is amended to read:

7 447.055 (1) (b) 1. Basic life support or cardiopulmonary resuscitation. Not
8 more than 2 of the credit hours required under par. (a) per 2-year period may be
9 satisfied by such training.

10 **SECTION 2921.** 447.055 (1) (b) 2. of the statutes is amended to read:

11 447.055 (1) (b) 2. Infection control. Not less than 2 of the credit hours required
12 under par. (a) per 2-year period must be satisfied by such training.

13 **SECTION 2922.** 447.055 (3) of the statutes is repealed and recreated to read:

14 447.055 (3) The examining board shall, for up to a 2-year period, exempt new
15 licensees from the requirements under this section.

16 **SECTION 2923.** 447.056 (1) (intro.) of the statutes is amended to read:

17 447.056 (1) (intro.) Except as provided in subs. (2) ~~to~~ and (4), a person is not
18 eligible for renewal of a license to practice dentistry, other than a permit issued under
19 s. 447.02 (3), unless the person has ~~taught, attended, or otherwise completed, during~~
20 ~~the 2-year period immediately preceding the renewal date specified under s. 440.08~~
21 ~~(2) (a), 30 credit hours of~~ satisfied the applicable continuing education related to the
22 ~~practice of dentistry or the practice of medicine, including requirements established~~
23 under this subsection. The examining board shall promulgate rules requiring 30
24 credit hours of continuing education to be taught, prepared, attended, or otherwise
25 completed per 2-year period. The rules shall require that not less than 25 credit

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1 hours of instruction per 2-year period be in clinical dentistry or clinical medicine.
2 ~~Not~~ The rules may not allow more than 4 ~~of the 30~~ hours per 2-year period to
3 be from teaching. Continuing education does not satisfy the requirements under this
4 subsection unless the continuing education is one of the following:

5 **SECTION 2924.** 447.056 (2) of the statutes is repealed and recreated to read:
6 447.056 (2) The examining board shall, for up to a 2-year period, exempt new
7 licensees from the requirements under this section.

8 **SECTION 2925.** 447.056 (3) of the statutes is repealed.

9 **SECTION 2926.** 447.057 of the statutes is created to read:

10 **447.057 Continuing education; dental therapists.** (1) (a) Except as
11 provided in subs. (3) and (4), a person is not eligible for renewal of a license to practice
12 dental therapy, other than a permit issued under s. 447.02 (3), unless the person has
13 taught, prepared, attended, or otherwise completed, during the 2-year period
14 immediately preceding the renewal date specified under s. 440.08 (2) (a), 12 credit
15 hours of continuing education relating to the clinical practice of dental therapy that
16 is sponsored or recognized by a local, state, regional, national, or international
17 dental, dental therapy, dental hygiene, dental assisting, or medical-related
18 professional organization.

19 (b) Continuing education required under par. (a) may include training in all of
20 the following:

21 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of the
22 credit hours required under par. (a) may be satisfied by such training.

23 2. Infection control. Not less than 2 of the credit hours required under par. (a)
24 must be satisfied by such training.

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1 (c) After consultation with the department of health services, the examining
2 board may promulgate rules requiring that continuing education credit hours under
3 par. (a) include courses in specific clinical subjects.

4 (2) The credit hours required under sub. (1) (a) may be satisfied by independent
5 study, correspondence, or Internet programs or courses.

6 (3) Subsection (1) (a) does not apply to an applicant for renewal of a license that
7 expires on the first renewal date after the date on which the examining board
8 initially granted the license.

9 (4) A person may substitute credit hours of college level courses related to the
10 practice of dental therapy for the credit hours required under sub. (1) (a). For
11 purposes of this subsection, one credit hour of a college level course is equivalent to
12 6 credit hours of continuing education.

13 (5) For purposes of sub. (1) (a), one hour of teaching or preparing a continuing
14 education program is equivalent to one credit hour of continuing education, but a
15 person who teaches or prepares a continuing education program may obtain credit
16 for the program only once.

17 (6) The examining board may require applicants for renewal of a license to
18 practice dental therapy to submit proof of compliance with the requirements of this
19 section.

20 **SECTION 2927.** 447.057 (1) (a) and (b) 1. and 2. of the statutes, as created by
21 2023 Wisconsin Act (this act), are amended to read:

22 447.057 (1) (a) Except as provided in subs. (3) and (4), a person is not eligible
23 for renewal of a license to practice dental therapy, other than a permit issued under
24 s. 447.02 (3), unless the person has taught, prepared, attended, or otherwise
25 completed, during the 2-year period immediately preceding the renewal date

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1 ~~specified under s. 440.08 (2) (a), 12 credit hours of satisfied the applicable continuing~~
2 ~~education relating to the clinical practice of dental therapy that is sponsored or~~
3 ~~recognized by a local, state, regional, national, or international dental, dental~~
4 ~~therapy, dental hygiene, dental assisting, or medical-related professional~~
5 ~~organization requirements established under subd. 2.~~

6 (b) 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of
7 the credit hours required under par. (a) per 2-year period may be satisfied by such
8 training.

9 2. Infection control. Not less than 2 of the credit hours required under par. (a)
10 per 2-year period must be satisfied by such training.

11 **SECTION 2928.** 447.057 (3) of the statutes, as created by 2023 Wisconsin Act
12 (this act), is repealed and recreated to read:

13 447.057 (3) The examining board shall, for up to a 2-year period, exempt new
14 licensees from the requirements under this section.

15 **SECTION 2929.** 447.058 (2) (b) of the statutes is amended to read:

16 447.058 (2) (b) A mobile dentistry program registrant shall submit an
17 application for renewal, and the applicable renewal fee determined by the
18 department under s. 440.03 (9) (a), to the department on a form provided by the
19 department on or before the applicable renewal date specified determined by the
20 department under s. 440.08 (2) (a).

21 **SECTION 2930.** 447.06 (1) of the statutes is amended to read:

22 447.06 (1) No contract of employment entered into between a dentist or dental
23 therapist and any other party under which the dentist or dental therapist renders
24 dental services may require the dentist or dental therapist to act in a manner ~~which~~
25 that violates the professional standards for dentistry or dental therapy set forth in

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1 this chapter. Nothing in this subsection limits the ability of the other party to control
2 the operation of the dental practice in a manner in accordance with the professional
3 standards for dentistry or dental therapy set forth in this chapter.

4 **SECTION 2931.** 447.06 (1m) of the statutes is created to read:

5 447.06 (1m) No contract of employment entered into between a dental
6 therapist and any other party under which the dental therapist is employed to
7 practice dental therapy may require a dental therapist to meet a minimum quota for
8 the number of patients seen or the number of procedures performed.

9 **SECTION 2932.** 447.06 (2) (a) 3. of the statutes is amended to read:

10 447.06 (2) (a) 3. For a school for the education of dentists, dental therapists,
11 or dental hygienists.

12 **SECTION 2933.** 447.06 (2) (b) of the statutes is amended to read:

13 447.06 (2) (b) A dental hygienist may practice dental hygiene or perform
14 remediable procedures under par. (a) 1. only as authorized by a dentist or dental
15 therapist who is licensed to practice dentistry or dental therapy under this chapter
16 and who is present in the facility in which those practices or procedures are
17 performed, except as provided in par. (c).

18 **SECTION 2934.** 447.06 (2) (c) (intro.) of the statutes is amended to read:

19 447.06 (2) (c) (intro.) A dental hygienist may practice dental hygiene or perform
20 remediable procedures under par. (a) 1. if a dentist or dental therapist who is licensed
21 to practice dentistry or dental therapy under this chapter is not present in the facility
22 in which those practices or procedures are performed only if all of the following
23 conditions are met:

24 **SECTION 2935.** 447.06 (2) (c) 2. (intro.) of the statutes is amended to read:

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1 447.06 (2) (c) 2. (intro.) The dentist or dental therapist who made the written
2 or oral prescription has examined the patient at least once during the 12-month
3 period immediately preceding:

4 **SECTION 2936.** 447.06 (3) of the statutes is created to read:

5 447.06 (3) (a) In this subsection:

6 1. “Collaborative management agreement” means an agreement under par. (d).

7 2. “Dental health shortage area” has the meaning given in s. 36.60 (1) (ad).

8 3. “Direct supervision” means that the dentist is present in the dental office or
9 other practice setting, personally diagnoses the condition to be treated, personally
10 authorizes each procedure, and before dismissal of the patient, evaluates the
11 performance of the allied dental personnel.

12 4. “General supervision” means that the dentist is not present in the dental
13 office or other practice setting or on the premises at the time tasks or procedures are
14 being performed by the dental therapist, but that the tasks or procedures performed
15 by the dental therapist are being performed with the prior knowledge and consent
16 of the dentist.

17 5. “Indirect supervision” means that the dentist is present in the dental office
18 or other practice setting, authorizes each procedure, and remains in the office while
19 the procedures are being performed by the allied dental personnel.

20 6. “Medical Assistance patient” means a patient who is a recipient of services
21 under the Medical Assistance program under subch. IV of ch. 49.

22 7. “Qualifying dentist” means a dentist who is licensed in this state and who
23 is actively practicing in this state.

24 8. “Uninsured patient” means a patient who lacks dental health coverage,
25 either through a public health care program or private insurance, and has an annual

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1 gross family income equal to or less than 200 percent of the federal poverty
2 guidelines.

3 (b) The scope of practice of a dental therapist shall, subject to the terms of a
4 collaborative management agreement, be limited to providing the following services,
5 treatments, and procedures:

6 1. Oral evaluation and assessment of dental disease and formulation of an
7 individualized treatment plan.

8 2. Identification of oral and systemic conditions requiring evaluation or
9 treatment by dentists, physicians, or other health care providers and the
10 management of referrals.

11 3. Comprehensive charting of the oral cavity.

12 4. Oral health instruction and disease prevention education, including
13 nutritional counseling and dietary analysis.

14 5. Exposure and evaluation of radiographic images.

15 6. Dental prophylaxis, including subgingival scaling and polishing procedures.

16 7. Dispensing and administration via the oral or topical route of nonnarcotic
17 analgesic, anti-inflammatory, and antibiotic medications as prescribed by a licensed
18 health care provider.

19 8. Application of topical preventive or prophylactic agents, including fluoride
20 varnish, antimicrobial agents, caries arresting medicaments, and pit and fissure
21 sealants.

22 9. Pulp vitality testing.

23 10. Application of desensitizing medications or resins.

24 11. Fabrication of athletic mouth guards and soft occlusal guards.

25 12. Changing of periodontal dressings.

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- 1 13. Administration of local anesthetic and nitrous oxide.
- 2 14. Simple extraction of erupted primary teeth.
- 3 15. Nonsurgical extraction of periodontally diseased permanent teeth with
4 tooth mobility of +3 to +4 to the extent authorized in the dental therapist's
5 collaborative management agreement, except for the extraction of a tooth that is
6 unerupted, impacted, or fractured or that needs to be sectioned for removal.
- 7 16. Emergency palliative treatment of dental pain limited to the procedures in
8 this paragraph.
- 9 17. Preparation and placement of direct restoration in primary and permanent
10 teeth.
- 11 18. Fabrication and placement of single-tooth temporary crowns.
- 12 19. Preparation and placement of preformed crowns on primary teeth.
- 13 20. Indirect and direct pulp capping on permanent teeth.
- 14 21. Indirect pulp capping on primary teeth.
- 15 22. Intraoral suture placement and removal.
- 16 23. Minor adjustment and repair of removable prostheses.
- 17 24. Placement and removal of space maintainers.
- 18 25. Pulpotomy on primary teeth.
- 19 26. Tooth reimplantation and stabilization.
- 20 27. Recementing of a permanent crown.
- 21 28. Any additional services, treatments, or procedures specified in the rules
22 promulgated under s. 447.02 (1) (g).
- 23 (bm) 1. Notwithstanding par. (b) 1. to 28., a dental therapist shall, except as
24 provided in subd. 2., limit his or her practice of dental therapy to providing the

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1 services, treatments, and procedures covered by his or her dental therapy education
2 program.

3 2. If any service, treatment, or procedure under par. (b) 1. to 28. was not covered
4 by a dental therapist's dental therapy education program, the dental therapist may
5 provide that service, treatment, or procedure if the dental therapist has
6 subsequently received additional dental therapy educational training to provide
7 that service, treatment, or procedure.

8 (c) 1. Except as provided in subd. 2., a dental therapist licensed under this
9 chapter may provide dental therapy services in this state only under the direct
10 supervision or indirect supervision of a qualifying dentist with whom the dental
11 therapist has entered into a collaborative management agreement.

12 2. a. Once a dental therapist licensed under this chapter has provided dental
13 therapy services for at least 2,000 hours under direct supervision or indirect
14 supervision, the dental therapist may provide dental therapy services in this state
15 under the general supervision of a qualifying dentist with whom the dental therapist
16 has entered into a collaborative management agreement.

17 b. For purposes of the 2,000 hours requirement under subd. 2. a., hours may
18 include hours of providing dental therapy services in this state under direct
19 supervision or indirect supervision of a qualifying dentist as described in subd. 1. or
20 hours of providing dental therapy services under direct supervision or indirect
21 supervision while licensed as a dental therapist outside this state, but may not
22 include any hours completed prior to graduating from the dental therapy education
23 program.

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1 3. Notwithstanding subds. 1. and 2., the level of supervision for a dental
2 therapist may be further limited under the terms of a collaborative management
3 agreement under par. (d) 1. b.

4 4. A supervising dentist shall accept responsibility for all services performed
5 by a dental therapist pursuant to a collaborative management agreement. If services
6 needed by a patient are beyond the dental therapist's scope of practice or
7 authorization under the collaborative management agreement, the dental therapist
8 shall, to the extent required under the collaborative management agreement,
9 consult with the supervising dentist as needed to arrange for those services to be
10 provided by a dentist or another qualified health care provider.

11 (d) 1. Prior to providing any dental therapy services, a dental therapist shall
12 enter into a written collaborative management agreement with a qualifying dentist
13 who will serve as a supervising dentist under par. (c). The agreement must be signed
14 by the dental therapist and the qualifying dentist and address all of the following:

15 a. The practice settings where services may be provided and the patient
16 populations that may be served.

17 b. Consistent with and subject to pars. (bm) and (c), any conditions or
18 limitations on the services that may be provided by the dental therapist, the level of
19 supervision required, and any circumstances requiring consultation prior to
20 performing services.

21 c. Age-specific and procedure-specific practice protocols.

22 d. Dental record-keeping procedures.

23 e. Plans for managing dental or medical emergencies.

24 f. A quality assurance plan for monitoring care provided by the dental
25 therapist.

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1 g. Protocols for administering and dispensing medications.

2 h. Criteria or protocols relating to the provision of care to patients with specific
3 medical conditions, treatments, or medications.

4 i. Policies relating to supervision of dental hygienists and other staff.

5 j. A plan for the referral of patients to other dental or health care providers or
6 clinics when services needed are beyond the scope of practice or authorization of the
7 dental therapist.

8 k. Whether and to what extent the dental therapist may perform services
9 described in par. (b) 15.

10 2. a. A collaborative management agreement shall be limited to covering one
11 qualifying dentist and one dental therapist.

12 b. A dental therapist may enter into multiple collaborative management
13 agreements.

14 c. No dentist may have collaborative management agreements with more than
15 4 dental therapists at any time.

16 (e) A dental therapist shall at all times comply with at least one of the following:

17 1. Limit his or her practice to practicing in one or more dental health shortage
18 areas. If a dental therapist begins practicing in a dental health shortage area, and
19 that area loses its designation as a dental health shortage area while the dental
20 therapist continues to practice in that area, the dental therapist is considered to
21 satisfy this subdivision as long as the dental therapist continues to practice in that
22 area.

23 2. Practice in one or more settings in which at least 50 percent of the total
24 patient base of the dental therapist consists of patients who are any of the following:

25 a. Medical Assistance patients.

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- 1 b. Uninsured patients.
- 2 c. Patients receiving dental care at free and charitable clinics.
- 3 d. Patients receiving dental care at federally qualified health centers.
- 4 e. Patients who reside in long-term care facilities.
- 5 f. Veterans.
- 6 g. Patients who are members of a federally recognized Indian tribe or band.
- 7 h. Patients receiving dental care at clinics or facilities located on tribal lands.
- 8 i. Patients with medical disabilities or chronic conditions that create barriers
- 9 of access to dental care.

10 **SECTION 2937.** 447.063 of the statutes is amended to read:

11 **447.063 Preservation and transfer of patient health care records. (1)**

12 A person who manages or controls a business that offers dental, dental therapy, or

13 dental hygiene services, including management or control of a business through

14 which the person allows another person to offer dental, dental therapy, or dental

15 hygiene services, shall preserve patient health care records, as defined in s. 146.81

16 (4), for an amount of time determined by the examining board by rule.

17 **(2)** A person who manages or controls a business that offers dental, dental

18 therapy, or dental hygiene services, including management or control of a business

19 through which the person allows another person to offer dental, dental therapy, or

20 dental hygiene services, shall, upon request of a patient or person authorized by the

21 patient, as defined in s. 146.81 (5), transfer the patient health care records, as

22 defined in s. 146.81 (4), of the patient to another person that the patient or person

23 authorized by the patient specifies to receive the patient health care records.

24 **SECTION 2938.** 447.065 of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2938****1 447.065 Delegation of remediable procedures and dental practices. (1)**

2 A dentist or dental therapist who is licensed ~~to practice dentistry~~ under this chapter
3 may delegate to an individual who is not licensed under this chapter only the
4 performance of remediable procedures, and only if all of the following conditions are
5 met:

6 (a) The unlicensed individual performs the remediable procedures in
7 accordance with a treatment plan approved by the dentist or dental therapist.

8 (b) The dentist or dental therapist is on the premises when the unlicensed
9 individual performs the remediable procedures.

10 (c) The unlicensed individual's performance of the remediable procedures is
11 subject to inspection by the dentist or dental therapist.

12 **(2)** Subject to the requirements under s. 447.06 (2), a dentist or dental therapist
13 who is licensed ~~to practice dentistry~~ under this chapter may delegate to a dental
14 hygienist who is licensed to practice dental hygiene under this chapter the
15 performance of remediable procedures and the administration of oral systemic
16 premedications, local anesthesia, nitrous oxide inhalation analgesia, and
17 subgingival sustained release chemotherapeutic agents, to the extent the dentist or
18 dental therapist has the authority to perform the activity personally.

19 **(3)** A dentist or dental therapist who delegates to another individual the
20 performance of any practice or remediable procedure is responsible for that
21 individual's performance of that delegated practice or procedure.

22 **SECTION 2939.** 447.07 (1) of the statutes is amended to read:

23 447.07 **(1)** The examining board may, without further notice or process, limit,
24 suspend, or revoke the license or certificate of any dentist, dental therapist, or dental
25 hygienist, or the registration of a mobile dentistry program registrant, who fails,

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1 within 60 days after the mailing of written notice to the dentist's, dental therapist's,
2 dental hygienist's, or registrant's last-known address, to renew the license,
3 certificate, or registration.

4 **SECTION 2940.** 447.07 (3) (intro.) of the statutes is amended to read:

5 447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
6 examining board may make investigations and conduct hearings in regard to any
7 alleged action of any dentist, dental therapist, dental hygienist, or expanded
8 function dental auxiliary, of a mobile dentistry program registrant, or of any other
9 person it has reason to believe is engaged in or has engaged in the practice of
10 dentistry, dental therapy, or dental hygiene, or the operation of a mobile dentistry
11 program, in this state, and may, on its own motion, or upon complaint in writing,
12 reprimand any dentist, dental therapist, dental hygienist, or expanded function
13 dental auxiliary who is licensed or certified under this chapter, or any mobile
14 dentistry program registrant, or deny, limit, suspend, or revoke his or her license or
15 certificate, or the registration of the mobile dentistry program registrant, if it finds
16 that the dentist, dental therapist, dental hygienist, expanded function dental
17 auxiliary, or mobile dentistry program registrant has done any of the following:

18 **SECTION 2941.** 447.07 (3) (e) to (h) of the statutes are amended to read:

19 447.07 (3) (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a
20 crime, the circumstances of which substantially relate to the practice of dentistry,
21 dental therapy, or dental hygiene, the practice of an expanded function dental
22 auxiliary, or the operation of a mobile dentistry program.

23 (f) Violated this chapter or any federal or state statute or rule that relates to
24 the practice of dentistry, dental therapy, dental hygiene, or an expanded function
25 dental auxiliary, or the operation of a mobile dentistry program.

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1 (g) Subject to ss. 111.321, 111.322 and 111.34, practiced dentistry, dental
2 therapy, or dental hygiene or as an expanded function dental auxiliary while his or
3 her ability was impaired by alcohol or other drugs.

4 (h) Engaged in conduct that indicates a lack of knowledge of, an inability to
5 apply or the negligent application of, principles or skills of dentistry, dental therapy,
6 or dental hygiene or the practice of an expanded function dental auxiliary.

7 **SECTION 2942.** 447.40 (intro.) of the statutes is amended to read:

8 **447.40 Informed consent.** (intro.) Any dentist or dental therapist who treats
9 a patient shall inform the patient about the availability of reasonable alternate
10 modes of treatment and about the benefits and risks of these treatments. The
11 reasonable dentist standard is the standard for informing a patient under this
12 section. The reasonable dentist standard requires disclosure only of information
13 that a reasonable dentist would know and disclose under the circumstances. The
14 dentist's or dental therapist's duty to inform the patient under this section does not
15 require disclosure of any of the following:

16 **SECTION 2943.** 447.40 (6) of the statutes is amended to read:

17 447.40 (6) Information about alternate modes of treatment for any condition
18 the dentist or dental therapist has not included in his or her diagnosis, assessment,
19 or treatment plan at the time the dentist or dental therapist informs the patient.

20 **SECTION 2944.** 448.03 (2) (a) of the statutes is amended to read:

21 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
22 permit, registration, certificate, or certification granted to practice midwifery under
23 subch. XIII of ch. 440, to practice professional or practical nursing or
24 nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice
25 dentistry, dental therapy, or dental hygiene or as an expanded function dental

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1 auxiliary under ch. 447, to practice optometry under ch. 449, to practice as a
2 physician assistant under subch. IX, to practice acupuncture under ch. 451 or under
3 any other statutory provision, to practice naturopathic medicine under ch. 466, or as
4 otherwise provided by statute.

5 **SECTION 2945.** 448.03 (2) (a) of the statutes, as affected by 2023 Wisconsin Act
6 (this act), is amended to read:

7 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
8 permit, registration, certificate, or certification granted to practice midwifery under
9 subch. XIII of ch. 440, to practice professional ~~or~~ practical, or advanced practice
10 registered nursing ~~or nurse-midwifery~~ under ch. 441, to practice chiropractic under
11 ch. 446, to practice dentistry, dental therapy, or dental hygiene or as an expanded
12 function dental auxiliary under ch. 447, to practice optometry under ch. 449, to
13 practice as a physician assistant under subch. IX, to practice acupuncture under ch.
14 451 or under any other statutory provision, to practice naturopathic medicine under
15 ch. 466, or as otherwise provided by statute.

16 **SECTION 2946.** 448.03 (3m) of the statutes is created to read:

17 448.03 (3m) USE OF TERMS REPRESENTING PHYSICIANS. Except as otherwise
18 provided in this chapter, no person, except a licensed physician, may use or assume
19 the following words, letters, or terms in his or her title, advertising, or description
20 of services: “physician,” “surgeon,” “osteopathic physician,” “osteopathic surgeon,”
21 “medical doctor,” “anesthesiologist,” “cardiologist,” “dermatologist,”
22 “endocrinologist,” “gastroenterologist,” “gynecologist,” “hematologist,”
23 “laryngologist,” “nephrologist,” “neurologist,” “obstetrician,” “oncologist,”
24 “ophthalmologist,” “orthopedic surgeon,” “orthopedist,” “osteopath,” “otologist,”
25 “otolaryngologist,” “otorhinolaryngologist,” “pathologist,” “pediatrician,” “primary

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1 care physician,” “proctologist,” “psychiatrist,” “radiologist,” “rheumatologist,”
2 “rhinologist,” “urologist,” or any other words, letters, or abbreviations, alone or in
3 combination with other titles or words, that represent or tend to represent that the
4 person is a physician.

5 **SECTION 2947.** 448.035 (1) (a) of the statutes is repealed.

6 **SECTION 2948.** 448.035 (2) to (4) of the statutes are amended to read:

7 448.035 (2) Notwithstanding the requirements of s. 448.30, a physician ~~or~~
8 ~~certified advanced practice nurse prescriber~~ may provide expedited partner therapy
9 if the patient is diagnosed as infected with a chlamydial infection, gonorrhea, or
10 trichomoniasis and the patient has had sexual contact with a sexual partner during
11 which the chlamydial infection, gonorrhea, or trichomoniasis may have been
12 transmitted to or from the sexual partner. The physician ~~or certified advanced~~
13 ~~practice nurse prescriber~~ shall attempt to obtain the name of the patient’s sexual
14 partner. A prescription order for an antimicrobial drug prepared under this
15 subsection shall include the name and address of the patient’s sexual partner, if
16 known. If the physician ~~or certified advanced practice nurse prescriber~~ is unable to
17 obtain the name of the patient’s sexual partner, the prescription order shall include,
18 in ordinary bold-faced capital letters, the words, “expedited partner therapy” or the
19 letters “EPT.”

20 (3) The physician ~~or certified advanced practice nurse prescriber~~ shall provide
21 the patient with a copy of the information sheet prepared by the department of health
22 services under s. 46.03 (44) and shall request that the patient give the information
23 sheet to the person with whom the patient had sexual contact.

24 (4) (a) Except as provided in par. (b), a physician ~~or certified advanced practice~~
25 ~~nurse prescriber~~ is immune from civil liability for injury to or the death of a person

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1 who takes any antimicrobial drug if the antimicrobial drug is prescribed, dispensed,
2 or furnished under this section and if expedited partner therapy is provided as
3 specified under 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 a physician ~~or certified~~
6 ~~advanced practice nurse prescriber~~ whose act or omission involves reckless, wanton,
7 or intentional misconduct.

8 **SECTION 2949.** 448.07 (1) (a) of the statutes is amended to read:

9 448.07 (1) (a) Every person licensed or certified under this subchapter shall
10 register ~~on or before November 1 of each odd-numbered year following issuance of~~
11 ~~the license or certificate with the board on or before his or her renewal date~~
12 determined by the department under s. 440.08 (2). Registration shall be completed
13 in such manner as the board shall designate and upon forms the board shall provide,
14 except that registration with respect to a compact license shall be governed by the
15 renewal provisions in s. 448.980 (7). ~~The secretary of the board, on or before October~~
16 ~~1 of each odd-numbered year, shall mail or cause to be mailed to every person~~
17 ~~required to register a registration form.~~ The board shall furnish to each person
18 registered under this section a certificate of registration, and the person shall display
19 the registration certificate conspicuously in the office at all times. No person may
20 exercise the rights or privileges conferred by any license or certificate granted by the
21 board unless currently registered as required under this subsection.

22 **SECTION 2950.** 448.13 (title) of the statutes is repealed and recreated to read:

23 **448.13 (title) Continuing education and professional development.**

24 **SECTION 2951.** 448.13 (1) (a) 1. of the statutes is amended to read:

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1 448.13 (1) (a) 1. Continuing education programs or courses of study approved
2 for at least 30 hours of credit required by the board within the 2 calendar years
3 preceding the calendar year for which the registration is effective by rule under s.
4 448.40 (2).

5 **SECTION 2952.** 448.13 (1) (a) 2. of the statutes is amended to read:

6 448.13 (1) (a) 2. Professional development and maintenance of certification or
7 performance improvement or continuing medical education programs or courses of
8 study required by the board by rule under s. 448.40 (1) and completed within the 2
9 calendar years preceding the calendar year for which the registration is effective.

10 **SECTION 2953.** 448.13 (1m) of the statutes is amended to read:

11 448.13 (1m) The board shall, on a random basis, verify the accuracy of proof
12 submitted by physicians under sub. (1) (a) and may, at any time during the 2 calendar
13 years specified in sub. (1) (a), require a physician to submit proof of any continuing
14 education, professional development, and maintenance of certification or
15 performance improvement or continuing medical education programs or courses of
16 study that he or she has attended and completed at that time during the 2 calendar
17 years since he or she last registered under s. 448.07.

18 **SECTION 2954.** 448.40 (1) of the statutes is amended to read:

19 448.40 (1) The board may promulgate rules to carry out the purposes of this
20 subchapter, including rules requiring the completion of continuing education,
21 professional development, and maintenance of certification or performance
22 improvement or continuing medical education programs for renewal of a license to
23 practice medicine and surgery.

24 **SECTION 2955.** 448.40 (2) (e) of the statutes is amended to read:

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1 448.40 (2) (e) Establishing continuing education or continuing medical
2 education requirements for renewal of a license to practice medicine and surgery
3 under s. 448.13 (1). The board shall require 30 hours of continuing education to be
4 completed every 2-year period. The examining board shall establish the criteria for
5 the substitution of uncompensated hours of professional assistance volunteered to
6 the department of health services for some or all of the hours of continuing education
7 credits required under s. 448.13 (1) (a) 1. for physicians specializing in psychiatry.
8 The eligible substitution hours shall involve professional evaluation of community
9 programs for the certification and recertification of community mental health
10 programs, as defined in s. 51.01 (3n), by the department of health services.

11 **SECTION 2956.** 448.55 (2) of the statutes is amended to read:

12 448.55 (2) The renewal dates for licenses granted under this subchapter, other
13 than temporary licenses granted under rules promulgated under s. 448.53 (2), ~~are~~
14 ~~specified~~ shall be as determined by the department under s. 440.08 (2) ~~(a)~~. Renewal
15 applications shall be submitted to the department on a form provided by the
16 department and shall include the renewal fee determined by the department under
17 s. 440.03 (9) (a) and proof of compliance with the requirements established in any
18 rules promulgated under sub. (3).

19 **SECTION 2957.** 448.56 (1) and (1m) (b) of the statutes are amended to read:

20 448.56 (1) WRITTEN REFERRAL. Except as provided in this subsection and s.
21 448.52, a person may practice physical therapy only upon the written referral of a
22 physician, naturopathic doctor, physician assistant, chiropractor, dentist, podiatrist,
23 or advanced practice registered nurse prescriber ~~certified under s. 441.16 (2)~~.
24 Written referral is not required if a physical therapist provides services in schools to
25 children with disabilities, as defined in s. 115.76 (5), pursuant to rules promulgated

ASSEMBLY BILL 43**SECTION 2957**

1 by the department of public instruction; provides services as part of a home health
2 care agency; provides services to a patient in a nursing home pursuant to the
3 patient's plan of care; provides services related to athletic activities, conditioning, or
4 injury prevention; or provides services to an individual for a previously diagnosed
5 medical condition after informing the individual's physician, naturopathic doctor,
6 physician assistant, chiropractor, dentist, podiatrist, or advanced practice registered
7 ~~nurse prescriber certified under s. 441.16 (2)~~ who made the diagnosis. The
8 examining board may promulgate rules establishing additional services that are
9 excepted from the written referral requirements of this subsection.

10 **(1m)** (b) The examining board shall promulgate rules establishing the
11 requirements that a physical therapist must satisfy if a physician, naturopathic
12 doctor, physician assistant, chiropractor, dentist, podiatrist, or advanced practice
13 registered nurse ~~prescriber~~ makes a written referral under sub. (1). The purpose of
14 the rules shall be to ensure continuity of care between the physical therapist and the
15 health care practitioner.

16 **SECTION 2958.** 448.62 (2m) of the statutes is amended to read:

17 448.62 **(2m)** An advanced practice registered nurse ~~who is certified to issue~~
18 ~~prescription orders under s. 441.16~~ and who is providing nonsurgical patient services
19 as directed, supervised, and inspected by a podiatrist who has the power to direct,
20 decide, and oversee the implementation of the patient services rendered.

21 **SECTION 2959.** 448.65 (2) (intro.) of the statutes is amended to read:

22 448.65 **(2)** (intro.) The renewal date for a license granted under this subchapter,
23 other than a temporary license granted under rules promulgated under s. 448.63 (3),
24 ~~is specified~~ shall be as determined by the department under s. 440.08 (2) ~~(a)~~.

ASSEMBLY BILL 43**SECTION 2959**

1 Renewal applications shall be submitted to the department on a form provided by the
2 department and shall be accompanied by all of the following:

3 **SECTION 2960.** 448.665 of the statutes is amended to read:

4 **448.665 Continuing education.** The affiliated credentialing board shall
5 promulgate rules establishing requirements and procedures for licensees to
6 complete continuing education programs or courses of study in order to qualify for
7 renewal of a license granted under this subchapter. The rules shall require a licensee
8 to complete at least 30 hours of continuing education programs or courses of study
9 ~~within each per 2-year period immediately preceding the renewal date specified~~
10 ~~under s. 440.08 (2) (a).~~ The affiliated credentialing board may waive all or part of
11 these requirements for the completion of continuing education programs or courses
12 of study if the affiliated credentialing board determines that prolonged illness,
13 disability or other exceptional circumstances have prevented a licensee from
14 completing the requirements.

15 **SECTION 2961.** 448.67 (2) of the statutes is amended to read:

16 448.67 (2) SEPARATE BILLING REQUIRED. Except as provided in sub. (4), a licensee
17 who renders any podiatric service or assistance, or gives any podiatric advice or any
18 similar advice or assistance, to any patient, podiatrist, physician, physician
19 assistant, advanced practice registered nurse ~~prescriber certified under s. 441.16 (2),~~
20 partnership, or corporation, or to any other institution or organization, including a
21 hospital, for which a charge is made to a patient, shall, except as authorized by
22 Title 18 or Title 19 of the federal Social Security Act, render an individual statement
23 or account of the charge directly to the patient, distinct and separate from any
24 statement or account by any other podiatrist, physician, physician assistant,
25 advanced practice registered nurse ~~prescriber~~, or other person.

ASSEMBLY BILL 43**SECTION 2962**

1 **SECTION 2962.** 448.86 (2) of the statutes is amended to read:

2 448.86 (2) The renewal dates for certificates granted under this subchapter,
3 other than temporary certificates granted under s. 448.80, ~~are specified~~ shall be as
4 determined by the department under s. 440.08 (2) (a). Renewal applications shall
5 be submitted to the department on a form provided by the department and shall
6 include the renewal fee determined by the department under s. 440.03 (9) (a).

7 **SECTION 2963.** 448.9545 (1) (a) of the statutes is amended to read:

8 448.9545 (1) (a) To be eligible for renewal of a license issued under s. 448.953
9 (1) or (2), a licensee shall, ~~during the 2-year period immediately preceding the~~
10 ~~renewal date specified under s. 440.08 (2) (a),~~ complete ~~not less than 30 credit hours~~
11 of continuing education in courses of study approved by the affiliated credentialing
12 board. The examining board shall promulgate rules to establish the continuing
13 education requirements under this section. The rules shall require completion of not
14 less than 30 credit hours of continuing education per 2-year period.

15 **SECTION 2964.** 448.9545 (1) (b) (intro.) of the statutes is amended to read:

16 448.9545 (1) (b) (intro.) No more than 10 credit hours of the continuing
17 education required under par. (a) per 2-year period may be on any of the following
18 subject areas or combination of subject areas:

19 **SECTION 2965.** 448.955 (1) of the statutes is amended to read:

20 448.955 (1) The renewal dates for licenses granted under this subchapter ~~are~~
21 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a).

22 **SECTION 2966.** 448.955 (2) (a) of the statutes is amended to read:

23 448.955 (2) (a) ~~Completed, during the 2-year period immediately preceding the~~
24 ~~renewal date specified in s. 440.08 (2) (a),~~ the applicable continuing education
25 requirements ~~specified in~~ established under s. 448.9545.

ASSEMBLY BILL 43**SECTION 2967**

1 **SECTION 2967.** 448.955 (3) (a) of the statutes is amended to read:

2 448.955 (3) (a) A place for the licensee to describe his or her work history,
3 including the average number of hours worked each week, for the 2-year period
4 immediately preceding the renewal date ~~specified in~~ determined by the department
5 under s. 440.08 (2) (a).

6 **SECTION 2968.** 448.956 (1) (c) of the statutes is amended to read:

7 448.956 (1) (c) A protocol established under par. (a) shall be updated no later
8 than 30 days before the licensee's renewal date ~~specified in s. 440.08 (2) (a) 14f.~~

9 **SECTION 2969.** 448.956 (1m) of the statutes, as affected by 2021 Wisconsin Act
10 251, is amended to read:

11 448.956 (1m) Subject to sub. (1) (a), a licensee may provide athletic training
12 to an individual without a referral, except that a licensee may not provide athletic
13 training as described under s. 448.95 (5) (d) or (e) in an outpatient rehabilitation
14 setting unless the licensee has obtained a written referral for the individual from a
15 practitioner licensed or certified under subch. II, III, IV, V, or VII of this chapter;
16 under ch. 446; or under s. ~~441.16 (2)~~ 441.09 or from a practitioner who holds a
17 compact privilege under subch. XI or XII of ch. 448.

18 **SECTION 2970.** 448.967 (2) of the statutes is amended to read:

19 448.967 (2) The renewal dates for licenses granted under this subchapter ~~are~~
20 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a). Renewal
21 applications shall be submitted to the department on a form provided by the
22 department and shall include the renewal fee determined by the department under
23 s. 440.03 (9) (a) and a statement attesting compliance with the continuing education
24 requirements established in rules promulgated under s. 448.965 (1) (b).

25 **SECTION 2971.** 448.9703 (3) (a) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2971**

1 448.9703 (3) (a) Successfully completed at least 30 hours of applicable
2 continuing education in the prior 2-year period requirements established under this
3 paragraph. The rules promulgated under this paragraph shall require at least 30
4 hours of continuing education per 2-year period. The board may provide for an
5 exemption from or a reduction of the requirement under this paragraph for new
6 licensees, as the board determines is appropriate.

7 **SECTION 2972.** 448.9706 (2) of the statutes is amended to read:

8 448.9706 (2) Except as provided in s. 448.9705, the renewal dates for licenses
9 granted under this subchapter are ~~specified~~ determined by the department under s.
10 440.08 (2) (a). Renewal applications shall be submitted to the department on a form
11 provided by the department, and shall include the renewal fee ~~specified in s. 440.08~~
12 ~~(2) (a)~~ determined by the department under s. 440.03 (9) (a) and proof of compliance
13 with the requirements established by rules promulgated by the board under s.
14 448.9703 (3).

15 **SECTION 2973.** 448.974 (2) (a) of the statutes is amended to read:

16 448.974 (2) (a) The renewal date for a license issued under this subchapter is
17 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
18 renewal fees for such licenses are determined by the department under s. 440.03 (9)
19 (a). Renewal of a license is subject to par. (b).

20 **SECTION 2974.** 448.975 (2) (c) 1. of the statutes is amended to read:

21 448.975 (2) (c) 1. The practice of dentistry, dental therapy, or dental hygiene
22 within the meaning of ch. 447.

23 **SECTION 2975.** 449.06 (1) of the statutes is amended to read:

24 449.06 (1) Persons practicing optometry shall, on or before the applicable
25 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a), register

ASSEMBLY BILL 43**SECTION 2975**

1 ~~with, submit a renewal application to~~ the department, pay the applicable renewal fee
2 determined by the department under s. 440.03 (9) (a), and provide evidence
3 satisfactory to the examining board that he or she has complied with the rules
4 promulgated under sub. (2m).

5 **SECTION 2976.** 449.06 (2m) of the statutes is amended to read:

6 449.06 (2m) The examining board shall promulgate rules requiring a person
7 who is issued a license to practice optometry to ~~complete, during the 2-year period~~
8 ~~immediately preceding the renewal date specified in s. 440.08 (2) (a),~~ satisfy
9 continuing education requirements. The rules shall require the completion of not
10 less than 30 hours of continuing education per 2-year period. The rules shall include
11 requirements that apply only to optometrists who are allowed to use topical ocular
12 diagnostic pharmaceutical agents under s. 449.17 or who are allowed to use
13 therapeutic pharmaceutical agents or remove foreign bodies from an eye or from an
14 appendage to the eye under s. 449.18.

15 **SECTION 2977.** 450.01 (1m) of the statutes is repealed.

16 **SECTION 2978.** 450.01 (16) (h) 2. of the statutes is amended to read:

17 450.01 (16) (h) 2. The patient's advanced practice registered nurse prescriber,
18 if the advanced practice registered nurse prescriber ~~has entered into a written~~
19 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.
20 441.09 (2).

21 **SECTION 2979.** 450.01 (16) (hr) 2. of the statutes is amended to read:

22 450.01 (16) (hr) 2. An advanced practice registered nurse prescriber who may
23 issue prescription orders under s. 441.09 (2).

24 **SECTION 2980.** 450.03 (1) (e) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2980**

1 450.03 (1) (e) Any person lawfully practicing within the scope of a license,
2 permit, registration, certificate, or certification granted to practice as a pharmacy
3 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to
4 practice professional or practical nursing or nurse-midwifery under ch. 441, to
5 practice dentistry, dental therapy, or dental hygiene or as an expanded function
6 dental auxiliary under ch. 447, to practice medicine and surgery under ch. 448, to
7 practice optometry under ch. 449, to practice naturopathic medicine under ch. 466,
8 or to practice veterinary medicine under ch. 89, or as otherwise provided by statute.

9 **SECTION 2981.** 450.03 (1) (e) of the statutes, as affected by 2023 Wisconsin Act
10 (this act), is amended to read:

11 450.03 (1) (e) Any person lawfully practicing within the scope of a license,
12 permit, registration, certificate, or certification granted to practice as a pharmacy
13 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to
14 practice professional ~~or~~, practical, or advanced practice registered nursing ~~or~~
15 nurse-midwifery under ch. 441, to practice dentistry, dental therapy, or dental
16 hygiene or as an expanded function dental auxiliary under ch. 447, to practice
17 medicine and surgery under ch. 448, to practice optometry under ch. 449, to practice
18 naturopathic medicine under ch. 466, or to practice veterinary medicine under ch.
19 89, or as otherwise provided by statute.

20 **SECTION 2982.** 450.08 (1) of the statutes is amended to read:

21 450.08 (1) The renewal dates for all licenses and registrations granted by the
22 board are ~~specified~~ determined by the department under s. 440.08 (2) ~~(a)~~. Except as
23 provided under sub. (2) (a), only a holder of an unexpired license or registration may
24 engage in his or her licensed activity.

25 **SECTION 2983.** 450.08 (2) (a) of the statutes is amended to read:

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1 450.08 (2) (a) A pharmacist's license may be renewed by complying with
2 continuing education requirements under s. 450.085 and paying the applicable fee
3 determined by the department under s. 440.03 (9) (a) on or before the applicable
4 renewal date ~~specified~~ determined by the department under s. 440.08 (2) (a).
5 Notwithstanding s. 440.08 (3) (a), if a pharmacist fails to obtain renewal by that date,
6 the board may suspend the pharmacist's license, and the board may require the
7 pharmacist to pass an examination to the satisfaction of the board to restore that
8 license.

9 **SECTION 2984.** 450.08 (2) (b) of the statutes is amended to read:

10 450.08 (2) (b) A pharmacy, pharmacy technician's, manufacturer's,
11 distributor's, or home medical oxygen provider's license or registration may be
12 renewed by paying the applicable fee determined by the department under s. 440.03
13 (9) (a) on or before the applicable renewal date ~~specified~~ determined by the
14 department under s. 440.08 (2) (a).

15 **SECTION 2985.** 450.085 (1) of the statutes is amended to read:

16 450.085 (1) An applicant for renewal of a license under s. 450.08 (2) (a) shall
17 submit proof that he or she has completed, ~~within the 2-year period immediately~~
18 ~~preceding the date of his or her application,~~ satisfied the applicable continuing
19 education requirements established by the board under this subsection. The board
20 shall require the completion of 30 hours of continuing education per 2-year period
21 in courses conducted by a provider that is approved by the Accreditation Council for
22 Pharmacy Education or in courses approved by the board. Courses specified in s.
23 450.035 (1r) and (2) are courses in continuing education for purposes of this
24 subsection. ~~This subsection does not apply to an applicant for renewal of a license~~
25 ~~that expires on the first renewal date after the date on which the board initially~~

ASSEMBLY BILL 43**SECTION 2985**

1 ~~granted the license~~ The board shall, for up to a 2-year period, exempt new licensees
2 from the requirements under this subsection.

3 **SECTION 2986.** 450.10 (3) (a) 4. of the statutes is amended to read:

4 450.10 (3) (a) 4. A dentist or dental therapist licensed under ch. 447.

5 **SECTION 2987.** 450.11 (1g) (b) of the statutes is amended to read:

6 450.11 (1g) (b) A pharmacist may, upon the prescription order of a practitioner
7 providing expedited partner therapy, as specified in s. 441.092, 448.035, or 448.9725,
8 that complies with the requirements of sub. (1), dispense an antimicrobial drug as
9 a course of therapy for treatment of chlamydial infections, gonorrhea, or
10 trichomoniasis to the practitioner's patient or a person with whom the patient has
11 had sexual contact for use by the person with whom the patient has had sexual
12 contact. The pharmacist shall provide a consultation in accordance with rules
13 promulgated by the board for the dispensing of a prescription to the person to whom
14 the antimicrobial drug is dispensed. A pharmacist providing a consultation under
15 this paragraph shall ask whether the person for whom the antimicrobial drug has
16 been prescribed is allergic to the antimicrobial drug and advise that the person for
17 whom the antimicrobial drug has been prescribed must discontinue use of the
18 antimicrobial drug if the person is allergic to or develops signs of an allergic reaction
19 to the antimicrobial drug.

20 **SECTION 2988.** 450.11 (1i) (a) 1. of the statutes is amended to read:

21 450.11 (1i) (a) 1. A pharmacist may, upon and in accordance with the
22 prescription order of an advanced practice registered nurse ~~prescriber~~ under s.
23 441.18 (2) (a) 1., of a physician under s. 448.037 (2) (a) 1., or of a physician assistant
24 under s. 448.9727 (2) (a) 1. that complies with the requirements of sub. (1), deliver
25 an opioid antagonist to a person specified in the prescription order and may, upon

ASSEMBLY BILL 43**SECTION 2988**

1 and in accordance with the standing order of an advanced practice registered nurse
2 prescriber under s. 441.18 (2) (a) 2., of a physician under s. 448.037 (2) (a) 2., or of
3 a physician assistant under s. 448.9727 (2) (a) 2. that complies with the requirements
4 of sub. (1), deliver an opioid antagonist to an individual in accordance with the order.
5 The pharmacist shall provide a consultation in accordance with rules promulgated
6 by the board for the delivery of a prescription to the person to whom the opioid
7 antagonist is delivered.

8 **SECTION 2989.** 450.11 (1i) (b) 2. b. of the statutes is amended to read:

9 450.11 (1i) (b) 2. b. An advanced practice registered nurse ~~prescriber~~ may only
10 deliver or dispense an opioid antagonist in accordance with s. 441.18 (2) or in
11 accordance with his or her other legal authority to dispense prescription drugs.

12 **SECTION 2990.** 450.11 (7) (b) of the statutes is amended to read:

13 450.11 (7) (b) Information communicated to a physician, physician assistant,
14 or advanced practice registered nurse ~~prescriber~~ in an effort to procure unlawfully
15 a prescription drug or the administration of a prescription drug is not a privileged
16 communication.

17 **SECTION 2991.** 450.11 (8) (e) of the statutes is amended to read:

18 450.11 (8) (e) The board of nursing, insofar as this section applies to advanced
19 practice nurse ~~prescribers~~ registered nurses.

20 **SECTION 2992.** 450.13 (5) (b) of the statutes is amended to read:

21 450.13 (5) (b) The patient's advanced practice registered nurse ~~prescriber~~, if the
22 advanced practice registered nurse ~~prescriber~~ ~~has entered into a written agreement~~
23 ~~to collaborate with a physician~~ may issue prescription orders under s. 441.09 (2).

24 **SECTION 2993.** 450.135 (7) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2993**

1 450.135 (7) (b) The patient's advanced practice registered nurse ~~prescriber~~, if
2 the advanced practice registered nurse ~~prescriber~~ ~~has entered into a written~~
3 ~~agreement to collaborate with a physician~~ may issue prescription orders under s.
4 441.09 (2).

5 **SECTION 2994.** 451.04 (4) of the statutes is amended to read:

6 451.04 (4) 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).

11 **SECTION 2995.** 452.10 (2) of the statutes is repealed.

12 **SECTION 2996.** 452.12 (1) of the statutes is amended to read:

13 452.12 (1) EXPIRATION. A license granted by the board entitles the holder to act
14 as a broker or salesperson, as the case may be, until the applicable renewal date
15 ~~specified under s. 440.08 (2) (a).~~

16 **SECTION 2997.** 452.12 (5) (a) of the statutes is amended to read:

17 452.12 (5) (a) Renewal applications for all licenses shall be submitted with the
18 applicable renewal fee determined by the department under s. 440.03 (9) (a) on or
19 before the applicable renewal date ~~specified~~ determined by the department under s.
20 440.08 (2) (a). The department shall pay \$10 of each renewal fee received under this
21 paragraph to the Board of Regents of the University of Wisconsin System for
22 research and educational, public outreach, and grant activities under s. 36.25 (34).

23 **SECTION 2998.** 452.132 (2) (c) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 2998**

1 452.132 (2) (c) Before a licensee becomes associated with the firm and at the
2 beginning of each biennial licensure period, ensure that the licensee holds a valid
3 license.

4 **SECTION 2999.** 452.14 (3) (n) of the statutes is amended to read:

5 452.14 (3) (n) Treated any person unequally solely because of sex, race, color,
6 handicap, national origin, ancestry, marital status, lawful source of income, status
7 as a holder or nonholder of a license under s. 343.03 (3r), or status as a victim of
8 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u).

9 **SECTION 3000.** 454.06 (8) of the statutes is amended to read:

10 454.06 (8) EXPIRATION AND RENEWAL. The renewal date for licenses issued under
11 subs. (2) to (6) ~~is specified~~ shall be as determined by the department under s. 440.08
12 (2) (a), and the renewal fees for such licenses are determined by the department
13 under s. 440.03 (9) (a). The examining board may not renew a license issued to a
14 person under subs. (2) to (6) unless the person certifies to the examining board that
15 the person has reviewed the current digest under s. 454.125.

16 **SECTION 3001.** 454.08 (9) of the statutes is amended to read:

17 454.08 (9) The renewal date for licenses issued under this section ~~is specified~~
18 shall be as determined by the department under s. 440.08 (2) (a), and the renewal
19 fee for such licenses is determined by the department under s. 440.03 (9) (a).

20 **SECTION 3002.** 454.23 (5) of the statutes is amended to read:

21 454.23 (5) EXPIRATION AND RENEWAL. The renewal date for a license granted
22 under sub. (2) ~~is specified~~ shall be as determined by the department under s. 440.08
23 (2) (a), and the renewal fee for that license is determined by the department under
24 s. 440.03 (9) (a). The department may not renew a license granted to a person under

ASSEMBLY BILL 43**SECTION 3002**

1 this section unless the person certifies to the department that the person has
2 reviewed the current digest under s. 454.267.

3 **SECTION 3003.** 454.25 (9) of the statutes is amended to read:

4 454.25 (9) The renewal date for a barbering establishment license ~~is specified~~
5 shall be as determined by the department under s. 440.08 (2) (a), and the renewal
6 fee for a barbering establishment license is determined by the department under s.
7 440.03 (9) (a).

8 **SECTION 3004.** 455.06 (1) (a) of the statutes is amended to read:

9 455.06 (1) (a) Except as provided in par. (b), the renewal dates for licenses
10 issued under this subchapter or under s. 455.04 (4), 2019 stats., ~~are specified~~ shall
11 be as determined by the department under s. 440.08 (2) (a), and the renewal fee for
12 such licenses is determined by the department under s. 440.03 (9) (a).

13 **SECTION 3005.** 455.06 (1) (b) of the statutes is amended to read:

14 455.06 (1) (b) A license issued under s. 455.04 (2) is valid for 2 years or until
15 the individual obtains a license under s. 455.04 (1) and may not be renewed, except
16 that the examining board may promulgate rules specifying circumstances in which
17 the examining board, in cases of hardship, may allow an individual to renew a license
18 issued under s. 455.04 (2). Notwithstanding sub. (2), ~~an individual holding a license~~
19 ~~issued under s. 455.04 (2) is not required to complete continuing education~~ the
20 examining board shall, for up to a 2-year period, exempt new licensees from the
21 requirements under sub. (2).

22 **SECTION 3006.** 455.065 (7) of the statutes is amended to read:

23 455.065 (7) Grant an exemption from the continuing education requirements
24 under this section to a psychologist who certifies to the examining board that he or
25 she has permanently retired from the practice of psychology. A psychologist who has

ASSEMBLY BILL 43**SECTION 3006**

1 been granted an exemption under this subsection may not return to active practice
2 without submitting evidence satisfactory to the examining board of having
3 completed the required continuing education credits within the ~~2-year~~ period
4 specified by the board prior to the return to the practice of psychology.

5 **SECTION 3007.** 456.07 (title) of the statutes is repealed and recreated to read:

6 **456.07 (title) Renewal.**

7 **SECTION 3008.** 456.07 (1) and (3) of the statutes are repealed.

8 **SECTION 3009.** 456.07 (2) of the statutes is amended to read:

9 456.07 (2) ~~The application for a new certificate of registration~~ The renewal date
10 for a license issued under this subchapter shall be as determined by the department
11 under s. 440.08 (2). A renewal application shall include the applicable renewal fee
12 determined by the department under s. 440.03 (9) (a), a report of any facts requested
13 by the examining board on forms provided for such purpose, and evidence
14 satisfactory to the examining board that ~~during the biennial period immediately~~
15 ~~preceding application for registration~~ the applicant has attended a continuing
16 education program or course of study. ~~During the time between initial licensure and~~
17 ~~commencement of a full 2-year licensure period,~~ new licensees shall not be required
18 to meet continuing education requirements. ~~All registration fees are payable on or~~
19 ~~before the applicable renewal date specified under s. 440.08 (2) (a)~~ The examining
20 board shall, for up to a 2-year period, exempt new licensees from the continuing
21 education requirements under this subsection.

22 **SECTION 3010.** 456.07 (5) of the statutes is amended to read:

23 456.07 (5) Only an individual who ~~has qualified as a~~ is licensed and registered
24 as a nursing home administrator under this chapter and who holds a valid current
25 registration certificate under this section for the current registration period may use

ASSEMBLY BILL 43**SECTION 3010**

1 the title “Nursing Home Administrator”, and the abbreviation “N.H.A.” after the
2 person’s name. No other person may use or be designated by such title or such
3 abbreviation or any other words, letters, sign, card or device tending to or intended
4 to indicate that the person is a licensed ~~and registered~~ nursing home administrator.

5 **SECTION 3011.** 457.20 (2) of the statutes is amended to read:

6 457.20 (2) The renewal dates for certificates and licenses granted under this
7 chapter, other than training certificates and licenses or temporary certificates or
8 licenses, ~~are specified~~ shall be as determined by the department under s. 440.08 (2)
9 (a).

10 **SECTION 3012.** 457.22 (2) of the statutes is amended to read:

11 457.22 (2) The rules promulgated under sub. (1) may not require an individual
12 to complete more than 30 hours of continuing education programs or courses of study
13 ~~in order to qualify for renewal~~ per 2-year period. The appropriate section of the
14 examining board may waive all or part of the requirements established in rules
15 promulgated under this section if it determines that prolonged illness, disability, or
16 other exceptional circumstances have prevented the individual from completing the
17 requirements.

18 **SECTION 3013.** 458.085 (3) of the statutes is amended to read:

19 458.085 (3) Continuing education requirements for ~~renewal of certificates~~
20 ~~issued~~ individuals certified under this subchapter.

21 **SECTION 3014.** 458.09 (3) of the statutes is amended to read:

22 458.09 (3) The number of hours of attendance at and completion of continuing
23 education programs or courses of study required under the rules promulgated under
24 s. 458.085 (3) shall be reduced by one hour for each hour of attendance at and
25 completion of, within the ~~2 years immediately preceding the date on which the~~

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1 ~~renewal application is submitted~~ current reporting period, continuing education
2 programs or courses of study that the applicant has attended and completed in order
3 to continue to qualify for employment as an assessor and that the department
4 determines is substantially equivalent to attendance at and completion of continuing
5 education programs or courses of study for certified general appraisers, certified
6 residential appraisers or licensed appraisers, as appropriate.

7 **SECTION 3015.** 458.11 of the statutes is amended to read:

8 **458.11 Expiration and renewal.** Renewal applications shall be submitted
9 to the department on a form provided by the department on or before the applicable
10 renewal date specified determined by the department under s. 440.08 (2) (a) and
11 shall include the applicable renewal fee determined by the department under s.
12 440.03 (9) (a). Renewal of an appraiser certificate automatically renews the
13 individual's appraiser license without payment of the renewal fee for the appraiser
14 license or completion of any additional continuing education requirements that
15 would otherwise be required for renewal of the appraiser license. Renewal
16 applications shall be accompanied by proof of completion of the continuing education
17 requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989
18 stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew
19 a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless
20 the holder of the certificate submits evidence satisfactory to the department that he
21 or she has successfully completed the applicable educational requirements specified
22 in rules promulgated under s. 458.085 (1) and the department may not renew a
23 certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the
24 holder of the certificate submits evidence satisfactory to the department that he or

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1 she has successfully completed the applicable education and experience
2 requirements specified in rules promulgated under s. 458.085 (1) and (2).

3 **SECTION 3016.** 458.13 of the statutes is amended to read:

4 **458.13 Continuing education requirements.** At the time of renewal of a
5 certificate issued under this subchapter, each applicant shall submit proof that,
6 ~~within the 2 years immediately preceding the date on which the renewal application~~
7 ~~is submitted,~~ he or she has satisfied the continuing education requirements specified
8 in the rules promulgated under s. 458.085 (3).

9 **SECTION 3017.** 458.33 (5) of the statutes is amended to read:

10 458.33 (5) RENEWALS. A licensed appraisal management company shall submit
11 a renewal application, along with the applicable renewal fee determined by the
12 department under s. 440.03 (9) (a), but not to exceed \$2,000, to the department on
13 a form prescribed by the department by the applicable renewal date ~~specified~~
14 determined by the department under s. 440.08 (2) (a). A renewal under this
15 subsection is subject to sub. (4).

16 **SECTION 3018.** 459.09 (1) (intro.) of the statutes is amended to read:

17 459.09 (1) (intro.) Each person issued a license under this subchapter shall, on
18 or before the applicable renewal date ~~specified~~ determined by the department under
19 s. 440.08 (2) (a), do all of the following:

20 **SECTION 3019.** 459.09 (1) (b) of the statutes is amended to read:

21 459.09 (1) (b) Submit with the renewal application proof that he or she
22 ~~completed, within the 2 years immediately preceding the date of his or her~~
23 ~~application, 20 hours of~~ satisfied applicable continuing education programs or
24 ~~courses of study approved or required under~~ requirements specified in rules
25 promulgated under s. 459.095. ~~This paragraph does not apply to an applicant for~~

ASSEMBLY BILL 43**SECTION 3019**

1 renewal of a license that expires on the first renewal date after the date on which the
2 examining board initially granted the license.

3 **SECTION 3020.** 459.095 (1) of the statutes is amended to read:

4 459.095 (1) Promulgate rules establishing continuing education requirements
5 for individuals licensed under s. 459.09. The rules shall require the completion of
6 20 hours per 2-year period in programs or courses of study approved under this
7 subsection. The rules shall establish the criteria for approval of continuing
8 education programs or courses of study required for renewal of a license under s.
9 459.09 and for approval of the sponsors and cosponsors of continuing education
10 programs or courses of study. The examining board shall, for up to a 2-year period,
11 exempt new licensees from the requirements under this section.

12 **SECTION 3021.** 459.24 (5) (intro.) of the statutes is amended to read:

13 459.24 (5) EXPIRATION AND RENEWAL. (intro.) The renewal dates for licenses
14 granted under this subchapter, other than temporary licenses granted under sub.
15 (6), are specified in 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 and shall include all of the following:

18 **SECTION 3022.** 459.24 (5) (b) of the statutes is amended to read:

19 459.24 (5) (b) Proof that the applicant ~~completed, within the 2 years~~
20 ~~immediately preceding the date of his or her application, 20 hours of~~ satisfied
21 ~~continuing education programs or courses of study approved or required under~~
22 requirements specified in rules promulgated under sub. (5m). ~~This paragraph does~~
23 ~~not apply to an applicant for renewal of a license that expires on the first renewal~~
24 ~~date after the date on which the examining board initially granted the license.~~

25 **SECTION 3023.** 459.24 (5m) (a) 1. of the statutes is amended to read:

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1 459.24 **(5m)** (a) 1. Promulgate rules establishing continuing education
2 requirements for individuals licensed under this subchapter. The rules shall require
3 the completion of 20 hours in programs or courses of study approved under this
4 subsection. The examining board shall, for up to a 2-year period, exempt new
5 licensees from the requirements under this subdivision. The rules shall establish the
6 criteria for approval of continuing education programs or courses of study required
7 for renewal of a license under sub. (5) and the criteria for approval of the sponsors
8 and cosponsors of continuing education programs or courses of study.

9 **SECTION 3024.** 460.07 (2) (intro.) of the statutes is amended to read:

10 460.07 **(2)** (intro.) Renewal applications shall be submitted to the department
11 on a form provided by the department on or before the applicable renewal date
12 specified determined by the department under s. 440.08 (2) (a) and shall include all
13 of the following:

14 **SECTION 3025.** 460.10 (1) (a) of the statutes is amended to read:

15 460.10 **(1)** (a) Requirements and procedures for a license holder to complete
16 continuing education programs or courses of study to qualify for renewal of his or her
17 license. The rules promulgated under this paragraph may not require a license
18 holder to complete more than 24 hours of continuing education programs or courses
19 of study in order to qualify for renewal of his or her license per 2-year period.

20 **SECTION 3026.** 462.02 (2) (d) of the statutes is amended to read:

21 462.02 **(2)** (d) A dentist licensed under s. 447.04 (1), a dental therapist licensed
22 under s. 447.04 (1m), a dental hygienist licensed under s. 447.04 (2), a person
23 certified as an expanded function dental auxiliary under s. 447.04 (3), or a person
24 under the direct supervision of a dentist.

ASSEMBLY BILL 43**SECTION 3027**

1 **SECTION 3027.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251,
2 is amended to read:

3 **462.04 Prescription or order required.** A person who holds a license or
4 limited X-ray machine operator permit under this chapter may not use diagnostic
5 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
6 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic
7 doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a dental
8 therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a
9 chiropractor licensed under s. 446.02, an advanced practice nurse certified under s.
10 441.16 (2), a physician assistant licensed under s. 448.974, or, subject to s. 448.56 (7)
11 (a), a physical therapist who is licensed under s. 448.53 or who holds a compact
12 privilege under subch. XI of ch. 448.

13 **SECTION 3028.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251
14 and 2023 Wisconsin Act (this act), is amended to read:

15 **462.04 Prescription or order required.** A person who holds a license or
16 limited X-ray machine operator permit under this chapter may not use diagnostic
17 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
18 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic
19 doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a dental
20 therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a
21 chiropractor licensed under s. 446.02, an advanced practice registered nurse
22 certified licensed under s. ~~441.16 (2)~~ 441.09, a physician assistant licensed under s.
23 448.974, or, subject to s. 448.56 (7) (a), a physical therapist who is licensed under s.
24 448.53 or who holds a compact privilege under subch. XI of ch. 448.

25 **SECTION 3029.** 462.05 (1) of the statutes is amended to read:

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1 462.05 (1) The renewal date for licenses and limited X-ray machine operator
2 permits granted under this chapter ~~is specified in~~ shall be as determined by the
3 department under s. 440.08 (2) (a). Renewal applications shall be submitted to the
4 department on a form provided by the department and shall include the renewal fee
5 determined by the department under s. 440.03 (9) (a).

6 **SECTION 3030.** 463.10 (5) of the statutes is amended to read:

7 463.10 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist who is
8 licensed under s. 447.03 (1) or to a dental therapist, or physician who tattoos or
9 offers to tattoo a person in the course of the dentist's, dental therapist's, or physician's
10 professional practice.

11 **SECTION 3031.** 463.12 (5) of the statutes is amended to read:

12 463.12 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist who is
13 licensed under s. 447.03 (1) or to a dental therapist, or physician who pierces the
14 body of or offers to pierce the body of a person in the course of the dentist's, dental
15 therapist's, or physician's professional practice.

16 **SECTION 3032.** 466.04 (3) (a) (intro.) of the statutes is amended to read:

17 466.04 (3) (a) (intro.) The renewal date for licenses granted under this chapter
18 ~~is specified~~ shall be as determined by the department under s. 440.08 (2) (a).
19 Renewal applications shall be submitted to the department on a form provided by the
20 department. The application shall include all of the following in order for the license
21 to be renewed:

22 **SECTION 3033.** 470.045 (3) (b) of the statutes is amended to read:

23 470.045 (3) (b) The renewal date for certificates of authorization under this
24 section ~~is specified~~ shall be as determined by the department under s. 440.08 (2) (a),

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1 and the renewal fee for such certificates is determined by the department under s.
2 440.03 (9) (a).

3 **SECTION 3034.** 470.07 of the statutes is amended to read:

4 **470.07 Renewal of licenses.** The renewal dates for licenses granted under
5 this chapter ~~are specified~~ shall be as determined by the department under s. 440.08
6 (2) (a). Renewal applications shall be submitted to the department on a form
7 provided by the department and shall include the renewal fee determined by the
8 department under s. 440.03 (9) (a) and evidence satisfactory to the appropriate
9 section of the examining board that the applicant has completed any continuing
10 education requirements specified in rules promulgated under s. 470.03 (2).

11 **SECTION 3035.** 480.08 (5) of the statutes is amended to read:

12 480.08 (5) EXPIRATION AND RENEWAL. The renewal date for certificates granted
13 under this chapter, other than temporary certificates granted under sub. (7), is
14 ~~specified~~ shall be as determined by the department under s. 440.08 (2) (a), and the
15 renewal fee for certificates granted under this chapter, other than temporary
16 certificates granted under sub. (7), is determined by the department under s. 440.03
17 (9) (a). Renewal applications shall include evidence satisfactory to the department
18 that the applicant holds a current permit issued under s. 77.52 (9). A renewal
19 application for an auctioneer certificate shall be accompanied by proof of completion
20 of continuing education requirements under sub. (6).

21 **SECTION 3036.** 601.31 (1) (mv) of the statutes is created to read:

22 601.31 (1) (mv) For initial issuance or renewal of a license as a pharmacy
23 benefit management broker or consultant under s. 628.495, amounts to be set by the
24 commissioner by rule.

25 **SECTION 3037.** 601.31 (1) (nv) of the statutes is created to read:

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1 601.31 (1) (nv) For issuing or renewing a license as a pharmaceutical
2 representative under s. 632.863, an amount to be set by the commissioner by rule.

3 **SECTION 3038.** 601.31 (1) (nw) of the statutes is created to read:

4 601.31 (1) (nw) For issuing or renewing a license as a pharmacy services
5 administrative organization under s. 632.864, an amount to be set by the
6 commissioner by rule.

7 **SECTION 3039.** 601.41 (13) of the statutes is created to read:

8 601.41 (13) VALUE-BASED DIABETES MEDICATION PILOT PROJECT. The
9 commissioner shall develop a pilot project to direct a pharmacy benefit manager, as
10 defined in s. 632.865 (1) (c), and a pharmaceutical manufacturer to create a
11 value-based, sole-source arrangement to reduce the costs of prescription medication
12 used to treat diabetes. The commissioner may promulgate rules to implement this
13 subsection.

14 **SECTION 3040.** 601.575 of the statutes is created to read:

15 **601.575 Prescription drug importation program.** (1) IMPORTATION
16 PROGRAM REQUIREMENTS. The commissioner, in consultation with persons interested
17 in the sale and pricing of prescription drugs and appropriate officials and agencies
18 of the federal government, shall design and implement a prescription drug
19 importation program for the benefit of residents of this state, that generates savings
20 for residents, and that satisfies all of the following:

21 (a) The commissioner shall designate a state agency to become a licensed
22 wholesale distributor or to contract with a licensed wholesale distributor and shall
23 seek federal certification and approval to import prescription drugs.

24 (b) The program shall comply with relevant requirements of 21 USC 384,
25 including safety and cost savings requirements.

ASSEMBLY BILL 43**SECTION 3040**

1 (c) The program shall import prescription drugs from Canadian suppliers
2 regulated under any appropriate Canadian or provincial laws.

3 (d) The program shall have a process to sample the purity, chemical
4 composition, and potency of imported prescription drugs.

5 (e) The program shall import only those prescription drugs for which
6 importation creates substantial savings for residents of this state and only those
7 prescription drugs that are not brand-name drugs and that have fewer than 4
8 competitor prescription drugs in the United States.

9 (f) The commissioner shall ensure that prescription drugs imported under the
10 program are not distributed, dispensed, or sold outside of this state.

11 (g) The program shall ensure all of the following:

12 1. Participation by any pharmacy or health care provider in the program is
13 voluntary.

14 2. Any pharmacy or health care provider participating in the program has the
15 appropriate license or other credential in this state.

16 3. Any pharmacy or health care provider participating in the program charges
17 a consumer or health plan the actual acquisition cost of the imported prescription
18 drug that is dispensed.

19 (h) The program shall ensure that a payment by a health plan or health
20 insurance policy for a prescription drug imported under the program reimburses no
21 more than the actual acquisition cost of the imported prescription drug that is
22 dispensed.

23 (i) The program shall ensure that any health plan or health insurance policy
24 participating in the program does all of the following:

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1 1. Maintains a formulary and claims payment system with current information
2 on prescription drugs imported under the program.

3 2. Bases cost-sharing amounts for participants or insureds under the plan or
4 policy on no more than the actual acquisition cost of the prescription drug imported
5 under the program that is dispensed to the participant or insured.

6 3. Demonstrates to the commissioner or a state agency designated by the
7 commissioner how premiums under the plan or policy are affected by savings on
8 prescription drugs imported under the program.

9 (j) Any wholesale distributor importing prescription drugs under the program
10 shall limit its profit margin to the amount established by the commissioner or a state
11 agency designated by the commissioner.

12 (k) The program may not import any generic prescription drug that would
13 violate federal patent laws on branded products in the United States.

14 (L) The program shall comply with tracking and tracing requirements of 21
15 USC 360eee and 360eee-1, to the extent practical and feasible, before the
16 prescription drug to be imported comes into the possession of this state's wholesale
17 distributor and fully after the prescription drug to be imported is in the possession
18 of this state's wholesale distributor.

19 (m) The program shall establish a fee or other mechanism to finance the
20 program that does not jeopardize significant savings to residents of this state.

21 (n) The program shall have an audit function that ensures all of the following:

22 1. The commissioner has a sound methodology to determine the most
23 cost-effective prescription drugs to include in the program.

24 2. The commissioner has a process in place to select Canadian suppliers that
25 are high quality, high performing, and in full compliance with Canadian laws.

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1 3. Prescription drugs imported under the program are pure, unadulterated,
2 potent, and safe.

3 4. The program is complying with the requirements of this subsection.

4 5. The program is adequately financed to support administrative functions of
5 the program while generating significant cost savings to residents of this state.

6 6. The program does not put residents of this state at a higher risk than if the
7 program did not exist.

8 7. The program provides and is projected to continue to provide substantial cost
9 savings to residents of this state.

10 **(2) ANTICOMPETITIVE BEHAVIOR.** The commissioner, in consultation with the
11 attorney general, shall identify the potential for and monitor anticompetitive
12 behavior in industries affected by a prescription drug importation program.

13 **(3) APPROVAL OF PROGRAM DESIGN; CERTIFICATION.** No later than the first day of
14 the 7th month beginning after the effective date of this subsection [LRB inserts
15 date], the commissioner shall submit to the joint committee on finance a report that
16 includes the design of the prescription drug importation program in accordance with
17 this section. The commissioner may not submit the proposed program to the federal
18 department of health and human services unless the joint committee on finance
19 approves the proposed program. Within 14 days of the date of approval by the joint
20 committee on finance of the proposed program, the commissioner shall submit to the
21 federal department of health and human services a request for certification of the
22 approved program.

23 **(4) IMPLEMENTATION OF CERTIFIED PROGRAM.** After the federal department of
24 health and human services certifies the prescription drug importation program
25 submitted under sub. (3), the commissioner shall begin implementation of the

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1 program, and the program shall be fully operational by 180 days after the date of
2 certification by the federal department of health and human services. The
3 commissioner shall do all of the following to implement the program to the extent the
4 action is in accordance with other state laws and the certification by the federal
5 department of health and human services:

6 (a) Become a licensed wholesale distributor, designate another state agency to
7 become a licensed wholesale distributor, or contract with a licensed wholesale
8 distributor.

9 (b) Contract with one or more Canadian suppliers that meet the criteria in sub.
10 (1) (c) and (n).

11 (c) Create an outreach and marketing plan to communicate with and provide
12 information to health plans and health insurance policies, employers, pharmacies,
13 health care providers, and residents of this state on participating in the program.

14 (d) Develop and implement a registration process for health plans and health
15 insurance policies, pharmacies, and health care providers interested in participating
16 in the program.

17 (e) Create a publicly accessible source for listing prices of prescription drugs
18 imported under the program.

19 (f) Create, publicize, and implement a method of communication to promptly
20 answer questions from and address the needs of persons affected by the
21 implementation of the program before the program is fully operational.

22 (g) Establish the audit functions under sub. (1) (n) with a timeline to complete
23 each audit function every 2 years.

24 (h) Conduct any other activities determined by the commissioner to be
25 important to successful implementation of the program.

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1 **(5) REPORT.** By January 1 and July 1 of each year, the commissioner shall
2 submit to the joint committee on finance a report including all of the following:

3 (a) A list of prescription drugs included in the prescription drug importation
4 program under this section.

5 (b) The number of pharmacies, health care providers, and health plans and
6 health insurance policies participating in the prescription drug importation program
7 under this section.

8 (c) The estimated amount of savings to residents of this state, health plans and
9 health insurance policies, and employers resulting from the implementation of the
10 prescription drug importation program under this section reported from the date of
11 the previous report under this subsection and from the date the program was fully
12 operational.

13 (d) Findings of any audit functions under sub. (1) (n) completed since the date
14 of the previous report under this subsection.

15 **(6) RULEMAKING.** The commissioner may promulgate any rules necessary to
16 implement this section.

17 **SECTION 3041.** 601.59 of the statutes is created to read:

18 **601.59 State-based exchange. (1) DEFINITIONS.** In this section:

19 (a) “Exchange” has the meaning given in 45 CFR 155.20.

20 (b) “State-based exchange on the federal platform” means an exchange that is
21 described in and meets the requirements of 45 CFR 155.200 (f) and is approved by
22 the federal secretary of health and human services under 45 CFR 155.106.

23 (c) “State-based exchange without the federal platform” means an exchange,
24 other than one described in 45 CFR 155.200 (f), that performs all the functions

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1 described in 45 CFR 155.200 (a) and is approved by the federal secretary of health
2 and human services under 45 CFR 155.106.

3 **(2) ESTABLISHMENT AND OPERATION OF STATE-BASED EXCHANGE.** The commissioner
4 shall establish and operate an exchange that at first is a state-based exchange on
5 the federal platform and then subsequently transitions to a state-based exchange
6 without the federal platform. The commissioner shall develop procedures to address
7 the transition from the state-based exchange on the federal platform to the
8 state-based exchange without the federal platform, including the circumstances
9 that shall be met in order for the transition to occur.

10 **(3) AGREEMENT WITH FEDERAL GOVERNMENT.** The commissioner may enter into
11 any agreement with the federal government necessary to facilitate the
12 implementation of this section.

13 **(4) USER FEES.** The commissioner shall impose a user fee, as authorized under
14 45 CFR 155.160 (b) (1), on each insurer that offers a health plan through the
15 state-based exchange on the federal platform or the state-based exchange without
16 the federal platform. The user fee shall be applied at one of the following rates on
17 the total monthly premiums charged by an insurer for each policy under the plan for
18 which enrollment is through the exchange:

19 (a) For any plan year for which the commissioner operates a state-based
20 exchange on the federal platform, the rate is 0.5 percent.

21 (b) For the first 2 plan years for which the commissioner operates a state-based
22 exchange without the federal platform, the rate is equal to the user fee rate the
23 federal department of health and human services specifies under 45 CFR 156.50 (c)
24 (1) for the federally facilitated exchanges for the applicable plan year.

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1 (c) Beginning with the 3rd plan year for which the commissioner operates a
2 state-based exchange without the federal platform and for each plan year thereafter,
3 the rate shall be set by the commissioner by rule.

4 (5) RULES. The commissioner may promulgate rules necessary to implement
5 this section.

6 **SECTION 3042.** Subchapter VI (title) of chapter 601 [precedes 601.78] of the
7 statutes is created to read:

8 **CHAPTER 601**

9 **SUBCHAPTER VI**

10 **PRESCRIPTION DRUG**

11 **AFFORDABILITY REVIEW BOARD**

12 **SECTION 3043.** 601.78 of the statutes is created to read:

13 **601.78 Definitions.** In this subchapter:

14 (1) “Biologic” means a drug that is produced or distributed in accordance with
15 a biologics license application approved under 21 CFR 601.20.

16 (2) “Biosimilar” means a drug that is produced or distributed in accordance
17 with a biologics license application approved under 42 USC 262 (k) (3).

18 (3) “Board” means the prescription drug affordability review board established
19 under s. 15.735 (1).

20 (4) “Brand name drug” means a drug that is produced or distributed in
21 accordance with an original new drug application approved under 21 USC 355 (c),
22 other than an authorized generic drug, as defined in 42 CFR 447.502.

23 (5) “Financial benefit” includes an honorarium, fee, stock, the value of the stock
24 holdings of a member of the board or any immediate family member, and any direct
25 financial benefit deriving from the finding of a review conducted under s. 601.79.

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1 **(6)** “Generic drug” means any of the following:

2 (a) A retail drug that is marketed or distributed in accordance with an
3 abbreviated new drug application approved under 21 USC 355 (j).

4 (b) An authorized generic drug, as defined in 42 CFR 447.502.

5 (c) A drug that entered the market prior to 1962 and was not originally
6 marketed under a new drug application.

7 **(7)** “Immediate family member” means a spouse, grandparent, parent, sibling,
8 child, stepchild, or grandchild or the spouse of a grandparent, parent, sibling, child,
9 stepchild, or grandchild.

10 **(8)** “Manufacturer” means an entity that does all of the following:

11 (a) Engages in the manufacture of a prescription drug product or enters into
12 a lease with another manufacturer to market and distribute a prescription drug
13 product under the entity’s own name.

14 (b) Sets or changes the wholesale acquisition cost of the prescription drug
15 product described in par. (a).

16 **(9)** “Pharmacy benefit manager” has the meaning given in s. 632.865 (1) (c).

17 **(10)** “Prescription drug product” means a brand name drug, a generic drug, a
18 biologic, or a biosimilar.

19 **SECTION 3044.** 601.785 of the statutes is created to read:

20 **601.785 Prescription drug affordability review board.** **(1) MISSION.** The
21 purpose of the board is to protect state residents, the state, local governments, health
22 plans, health care providers, pharmacies licensed in this state, and other
23 stakeholders of the health care system in this state from the high costs of prescription
24 drug products.

25 **(2) POWERS AND DUTIES.** (a) The board shall do all of the following:

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1 1. Meet in open session at least 4 times per year to review prescription drug
2 product pricing information, except that the chair may cancel or postpone a meeting
3 if there is no business to transact.

4 2. To the extent practicable, access and assess pricing information for
5 prescription drug products by doing all of the following:

6 a. Accessing and assessing information from other states by entering into
7 memoranda of understanding with other states to which manufacturers report
8 pricing information.

9 b. Assessing spending for specific prescription drug products in this state.

10 c. Accessing other available pricing information.

11 (b) The board may do any of the following:

12 1. Promulgate rules for the administration of this subchapter.

13 2. Enter into a contract with an independent 3rd party for any service
14 necessary to carry out the powers and duties of the board. Unless written permission
15 is granted by the board, any person with whom the board contracts may not release,
16 publish, or otherwise use any information to which the person has access under the
17 contract.

18 (c) The board shall establish and maintain a website to provide public notices
19 and make meeting materials available under sub. (3) (a) and to disclose conflicts of
20 interest under sub. (4) (d).

21 **(3) MEETING REQUIREMENTS.** (a) Pursuant to s. 19.84, the board shall provide
22 public notice of each board meeting at least 2 weeks prior to the meeting and shall
23 make the materials for each meeting publicly available at least one week prior to the
24 meeting.

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1 (b) Notwithstanding s. 19.84 (2), the board shall provide an opportunity for
2 public comment at each open meeting and shall provide the public with the
3 opportunity to provide written comments on pending decisions of the board.

4 (c) Notwithstanding subch. V of ch. 19, any portion of a meeting of the board
5 concerning proprietary data and information shall be conducted in closed session
6 and shall in all respects remain confidential.

7 (d) The board may allow expert testimony at any meeting, including when the
8 board meets in closed session.

9 **(4) CONFLICTS OF INTEREST.** (a) A member of the board shall recuse himself or
10 herself from a decision by the board relating to a prescription drug product if the
11 member or an immediate family member has received or could receive any of the
12 following:

13 1. A direct financial benefit deriving from a determination, or a finding of a
14 study or review, by the board relating to the prescription drug product.

15 2. A financial benefit in excess of \$5,000 in a calendar year from any person who
16 owns, manufactures, or provides a prescription drug product to be studied or
17 reviewed by the board.

18 (b) A conflict of interest under this subsection shall be disclosed by the board
19 when hiring board staff, by the appointing authority when appointing members to
20 the board, and by the board when a member of the board is recused from any decision
21 relating to a review of a prescription drug product.

22 (c) A conflict of interest under this subsection shall be disclosed no later than
23 5 days after the conflict is identified, except that, if the conflict is identified within
24 5 days of an open meeting of the board, the conflict shall be disclosed prior to the
25 meeting.

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1 (d) The board shall disclose a conflict of interest under this subsection on the
2 board's website unless the chair of the board recuses the member from a final
3 decision relating to a review of the prescription drug product. The disclosure shall
4 include the type, nature, and magnitude of the interests of the member involved.

5 (e) A member of the board or a 3rd-party contractor may not accept any gift or
6 donation of services or property that indicates a potential conflict of interest or has
7 the appearance of biasing the work of the board.

8 **SECTION 3045.** 601.79 of the statutes is created to read:

9 **601.79 Drug cost affordability review. (1) IDENTIFICATION OF DRUGS.** The
10 board shall identify prescription drug products that are any of the following:

11 (a) A brand name drug or biologic that, as adjusted annually to reflect
12 adjustments to the U.S. consumer price index for all urban consumers, U.S. city
13 average, as determined by the U.S. department of labor, has a launch wholesale
14 acquisition cost of at least \$30,000 per year or course of treatment.

15 (b) A brand name drug or biologic that, as adjusted annually to reflect
16 adjustments to the U.S. consumer price index for all urban consumers, U.S. city
17 average, as determined by the U.S. department of labor, has a wholesale acquisition
18 cost that has increased at least \$3,000 during a 12-month period.

19 (c) A biosimilar that has a launch wholesale acquisition cost that is not at least
20 15 percent lower than the referenced brand biologic at the time the biosimilar is
21 launched.

22 (d) A generic drug that has a wholesale acquisition cost, as adjusted annually
23 to reflect adjustments to the U.S. consumer price index for all urban consumers, U.S.
24 city average, as determined by the U.S. department of labor, that meets all of the
25 following conditions:

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1 1. Is at least \$100 for a supply lasting a patient for a period of 30 consecutive
2 days based on the recommended dosage approved for labeling by the federal food and
3 drug administration, a supply lasting a patient for a period of fewer than 30 days
4 based on the recommended dosage approved for labeling by the federal food and drug
5 administration, or one unit of the drug if the labeling approved by the federal food
6 and drug administration does not recommend a finite dosage.

7 2. Increased by at least 200 percent during the preceding 12-month period, as
8 determined by the difference between the resulting wholesale acquisition cost and
9 the average of the wholesale acquisition cost reported over the preceding 12 months.

10 (e) Other prescription drug products, including drugs to address public health
11 emergencies, that may create affordability challenges for the health care system and
12 patients in this state.

13 **(2) AFFORDABILITY REVIEW.** (a) After identifying prescription drug products
14 under sub. (1), the board shall determine whether to conduct an affordability review
15 for each identified prescription drug product by seeking stakeholder input about the
16 prescription drug product and considering the average patient cost share of the
17 prescription drug product.

18 (b) The information used to conduct an affordability review under par. (a) may
19 include any document and research related to the manufacturer's selection of the
20 introductory price or price increase of the prescription drug product, including life
21 cycle management, net average price in this state, market competition and context,
22 projected revenue, and the estimated value or cost-effectiveness of the prescription
23 drug product.

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1 (c) The failure of a manufacturer to provide the board with information for an
2 affordability review under par. (b) does not affect the authority of the board to
3 conduct the review.

4 **(3) AFFORDABILITY CHALLENGE.** When conducting an affordability review of a
5 prescription drug product under sub. (2), the board shall determine whether use of
6 the prescription drug product that is fully consistent with the labeling approved by
7 the federal food and drug administration or standard medical practice has led or will
8 lead to an affordability challenge for the health care system in this state, including
9 high out-of-pocket costs for patients. To the extent practicable, in determining
10 whether a prescription drug product has led or will lead to an affordability challenge,
11 the board shall consider all of the following factors:

12 (a) The wholesale acquisition cost for the prescription drug product sold in this
13 state.

14 (b) The average monetary price concession, discount, or rebate the
15 manufacturer provides, or is expected to provide, to health plans in this state as
16 reported by manufacturers and health plans, expressed as a percent of the wholesale
17 acquisition cost for the prescription drug product under review.

18 (c) The total amount of the price concessions, discounts, and rebates the
19 manufacturer provides to each pharmacy benefit manager for the prescription drug
20 product under review, as reported by the manufacturer and pharmacy benefit
21 manager and expressed as a percent of the wholesale acquisition cost.

22 (d) The price at which therapeutic alternatives to the prescription drug product
23 have been sold in this state.

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1 (e) The average monetary concession, discount, or rebate the manufacturer
2 provides or is expected to provide to health plan payors and pharmacy benefit
3 managers in this state for therapeutic alternatives to the prescription drug product.

4 (f) The costs to health plans based on patient access consistent with labeled
5 indications by the federal food and drug administration and recognized standard
6 medical practice.

7 (g) The impact on patient access resulting from the cost of the prescription drug
8 product relative to insurance benefit design.

9 (h) The current or expected dollar value of drug-specific patient access
10 programs that are supported by the manufacturer.

11 (i) The relative financial impacts to health, medical, or social services costs that
12 can be quantified and compared to baseline effects of existing therapeutic
13 alternatives to the prescription drug product.

14 (j) The average patient copay or other cost sharing for the prescription drug
15 product in this state.

16 (k) Any information a manufacturer chooses to provide.

17 (L) Any other factors as determined by the board by rule.

18 **(4) UPPER PAYMENT LIMIT.** (a) If the board determines under sub. (3) that use
19 of a prescription drug product has led or will lead to an affordability challenge, the
20 board shall establish an upper payment limit for the prescription drug product after
21 considering all of the following:

22 1. The cost of administering the drug.

23 2. The cost of delivering the drug to consumers.

24 3. Other relevant administrative costs related to the drug.

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1 (b) For a prescription drug product identified in sub. (1) (b) or (d) 2., the board
2 shall solicit information from the manufacturer regarding the price increase. To the
3 extent that the price increase is not a result of the need for increased manufacturing
4 capacity or other effort to improve patient access during a public health emergency,
5 the board shall establish an upper payment limit under par. (a) that is equal to the
6 cost to consumers prior to the price increase.

7 (c) 1. The upper payment limit established under this subsection shall apply
8 to all purchases and payor reimbursements of the prescription drug product
9 dispensed or administered to individuals in this state in person, by mail, or by other
10 means.

11 2. Notwithstanding subd. 1., while state-sponsored and state-regulated
12 health plans and health programs shall limit drug reimbursements and drug
13 payment to no more than the upper payment limit established under this subsection,
14 a plan subject to the Employee Retirement Income Security Act of 1974 or Part D of
15 Medicare under 42 USC 1395w-101 et seq. may choose to reimburse more than the
16 upper payment limit. A provider who dispenses and administers a prescription drug
17 product in this state to an individual in this state may not bill a payor more than the
18 upper payment limit to the patient regardless of whether a plan subject to the
19 Employee Retirement Income Security Act of 1974 or Part D of Medicare under 42
20 USC 1395w-101 et seq. chooses to reimburse the provider above the upper payment
21 limit.

22 **(5) PUBLIC INSPECTION.** Information submitted to the board under this section
23 shall be open to public inspection only as provided under ss. 19.31 to 19.39.

24 **(6) NO PROHIBITION ON MARKETING.** Nothing in this section may be construed to
25 prevent a manufacturer from marketing a prescription drug product approved by the

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1 federal food and drug administration while the prescription drug product is under
2 review by the board.

3 (7) APPEALS. A person aggrieved by a decision of the board may request an
4 appeal of the decision no later than 30 days after the board makes the determination.
5 The board shall hear the appeal and make a final decision no later than 60 days after
6 the appeal is requested. A person aggrieved by a final decision of the board may
7 petition for judicial review in a court of competent jurisdiction.

8 **SECTION 3046.** 601.83 (1) (a) of the statutes is amended to read:

9 601.83 (1) (a) The commissioner shall administer a state-based reinsurance
10 program known as the healthcare stability plan in accordance with the specific terms
11 and conditions approved by the federal department of health and human services
12 dated July 29, 2018. Before December 31, 2023, the commissioner may not request
13 from the federal department of health and human services a modification,
14 suspension, withdrawal, or termination of the waiver under 42 USC 18052 under
15 which the healthcare stability plan under this subchapter operates unless
16 legislation has been enacted specifically directing the modification, suspension,
17 withdrawal, or termination. Before December 31, 2023, the commissioner may
18 request renewal, without substantive change, of the waiver under 42 USC 18052
19 under which the health care stability plan operates ~~in accordance with s. 20.940 (4)~~
20 unless legislation has been enacted that is contrary to such a renewal request. ~~The~~
21 ~~commissioner shall comply with applicable timing in and requirements of s. 20.940.~~

22 **SECTION 3047.** 601.83 (1) (h) of the statutes is renumbered 601.83 (1) (h) (intro.)
23 and amended to read:

24 601.83 (1) (h) (intro.) ~~In 2019 and in each subsequent year~~ Unless the joint
25 committee on finance under s. 13.10 increases the amount upon request by the

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1 commissioner, the commissioner may expend no more than \$200,000,000 the
2 following amounts from all revenue sources for the healthcare stability plan under
3 this section, ~~unless the joint committee on finance under s. 13.10 has increased this~~
4 ~~amount upon request by the commissioner.:~~

5 (he) The commissioner shall ensure that sufficient funds are available for the
6 healthcare stability plan under this section to operate as described in the approval
7 of the federal department of health and human services dated July 29, 2018, and in
8 any waiver extension approvals.

9 **SECTION 3048.** 601.83 (1) (h) 1. and 3. of the statutes are created to read:

10 601.83 (1) (h) 1. In 2019, 2020, and 2021, \$200,000,000.

11 3. In 2025 and in each year thereafter, the maximum expenditure amount for
12 the previous year, adjusted to reflect the percentage increase, if any, in the consumer
13 price index for all urban consumers, U.S. city average, for the medical care group, as
14 determined by the U.S. department of labor, for the 12-month period ending on
15 December 31 of the year before the year in which the amount is determined. The
16 commissioner shall determine the annual adjustment amount for a particular year
17 in January of the previous year. The commissioner shall publish the new maximum
18 expenditure amount under this subdivision each year in the Wisconsin
19 Administrative Register.

20 **SECTION 3049.** 601.83 (1) (hm) of the statutes is renumbered 601.83 (1) (h) 2.
21 and amended to read:

22 601.83 (1) (h) 2. ~~Notwithstanding par. (h), in~~ In 2022 and in each year
23 thereafter, the commissioner may expend from all revenue sources, 2023, and 2024,
24 \$230,000,000 or less for the healthcare stability plan under this section.

25 **SECTION 3050.** 609.045 of the statutes is created to read:

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1 **609.045 Balance billing; emergency medical services. (1) DEFINITIONS.**

2 In this section:

3 (a) “Emergency medical condition” means all of the following:

4 1. A medical condition, including a mental health condition or substance use
5 disorder condition, manifesting itself by acute symptoms of sufficient severity,
6 including severe pain, such that the absence of immediate medical attention could
7 reasonably be expected to result in any of the following:

8 a. Placing the health of the individual or, with respect to a pregnant woman,
9 the health of the woman or her unborn child, in serious jeopardy.

10 b. Serious impairment of bodily function.

11 c. Serious dysfunction of any bodily organ or part.

12 2. With respect to a pregnant woman who is having contractions, a medical
13 condition for which there is inadequate time to safely transfer the pregnant woman
14 to another hospital before delivery or for which the transfer may pose a threat to the
15 health or safety of the pregnant woman or the unborn child.

16 (b) “Emergency medical services,” with respect to an emergency medical
17 condition, has the meaning given for “emergency services” in 42 USC 300gg-111 (a)
18 (3) (C).

19 (c) “Independent freestanding emergency department” has the meaning given
20 in 42 USC 300gg-111 (a) (3) (D).

21 (d) “Out-of-network rate” has the meaning given by the commissioner by rule
22 or, in the absence of such rule, the meaning given in 42 USC 300gg-111 (a) (3) (K).

23 (e) “Preferred provider plan,” notwithstanding s. 609.01 (4), includes only any
24 preferred provider plan, as defined in s. 609.01 (4), that has a network of

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1 participating providers and imposes on enrollees different requirements for using
2 providers that are not participating providers.

3 (f) "Recognized amount" has the meaning given by the commissioner by rule
4 or, in the absence of such rule, the meaning given in 42 USC 300gg-111 (a) (3) (H).

5 (g) "Self-insured governmental plan" means a self-insured health plan of the
6 state or a county, city, village, town, or school district that has a network of
7 participating providers and imposes on enrollees in the self-insured health plan
8 different requirements for using providers that are not participating providers.

9 (h) "Terminated" means the expiration or nonrenewal of a contract.
10 "Terminated" does not include a termination of a contract for failure to meet
11 applicable quality standards or for fraud.

12 **(2) EMERGENCY MEDICAL SERVICES.** A defined network plan, preferred provider
13 plan, or self-insured governmental plan that covers any benefits or services provided
14 in an emergency department of a hospital or emergency medical services provided
15 in an independent freestanding emergency department shall cover emergency
16 medical services in accordance with all of the following:

17 (a) The plan may not require a prior authorization determination.

18 (b) The plan may not deny coverage on the basis of whether or not the health
19 care provider providing the services is a participating provider or participating
20 emergency facility.

21 (c) If the emergency medical services are provided to an enrollee by a provider
22 or in a facility that is not a participating provider or participating facility, the plan
23 complies with all of the following:

24 1. The emergency medical services are covered without imposing on an enrollee
25 a requirement for prior authorization or any coverage limitation that is more

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1 restrictive than requirements or limitations that apply to emergency medical
2 services provided by participating providers or in participating facilities.

3 2. Any cost-sharing requirement imposed on an enrollee for the emergency
4 medical services is no greater than the requirements that would apply if the
5 emergency medical services were provided by a participating provider or in a
6 participating facility.

7 3. Any cost-sharing amount imposed on an enrollee for the emergency medical
8 services is calculated as if the total amount that would have been charged for the
9 emergency medical services if provided by a participating provider or in a
10 participating facility is equal to the recognized amount for such services, plan or
11 coverage, and year.

12 4. The plan does all of the following:

13 a. No later than 30 days after the participating provider or participating facility
14 transmits to the plan the bill for emergency medical services, sends to the provider
15 or facility an initial payment or a notice of denial of payment.

16 b. Pays to the participating provider or participating facility a total amount
17 that, incorporating any initial payment under subd. 4. a., is equal to the amount by
18 which the out-of-network rate exceeds the cost-sharing amount.

19 5. The plan counts any cost-sharing payment made by the enrollee for the
20 emergency medical services toward any in-network deductible or out-of-pocket
21 maximum applied by the plan in the same manner as if the cost-sharing payment
22 was made for emergency medical services provided by a participating provider or in
23 a participating facility.

24 **(3) NONPARTICIPATING PROVIDER IN PARTICIPATING FACILITY.** For items or services
25 other than emergency medical services that are provided to an enrollee of a defined

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1 network plan, preferred provider plan, or self-insured governmental plan by a
2 provider who is not a participating provider but who is providing services at a
3 participating facility, the plan shall provide coverage for the item or service in
4 accordance with all of the following:

5 (a) The plan may not impose on an enrollee a cost-sharing requirement for the
6 item or service that is greater than the cost-sharing requirement that would have
7 been imposed if the item or service was provided by a participating provider.

8 (b) Any cost-sharing amount imposed on an enrollee for the item or service is
9 calculated as if the total amount that would have been charged for the item or service
10 if provided by a participating provider is equal to the recognized amount for such
11 item or service, plan or coverage, and year.

12 (c) No later than 30 days after the provider transmits the bill for services, the
13 plan shall send to the provider an initial payment or a notice of denial of payment.

14 (d) The plan shall make a total payment directly to the provider who provided
15 the item or service to the enrollee that, added to any initial payment described under
16 par. (c), is equal to the amount by which the out-of-network rate for the item or
17 service exceeds the cost-sharing amount.

18 (e) The plan counts any cost-sharing payment made by the enrollee for the item
19 or service toward any in-network deductible or out-of-pocket maximum applied by
20 the plan in the same manner as if the cost-sharing payment was made for the item
21 or service when provided by a participating provider.

22 **(4) CHARGING FOR SERVICES BY NONPARTICIPATING PROVIDER; NOTICE AND CONSENT.**

23 (a) Except as provided in par. (c), a provider of an item or service who is entitled to
24 payment under sub. (3) may not bill or hold liable an enrollee for any amount for the
25 item or service that is more than the cost-sharing amount calculated under sub. (3)

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1 (b) for the item or service unless the nonparticipating provider provides notice and
2 obtains consent in accordance with all of the following:

3 1. The notice states that the provider is not a participating provider in the
4 enrollee's defined network plan, preferred provider plan, or self-insured
5 governmental plan.

6 2. The notice provides a good faith estimate of the amount that the
7 nonparticipating provider may charge the enrollee for the item or service involved,
8 including notification that the estimate does not constitute a contract with respect
9 to the charges estimated for the item or service.

10 3. The notice includes a list of the participating providers at the participating
11 facility who would be able to provide the item or service and notification that the
12 enrollee may be referred to one of those participating providers.

13 4. The notice includes information about whether or not prior authorization or
14 other care management limitations may be required before receiving an item or
15 service at the participating facility.

16 5. The notice clearly states that consent is optional and that the patient may
17 elect to seek care from an in-network provider.

18 6. The notice is worded in plain language.

19 7. The notice is available in languages other than English. The commissioner
20 shall identify languages for which the notice should be available.

21 8. The enrollee provides consent to the nonparticipating provider to be treated
22 by the nonparticipating provider, and the consent acknowledges that the enrollee
23 has been informed that the charge paid by the enrollee may not meet a limitation that
24 the enrollee's defined network plan, preferred provider plan, or self-insured
25 governmental plan places on cost sharing, such as an in-network deductible.

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1 9. A signed copy of the consent described under subd. 8. is provided to the
2 enrollee.

3 (b) To be considered adequate, the notice and consent under par. (a) shall meet
4 one of the following requirements, as applicable:

5 1. If the enrollee makes an appointment for the item or service at least 72 hours
6 before the day on which the item or service is to be provided, any notice under par.
7 (a) shall be provided to the enrollee at least 72 hours before the day of the
8 appointment at which the item or service is to be provided.

9 2. If the enrollee makes an appointment for the item or service less than 72
10 hours before the day on which the item or service is to be provided, any notice under
11 par. (a) shall be provided to the enrollee on the day that the appointment is made.

12 (c) A provider of an item or service who is entitled to payment under sub. (3)
13 may not bill or hold liable an enrollee for any amount for an ancillary item or service
14 that is more than the cost-sharing amount calculated under sub. (3) (b) for the item
15 or service, whether or not provided by a physician or non-physician practitioner,
16 unless the commissioner specifies by rule that the provider may balance bill for the
17 ancillary item or service, if the item or service is any of the following:

18 1. Related to an emergency medical service.

19 2. Anesthesiology.

20 3. Pathology.

21 4. Radiology.

22 5. Neonatology.

23 6. An item or service provided by an assistant surgeon, hospitalist, or
24 intensivist.

25 7. A diagnostic service, including a radiology or laboratory service.

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1 8. An item or service provided by a specialty practitioner that the commissioner
2 specifies by rule.

3 9. An item or service provided by a nonparticipating provider when there is no
4 participating provider who can furnish the item or service at the participating
5 facility.

6 (d) Any notice and consent provided under par. (a) may not extend to items or
7 services furnished as a result of unforeseen, urgent medical needs that arise at the
8 time the item or service is provided.

9 (e) Any consent provided under par. (a) shall be retained by the provider for no
10 less than 7 years.

11 **(5) NOTICE BY PROVIDER OR FACILITY.** Beginning no later than January 1, 2024,
12 a health care provider or health care facility shall make available, including posting
13 on a website, to enrollees in defined network plans, preferred provider plans, and
14 self-insured governmental plans notice of the requirements on a provider or facility
15 under sub. (4), of any other applicable state law requirements on the provider or
16 facility with respect to charging an enrollee for an item or service if the provider or
17 facility does not have a contractual relationship with the plan, and of information on
18 contacting appropriate state or federal agencies in the event the enrollee believes the
19 provider or facility violates any of the requirements under this section or other
20 applicable law.

21 **(6) NEGOTIATION; DISPUTE RESOLUTION.** A provider or facility that is entitled to
22 receive an initial payment or notice of denial under sub. (2) (c) 4. a. or (3) (c) may
23 initiate, within 30 days of receiving the initial payment or notice of denial, open
24 negotiations with the defined network plan, preferred provider plan, or self-insured
25 governmental plan to determine a payment amount for an emergency medical

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1 service or other item or service for a period that terminates 30 days after initiating
2 open negotiations. If the open negotiation period under this subsection terminates
3 without determination of a payment amount, the provider, facility, defined network
4 plan, preferred provider plan, or self-insured governmental plan may initiate,
5 within the 4 days beginning on the day after the open negotiation period ends, the
6 independent dispute resolution process as specified by the commissioner. If the
7 independent dispute resolution decision-maker determines the payment amount,
8 the party to the independent dispute resolution process whose amount was not
9 selected shall pay the fees for the independent dispute resolution. If the parties to
10 the independent dispute resolution reach a settlement on the payment amount, the
11 parties to the independent dispute resolution shall equally divide the payment for
12 the fees for the independent dispute resolution.

13 **(7) CONTINUITY OF CARE.** (a) In this subsection:

14 1. "Continuing care patient" means an individual who is any of the following:

15 a. Undergoing a course of treatment for a serious and complex condition from
16 a provider or facility.

17 b. Undergoing a course of institutional or inpatient care from a provider or
18 facility.

19 c. Scheduled to undergo nonelective surgery, including receipt of postoperative
20 care, from a provider or facility.

21 d. Pregnant and undergoing a course of treatment for the pregnancy from a
22 provider or facility.

23 e. Terminally ill and receiving treatment for the illness from a provider or
24 facility.

25 2. "Serious and complex condition" means any of the following:

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1 a. In the case of an acute illness, a condition that is serious enough to require
2 specialized medical treatment to avoid the reasonable possibility of death or
3 permanent harm.

4 b. In the case of a chronic illness or condition, a condition that is
5 life-threatening, degenerative, potentially disabling, or congenital and requires
6 specialized medical care over a prolonged period.

7 (b) If an enrollee is a continuing care patient and is obtaining items or services
8 from a participating provider or participating facility and the contract between the
9 defined network plan, preferred provider plan, or self-insured governmental plan
10 and the provider or facility is terminated because of a change in the terms of the
11 participation of the provider or facility in the plan or the contract between the defined
12 network plan, preferred provider plan, or self-insured governmental plan and the
13 provider or facility is terminated, resulting in a loss of benefits provided under the
14 plan, the plan shall do all of the following:

15 1. Notify each enrollee of the termination of the contract or benefits and of the
16 right for the enrollee to elect to continue transitional care from the participating
17 provider or participating facility under this subsection.

18 2. Provide the enrollee an opportunity to notify the plan of the need for
19 transitional care.

20 3. Allow the enrollee to elect to continue to have the benefits provided under
21 the plan under the same terms and conditions as would have applied to the item or
22 service if the termination had not occurred for the course of treatment related to the
23 enrollee's status as a continuing care patient beginning on the date on which the
24 notice under subd. 1. is provided and ending 90 days after the date on which the

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1 notice under subd. 1. is provided or the date on which the enrollee is no longer a
2 continuing care patient, whichever is earlier.

3 (c) The provisions of s. 609.24 apply to a continuing care patient to the extent
4 that s. 609.24 does not conflict with this subsection so as to limit the enrollee's rights
5 under this subsection.

6 **(8) RULE MAKING.** The commissioner may promulgate any rules necessary to
7 implement this section, including specifying the independent dispute resolution
8 process under sub. (6). The commissioner may promulgate rules to modify the list
9 of those items and services for which a provider may not balance bill under sub. (4)
10 (c). In promulgating rules under this subsection, the commissioner may consider any
11 rules promulgated by the federal department of health and human services pursuant
12 to the federal No Surprises Act, 42 USC 300gg-111, et seq.

13 **SECTION 3051.** 609.20 (3) of the statutes is created to read:

14 609.20 **(3)** The commissioner may promulgate rules to establish minimum
15 network time and distance standards and minimum network wait-time standards
16 for defined network plans and preferred provider plans. In promulgating rules
17 under this subsection, the commissioner shall consider standards adopted by the
18 federal centers for medicare and medicaid services for qualified health plans, as
19 defined in 42 USC 18021 (a), that are offered through the federal health insurance
20 exchange established pursuant to 42 USC 18041 (c).

21 **SECTION 3052.** 609.24 (5) of the statutes is created to read:

22 609.24 **(5)** If an enrollee is a continuing care patient, as defined in s. 609.045
23 (7) (a), and if any of the situations described under s. 609.045 (7) (b) (intro.) applies,
24 all of the following apply to the enrollee's defined network plan:

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1 (a) Subsection (1) (c) shall apply to any of the participating providers providing
2 the enrollee's course of treatment under s. 609.045 (7), including the enrollee's
3 primary care physician.

4 (b) Subsection (1) (c) shall apply to lengthen the period in which benefits are
5 provided under s. 609.045 (7) (b) 3., but shall not be applied to shorten the period in
6 which benefits are provided under s. 609.045 (7) (b) 3.

7 (c) Subsection (1) (d) shall not be applied in a manner that limits the enrollee's
8 rights under s. 609.045 (7) (b) 3.

9 (d) No plan may contract or arrange with a participating provider to provide
10 notice of the termination of the participating provider's participation, pursuant to
11 sub. (4).

12 **SECTION 3053.** 609.712 of the statutes is created to read:

13 **609.712 Essential health benefits; preventive services.** Defined network
14 plans and preferred provider plans are subject to s. 632.895 (13m) and (14m).

15 **SECTION 3054.** 609.713 of the statutes is created to read:

16 **609.713 Qualified treatment trainee coverage.** Limited service health
17 organizations, preferred provider plans, and defined network plans are subject to s.
18 632.87 (7).

19 **SECTION 3055.** 609.714 of the statutes is created to read:

20 **609.714 Substance abuse counselor coverage.** Limited service health
21 organizations, preferred provider plans, and defined network plans are subject to s.
22 632.87 (8).

23 **SECTION 3056.** 609.719 of the statutes is created to read:

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1 **609.719 Coverage for telehealth services.** Limited service health
2 organizations, preferred provider plans, and defined network plans are subject to s.
3 632.871.

4 **SECTION 3057.** 609.74 of the statutes is created to read:

5 **609.74 Coverage of infertility services.** Defined network plans and
6 preferred provider plans are subject to s. 632.895 (15m).

7 **SECTION 3058.** 609.83 of the statutes is amended to read:

8 **609.83 Coverage of drugs and devices; application of payments.**
9 Limited service health organizations, preferred provider plans, and defined network
10 plans are subject to ss. 632.853, 632.861, 632.862, and 632.895 (6) (b), (16t), and
11 (16v).

12 **SECTION 3059.** 609.847 of the statutes is created to read:

13 **609.847 Preexisting condition discrimination and certain benefit**
14 **limits prohibited.** Limited service health organizations, preferred provider plans,
15 and defined network plans are subject to s. 632.728.

16 **SECTION 3060.** 611.11 (4) (a) of the statutes is amended to read:

17 611.11 (4) (a) In this subsection, “municipality” has the meaning given in s.
18 345.05 (1) (c), but also includes any transit authority created under s. 66.1039.

19 **SECTION 3061.** 625.12 (1) (a) of the statutes is amended to read:

20 625.12 (1) (a) Past and prospective loss and expense experience within and
21 outside of this state, except as provided in s. 632.728.

22 **SECTION 3062.** 625.12 (1) (e) of the statutes is amended to read:

23 625.12 (1) (e) Subject to ~~s.~~ ss. 632.365 and 632.728, all other relevant factors,
24 including the judgment of technical personnel.

25 **SECTION 3063.** 625.12 (2) of the statutes is amended to read:

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1 625.12 (2) CLASSIFICATION. Except as provided in s. ~~ss. 632.728 and~~ 632.729,
2 risks may be classified in any reasonable way for the establishment of rates and
3 minimum premiums, except that no classifications may be based on race, color, creed
4 or national origin, and classifications in automobile insurance may not be based on
5 physical condition or developmental disability as defined in s. 51.01 (5). Subject to
6 ss. 632.365, 632.728, and 632.729, rates thus produced may be modified for
7 individual risks in accordance with rating plans or schedules that establish
8 reasonable standards for measuring probable variations in hazards, expenses, or
9 both. Rates may also be modified for individual risks under s. 625.13 (2).

10 **SECTION 3064.** 625.15 (1) of the statutes is amended to read:

11 625.15 (1) RATE MAKING. ~~An~~ Except as provided in s. 632.728, an insurer may
12 itself establish rates and supplementary rate information for one or more market
13 segments based on the factors in s. 625.12 and, if the rates are for motor vehicle
14 liability insurance, subject to s. 632.365, or the insurer may use rates and
15 supplementary rate information prepared by a rate service organization, with
16 average expense factors determined by the rate service organization or with such
17 modification for its own expense and loss experience as the credibility of that
18 experience allows.

19 **SECTION 3065.** 628.34 (3) (a) of the statutes is amended to read:

20 628.34 (3) (a) No insurer may unfairly discriminate among policyholders by
21 charging different premiums or by offering different terms of coverage except on the
22 basis of classifications related to the nature and the degree of the risk covered or the
23 expenses involved, subject to ss. 632.365, 632.728, 632.729, 632.746 ~~and~~, 632.748,
24 and 632.7496. Rates are not unfairly discriminatory if they are averaged broadly
25 among persons insured under a group, blanket or franchise policy, and terms are not

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1 unfairly discriminatory merely because they are more favorable than in a similar
2 individual policy.

3 **SECTION 3066.** 628.495 of the statutes is created to read:

4 **628.495 Pharmacy benefit management broker and consultant**
5 **licenses. (1) DEFINITION.** In this section, “pharmacy benefit manager” has the
6 meaning given in s. 632.865 (1) (c).

7 **(2) LICENSE REQUIRED.** Beginning on the first day of the 12th month beginning
8 after the effective date of this subsection [LRB inserts date], no individual may
9 act as a pharmacy benefit management broker or consultant or any other individual
10 who procures the services of a pharmacy benefit manager on behalf of a client
11 without being licensed by the commissioner under this section.

12 **(3) RULES.** The commissioner may promulgate rules to establish criteria and
13 procedures for initial licensure and renewal of licensure and to implement licensure
14 under this section.

15 **SECTION 3067.** 632.35 of the statutes is amended to read:

16 **632.35 Prohibited rejection, cancellation and nonrenewal.** No insurer
17 may cancel or refuse to issue or renew an automobile insurance policy wholly or
18 partially because of one or more of the following characteristics of any person: age,
19 sex, residence, race, color, creed, religion, national origin, ancestry, marital status or,
20 occupation, or status as a holder or nonholder of a license under s. 343.03 (3r).

21 **SECTION 3068.** 632.728 of the statutes is created to read:

22 **632.728 Coverage of persons with preexisting conditions; guaranteed**
23 **issue; benefit limits. (1) DEFINITIONS.** In this section:

24 (a) “Cost sharing” includes deductibles, coinsurance, copayments, or similar
25 charges.

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1 (b) "Health benefit plan" has the meaning given in s. 632.745 (11).

2 (c) "Self-insured health plan" has the meaning given in s. 632.85 (1) (c).

3 **(2) GUARANTEED ISSUE.** (a) Every individual health benefit plan shall accept
4 every individual in this state who, and every group health benefit plan shall accept
5 every employer in this state that, applies for coverage, regardless of sexual
6 orientation, gender identity, or whether or not any employee or individual has a
7 preexisting condition. A health benefit plan may restrict enrollment in coverage
8 described in this paragraph to open or special enrollment periods.

9 (b) The commissioner shall establish a statewide open enrollment period of no
10 shorter than 30 days for every individual health benefit plan to allow individuals,
11 including individuals who do not have coverage, to enroll in coverage.

12 **(3) PROHIBITING DISCRIMINATION BASED ON HEALTH STATUS.** (a) An individual
13 health benefit plan or a self-insured health plan may not establish rules for the
14 eligibility of any individual to enroll, or for the continued eligibility of any individual
15 to remain enrolled, under the plan based on any of the following health
16 status-related factors in relation to the individual or a dependent of the individual:

17 1. Health status.

18 2. Medical condition, including both physical and mental illnesses.

19 3. Claims experience.

20 4. Receipt of health care.

21 5. Medical history.

22 6. Genetic information.

23 7. Evidence of insurability, including conditions arising out of acts of domestic
24 violence.

25 8. Disability.

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1 (b) An insurer offering an individual health benefit plan or a self-insured
2 health plan may not require any individual, as a condition of enrollment or continued
3 enrollment under the plan, to pay, on the basis of any health status-related factor
4 under par. (a) with respect to the individual or a dependent of the individual, a
5 premium or contribution or a deductible, copayment, or coinsurance amount that is
6 greater than the premium or contribution or deductible, copayment, or coinsurance
7 amount respectively for a similarly situated individual enrolled under the plan.

8 (c) Nothing in this subsection prevents an insurer offering an individual health
9 benefit plan or a self-insured health plan from establishing premium discounts or
10 rebates or modifying otherwise applicable cost sharing in return for adherence to
11 programs of health promotion and disease prevention.

12 **(4) PREMIUM RATE VARIATION.** A health benefit plan offered on the individual or
13 small employer market or a self-insured health plan may vary premium rates for a
14 specific plan based only on the following considerations:

15 (a) Whether the policy or plan covers an individual or a family.

16 (b) Rating area in the state, as established by the commissioner.

17 (c) Age, except that the rate may not vary by more than 3 to 1 for adults over
18 the age groups and the age bands shall be consistent with recommendations of the
19 National Association of Insurance Commissioners.

20 (d) Tobacco use, except that the rate may not vary by more than 1.5 to 1.

21 **(5) STATEWIDE RISK POOL.** An insurer offering a health benefit plan may not
22 segregate enrollees into risk pools other than a single statewide risk pool for the
23 individual market and a single statewide risk pool for the small employer market or
24 a single statewide risk pool that combines the individual and small employer
25 markets.

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1 **(6) ANNUAL AND LIFETIME LIMITS.** An individual or group health benefit plan or
2 a self-insured health plan may not establish any of the following:

3 (a) Lifetime limits on the dollar value of benefits for an enrollee or a dependent
4 of an enrollee under the plan.

5 (b) Annual limits on the dollar value of benefits for an enrollee or a dependent
6 of an enrollee under the plan.

7 **(7) COST SHARING MAXIMUM.** A health benefit plan offered on the individual or
8 small employer market may not require an enrollee under the plan to pay more in
9 cost sharing than the maximum amount calculated under 42 USC 18022 (c),
10 including the annual indexing of the limits.

11 **(8) MEDICAL LOSS RATIO.** (a) In this subsection, “medical loss ratio” means the
12 proportion, expressed as a percentage, of premium revenues spent by a health
13 benefit plan on clinical services and quality improvement.

14 (b) A health benefit plan on the individual or small employer market shall have
15 a medical loss ratio of at least 80 percent.

16 (c) A group health benefit plan other than one described under par. (b) shall
17 have a medical loss ratio of at least 85 percent.

18 **(9) ACTUARIAL VALUES OF PLAN TIERS.** Any health benefit plan offered on the
19 individual or small employer market shall provide a level of coverage that is designed
20 to provide benefits that are actuarially equivalent to at least 60 percent of the full
21 actuarial value of the benefits provided under the plan.

22 **SECTION 3069.** 632.746 (1) (a) of the statutes is renumbered 632.746 (1) and
23 amended to read:

24 632.746 (1) ~~Subject to subs. (2) and (3), an An~~ insurer that offers a group health
25 benefit plan may, ~~with respect to a participant or beneficiary under the plan, not~~

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1 ~~impose a preexisting condition exclusion only if the exclusion relates to a condition,~~
2 ~~whether physical or mental, regardless of the cause of the condition, for which~~
3 ~~medical advice, diagnosis, care or treatment was recommended or received within~~
4 ~~the 6-month period ending on the participant's or beneficiary's enrollment date~~
5 ~~under the plan on a participant or beneficiary under the plan.~~

6 **SECTION 3070.** 632.746 (1) (b) of the statutes is repealed.

7 **SECTION 3071.** 632.746 (2) (a) of the statutes is amended to read:

8 632.746 (2) (a) An insurer offering a group health benefit plan may not ~~treat~~
9 ~~impose a preexisting condition exclusion based on genetic information as a~~
10 ~~preexisting condition under sub. (1) without a diagnosis of a condition related to the~~
11 ~~information.~~

12 **SECTION 3072.** 632.746 (2) (c), (d) and (e) of the statutes are repealed.

13 **SECTION 3073.** 632.746 (3) (a) of the statutes is repealed.

14 **SECTION 3074.** 632.746 (3) (d) 1. of the statutes is renumbered 632.746 (3) (d).

15 **SECTION 3075.** 632.746 (3) (d) 2. and 3. of the statutes are repealed.

16 **SECTION 3076.** 632.746 (5) of the statutes is repealed.

17 **SECTION 3077.** 632.746 (8) (a) (intro.) of the statutes is amended to read:

18 632.746 (8) (a) (intro.) A health maintenance organization that offers a group
19 health benefit plan ~~and that does not impose any preexisting condition exclusion~~
20 ~~under sub. (1) with respect to a particular coverage option may impose an affiliation~~
21 period for that coverage option, but only if all of the following apply:

22 **SECTION 3078.** 632.748 (2) of the statutes is amended to read:

23 632.748 (2) An insurer offering a group health benefit plan may not require any
24 individual, as a condition of enrollment or continued enrollment under the plan, to
25 pay, on the basis of any health status-related factor with respect to the individual

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1 or a dependent of the individual, a premium or contribution or a deductible,
2 copayment, or coinsurance amount that is greater than the premium or contribution
3 or deductible, copayment, or coinsurance amount respectively for a similarly
4 situated individual enrolled under the plan.

5 **SECTION 3079.** 632.7495 (4) (b) of the statutes is amended to read:

6 632.7495 (4) (b) The coverage has a term of not more than ~~12~~ 3 months.

7 **SECTION 3080.** 632.7495 (4) (c) of the statutes is amended to read:

8 632.7495 (4) (c) The coverage term aggregated with all consecutive periods of
9 the insurer's coverage of the insured by individual health benefit plan coverage not
10 required to be renewed under this subsection does not exceed ~~18~~ 6 months. For
11 purposes of this paragraph, coverage periods are consecutive if there are no more
12 than 63 days between the coverage periods.

13 **SECTION 3081.** 632.7496 of the statutes is created to read:

14 **632.7496 Coverage requirements for short-term plans. (1) DEFINITION.**

15 In this section, "short-term, limited duration plan" means an individual health
16 benefit plan described in s. 632.7495 (4).

17 **(2) GUARANTEED ISSUE.** An insurer that offers a short-term, limited duration
18 plan shall accept every individual in this state who applies for coverage regardless
19 of whether the individual has a preexisting condition.

20 **(3) PROHIBITING DISCRIMINATION BASED ON HEALTH STATUS.** (a) An insurer that
21 offers a short-term, limited duration plan may not establish rules for the eligibility
22 of any individual to enroll, or for the continued eligibility of any individual to remain
23 enrolled, under a short-term, limited duration plan based on any of the following
24 health status-related factors with respect to the individual or a dependent of the
25 individual:

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- 1 1. Health status.
 - 2 2. Medical condition, including both physical and mental illnesses.
 - 3 3. Claims experience.
 - 4 4. Receipt of health care.
 - 5 5. Medical history.
 - 6 6. Genetic information.
 - 7 7. Evidence of insurability, including conditions arising out of acts of domestic
 - 8 violence.
 - 9 8. Disability.
- 10 (b) An insurer that offers a short-term, limited duration plan may not require
- 11 any individual, as a condition of enrollment or continued enrollment under the
- 12 short-term, limited duration plan, to pay, on the basis of any health status-related
- 13 factor described under par. (a) with respect to the individual or a dependent of the
- 14 individual, a premium or contribution or a deductible, copayment, or coinsurance
- 15 amount that is greater than the premium or contribution or deductible, copayment,
- 16 or coinsurance amount respectively for a similarly situated individual enrolled
- 17 under the short-term, limited duration plan.
- 18 **(4) PREMIUM RATE VARIATION.** An insurer that offers a short-term, limited
- 19 duration plan may vary premium rates for a specific short-term, limited duration
- 20 plan based only on the following considerations:
- 21 (a) Whether the short-term, limited duration plan covers an individual or a
 - 22 family.
 - 23 (b) Rating area in the state, as established by the commissioner.

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1 (c) Age, except that the rate may not vary by more than 3 to 1 for adults over
2 the age groups and the age bands shall be consistent with recommendations of the
3 National Association of Insurance Commissioners.

4 (d) Tobacco use, except that the rate may not vary by more than 1.5 to 1.

5 **(5) ANNUAL AND LIFETIME LIMITS.** A short-term, limited duration plan may not
6 establish any of the following:

7 (a) Lifetime limits on the dollar value of benefits for an enrollee or a dependent
8 of an enrollee under the short-term, limited duration plan.

9 (b) Limits on the dollar value of benefits for an enrollee or a dependent of an
10 enrollee under the short-term, limited duration plan for a term of coverage or for the
11 aggregate duration of the short-term, limited duration plan.

12 **SECTION 3082.** 632.76 (2) (a) and (ac) 1. and 2. of the statutes are amended to
13 read:

14 632.76 (2) (a) No claim for loss incurred or disability commencing after 2 years
15 from the date of issue of the policy may be reduced or denied on the ground that a
16 disease or physical condition existed prior to the effective date of coverage, unless the
17 condition was excluded from coverage by name or specific description by a provision
18 effective on the date of loss. This paragraph does not apply to a group health benefit
19 plan, as defined in s. 632.745 (9), which is subject to s. 632.746, a disability insurance
20 policy, as defined in s. 632.895 (1) (a), or a self-insured health plan, as defined in s.
21 632.85 (1) (c).

22 (ac) 1. ~~Notwithstanding par. (a), no~~ No claim or loss incurred or disability
23 commencing after ~~12 months from the date of issue of~~ under an individual disability
24 insurance policy, as defined in s. 632.895 (1) (a), may be reduced or denied on the
25 ground that a disease or physical condition existed prior to the effective date of

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1 coverage, ~~unless the condition was excluded from coverage by name or specific~~
2 ~~description by a provision effective on the date of the loss.~~

3 2. ~~Except as provided in subd. 3., an~~ An individual disability insurance policy,
4 as defined in s. 632.895 (1) (a), other than a short-term policy subject to s. 632.7495
5 (4) and (5), may not define a preexisting condition more restrictively than a condition
6 that was present before the date of enrollment for the coverage, whether physical or
7 mental, regardless of the cause of the condition, ~~for which~~ and regardless of whether
8 medical advice, diagnosis, care, or treatment was recommended or received ~~within~~
9 ~~12 months before the effective date of coverage.~~

10 **SECTION 3083.** 632.76 (2) (ac) 3. (intro.) of the statutes is amended to read:

11 632.76 (2) (ac) 3. (intro.) Except as the commissioner provides by rule under
12 s. 632.7495 (5), all of the following apply to an individual disability insurance policy
13 that is a short-term policy, limited duration plan subject to s. 632.7495 (4) and (5):

14 **SECTION 3084.** 632.76 (2) (ac) 3. b. of the statutes is amended to read:

15 632.76 (2) (ac) 3. b. The policy shall ~~reduce the length of time during which a~~
16 may not impose any preexisting condition exclusion may be imposed by the
17 ~~aggregate of the insured's consecutive periods of coverage under the insurer's~~
18 ~~individual disability insurance policies that are short-term policies subject to s.~~
19 ~~632.7495 (4) and (5). For purposes of this subd. 3. b., coverage periods are consecutive~~
20 ~~if there are no more than 63 days between the coverage periods.~~

21 **SECTION 3085.** 632.795 (4) (a) of the statutes is amended to read:

22 632.795 (4) (a) An insurer subject to sub. (2) shall provide coverage under the
23 same policy form and for the same premium as it originally offered in the most recent
24 enrollment period, subject only to the medical underwriting used in that enrollment
25 period. Unless otherwise prescribed by rule, the insurer may apply deductibles,

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1 ~~preexisting condition limitations~~, waiting periods, or other limits only to the extent
2 that they would have been applicable had coverage been extended at the time of the
3 most recent enrollment period and with credit for the satisfaction or partial
4 satisfaction of similar provisions under the liquidated insurer's policy or plan. The
5 insurer may exclude coverage of claims that are payable by a solvent insurer under
6 insolvency coverage required by the commissioner or by the insurance regulator of
7 another jurisdiction. Coverage shall be effective on the date that the liquidated
8 insurer's coverage terminates.

9 **SECTION 3086.** 632.862 of the statutes is created to read:

10 **632.862 Application of prescription drug payments. (1) DEFINITIONS.** In
11 this section:

12 (a) "Brand name" has the meaning given in s. 450.12 (1) (a).

13 (b) "Brand name drug" means any of the following:

14 1. A prescription drug that contains a brand name and that has no generic
15 equivalent.

16 2. A prescription drug that contains a brand name and has a generic equivalent
17 but for which the enrollee has received prior authorization from the insurer offering
18 the disability insurance policy or self-insured health plan or authorization from a
19 physician to obtain the prescription drug under the disability insurance policy or
20 self-insured health plan.

21 (c) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

22 (d) "Prescription drug" has the meaning given in s. 450.01 (20).

23 (e) "Self-insured health plan" means a self-insured health plan of the state or
24 a county, city, village, town, or school district.

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1 **(2) APPLICATION OF DISCOUNTS.** A disability insurance policy that offers a
2 prescription drug benefit or a self-insured health plan shall apply to any calculation
3 of an out-of-pocket maximum amount and to any deductible of the disability
4 insurance policy or self-insured health plan for an enrollee the amount that any
5 discount provided by the manufacturer of a brand name drug reduces the cost
6 sharing amount charged to the enrollee for that brand name drug.

7 **SECTION 3087.** 632.863 of the statutes is created to read:

8 **632.863 Pharmaceutical representatives. (1) DEFINITIONS.** In this section:

9 (a) “Health care professional” means a physician or other health care
10 practitioner who is licensed to provide health care services or to prescribe
11 pharmaceutical or biologic products.

12 (b) “Pharmaceutical” means a medication that may legally be dispensed only
13 with a valid prescription from a health care professional.

14 (c) “Pharmaceutical representative” means an individual who markets or
15 promotes pharmaceuticals to health care professionals on behalf of a pharmaceutical
16 manufacturer for compensation.

17 **(2) LICENSURE.** Beginning on the first day of the 12th month beginning after
18 the effective date of this subsection [LRB inserts date], no individual may act as
19 a pharmaceutical representative in this state without being licensed by the
20 commissioner as a pharmaceutical representative under this section. In order to
21 obtain a license, the individual shall apply to the commissioner in the form and
22 manner prescribed by the commissioner. The term of a license issued under this
23 subsection is one year and is renewable.

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1 **(3) DISPLAY OF LICENSE.** A pharmaceutical representative licensed under sub.
2 (2) shall display the pharmaceutical representative's license during each visit with
3 a health care professional.

4 **(4) ENFORCEMENT.** (a) Any individual who violates this section shall be fined
5 not less than \$1,000 nor more than \$3,000 for each offense. Each day of continued
6 violation constitutes a separate offense.

7 (b) The commissioner may suspend or revoke the license of a pharmaceutical
8 representative who violates this section. A suspended or revoked license may not be
9 reinstated until the pharmaceutical representative remedies all violations related
10 to the suspension or revocation and pays all assessed penalties and fees.

11 **(5) RULES.** The commissioner shall promulgate rules to implement this section,
12 including rules that require pharmaceutical representatives to complete continuing
13 educational coursework as a condition of licensure.

14 **SECTION 3088.** 632.864 of the statutes is created to read:

15 **632.864 Pharmacy services administrative organizations. (1)**

16 DEFINITIONS. In this section:

17 (a) "Administrative service" means any of the following:

- 18 1. Assisting with claims.
- 19 2. Assisting with audits.
- 20 3. Providing centralized payment.
- 21 4. Performing certification in a specialized care program.
- 22 5. Providing compliance support.
- 23 6. Setting flat fees for generic drugs.
- 24 7. Assisting with store layout.
- 25 8. Managing inventory.

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1 9. Providing marketing support.

2 10. Providing management and analysis of payment and drug dispensing data.

3 11. Providing resources for retail cash cards.

4 (b) “Independent pharmacy” means a pharmacy operating in this state that is
5 licensed under s. 450.06 or 450.065 and is under common ownership with no more
6 than 2 other pharmacies.

7 (c) “Pharmacy benefit manager” has the meaning given in s. 632.865 (1) (c).

8 (d) “Pharmacy services administrative organization” means an entity
9 operating in this state that does all of the following:

10 1. Contracts with an independent pharmacy to conduct business on the
11 independent pharmacy’s behalf with a 3rd-party payer.

12 2. Provides at least one administrative service to an independent pharmacy
13 and negotiates and enters into a contract with a 3rd-party payer or pharmacy benefit
14 manager on behalf of the independent pharmacy.

15 (e) “Third-party payer” means an entity, including a plan sponsor, health
16 maintenance organization, or insurer, operating in this state that pays or insures
17 health, medical, or prescription drug expenses on behalf of beneficiaries.

18 **(2) LICENSURE.** (a) Beginning on the first day of the 12th month beginning after
19 the effective date of this paragraph [LRB inserts date], no person may operate as
20 a pharmacy services administrative organization in this state without being licensed
21 by the commissioner as a pharmacy services administrative organization under this
22 section. In order to obtain a license, the person shall apply to the commissioner in
23 the form and manner prescribed by the commissioner. The application shall include
24 all of the following:

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1 1. The name, address, telephone number, and federal employer identification
2 number of the applicant.

3 2. The name, business address, and telephone number of a contact person for
4 the applicant.

5 3. The fee under s. 601.31 (1) (nw).

6 4. Evidence of financial responsibility of at least \$1,000,000.

7 5. Any other information required by the commissioner.

8 (b) The term of a license issued under par. (a) shall be 2 years from the date of
9 issuance.

10 **(3) DISCLOSURE TO THE COMMISSIONER.** (a) A pharmacy services administrative
11 organization licensed under sub. (2) shall disclose to the commissioner the extent of
12 any ownership or control of the pharmacy services administrative organization by
13 an entity that does any of the following:

14 1. Provides pharmacy services.

15 2. Provides prescription drug or device services.

16 3. Manufactures, sells, or distributes prescription drugs, biologicals, or medical
17 devices.

18 (b) A pharmacy services administrative organization licensed under sub. (2)
19 shall notify the commissioner in writing within 5 days of any material change in its
20 ownership or control relating to an entity described in par. (a).

21 **(4) RULES.** The commissioner may promulgate rules to implement this section.

22 **SECTION 3089.** 632.865 (2m) of the statutes is created to read:

23 632.865 **(2m)** FIDUCIARY DUTY AND DISCLOSURES TO HEALTH BENEFIT PLAN
24 SPONSORS. (a) A pharmacy benefit manager owes a fiduciary duty to the health

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1 benefit plan sponsor to act according to the health benefit plan sponsor's instructions
2 and in the best interests of the health benefit plan sponsor.

3 (b) A pharmacy benefit manager shall annually provide, no later than the date
4 and using the method prescribed by the commissioner by rule, the health benefit plan
5 sponsor all of the following information from the previous calendar year:

6 1. The indirect profit received by the pharmacy benefit manager from owning
7 any interest in a pharmacy or service provider.

8 2. Any payment made by the pharmacy benefit manager to a consultant or
9 broker who works on behalf of the health benefit plan sponsor.

10 3. From the amounts received from all drug manufacturers, the amounts
11 retained by the pharmacy benefit manager, and not passed through to the health
12 benefit plan sponsor, that are related to the health benefit plan sponsor's claims or
13 bona fide service fees.

14 4. The amounts, including pharmacy access and audit recovery fees, received
15 from all pharmacies that are in the pharmacy benefit manager's network or have a
16 contract to be in the network and, from these amounts, the amount retained by the
17 pharmacy benefit manager and not passed through to the health benefit plan
18 sponsor.

19 **SECTION 3090.** 632.868 of the statutes is created to read:

20 **632.868 Insulin safety net programs. (1) DEFINITIONS.** In this section:

21 (a) "Manufacturer" means a person engaged in the manufacturing of insulin
22 that is self-administered on an outpatient basis.

23 (b) "Navigator" has the meaning given in s. 628.90 (3).

24 (c) "Patient assistance program" means a program established by a
25 manufacturer under sub. (3) (a).

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1 (d) “Pharmacy” means an entity licensed under s. 450.06 or 450.065.

2 (e) “Urgent need of insulin” means having less than a 7-day supply of insulin
3 readily available for use and needing insulin in order to avoid the likelihood of
4 suffering a significant health consequence.

5 (f) “Urgent need safety net program” means a program established by a
6 manufacturer under sub. (2) (a).

7 **(2) URGENT NEED SAFETY NET PROGRAM.** (a) *Establishment of program.* No later
8 than July 1, 2024, each manufacturer shall establish an urgent need safety net
9 program to make insulin available in accordance with this subsection to individuals
10 who meet the eligibility requirements under par. (b).

11 (b) *Eligible individual.* An individual shall be eligible to receive insulin under
12 an urgent need safety net program if all of the following conditions are met:

- 13 1. The individual is in urgent need of insulin.
- 14 2. The individual is a resident of this state.
- 15 3. The individual is not receiving public assistance under ch. 49.
- 16 4. The individual is not enrolled in prescription drug coverage through an
17 individual or group health plan that limits the total cost sharing amount, including
18 copayments, deductibles, and coinsurance, that an enrollee is required to pay for a
19 30-day supply of insulin to no more than \$75, regardless of the type or amount of
20 insulin prescribed.
- 21 5. The individual has not received insulin under an urgent need safety net
22 program within the previous 12 months, except as allowed under par. (d).

23 (c) *Provision of insulin under an urgent need safety net program.* 1. In order
24 to receive insulin under an urgent need safety net program, an individual who meets

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1 the eligibility requirements under par. (b) shall provide a pharmacy with all of the
2 following:

3 a. A completed application, on a form prescribed by the commissioner that shall
4 include an attestation by the individual, or the individual's parent or legal guardian
5 if the individual is under the age of 18, that the individual meets all of the eligibility
6 requirements under par. (b).

7 b. A valid insulin prescription.

8 c. A valid Wisconsin driver's license or state identification card. If the
9 individual is under the age of 18, the individual's parent or legal guardian shall meet
10 this requirement.

11 2. Upon receipt of the information described in subd. 1. a. to c., the pharmacist
12 shall dispense a 30-day supply of the prescribed insulin to the individual. The
13 pharmacy shall also provide the individual with the information sheet described in
14 sub. (8) (b) 2. and the list of navigators described in sub. (8) (c). The pharmacy may
15 collect a copayment, not to exceed \$35, from the individual to cover the pharmacy's
16 costs of processing and dispensing the insulin. The pharmacy shall notify the health
17 care practitioner who issued the prescription no later than 72 hours after the insulin
18 is dispensed.

19 3. A pharmacy that dispenses insulin under subd. 2. may submit to the
20 manufacturer, or the manufacturer's vendor, a claim for payment that is in
21 accordance with the national council for prescription drug programs' standards for
22 electronic claims processing, except that no claim may be submitted if the
23 manufacturer agrees to send the pharmacy a replacement of the same insulin in the
24 amount dispensed. If the pharmacy submits an electronic claim, the manufacturer

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1 or vendor shall reimburse the pharmacy in an amount that covers the pharmacy's
2 acquisition cost.

3 4. A pharmacy that dispenses insulin under subd. 2. shall retain a copy of the
4 application form described in subd. 1. a.

5 (d) *Eligibility of certain individuals.* An individual who has applied for public
6 assistance under ch. 49 but for whom a determination of eligibility has not been made
7 or whose coverage has not become effective or an individual who has an appeal
8 pending under sub. (3) (c) 4. may access insulin under this subsection if the
9 individual is in urgent need of insulin. To access a 30-day supply of insulin, the
10 individual shall attest to the pharmacy that the individual is described in this
11 paragraph and comply with par. (c) 1.

12 (3) PATIENT ASSISTANCE PROGRAM. (a) *Establishment of program.* No later than
13 July 1, 2024, each manufacturer shall establish a patient assistance program to
14 make insulin available in accordance with this subsection to individuals who meet
15 the eligibility requirements under par. (b). Under the patient assistance program,
16 the manufacturer shall do all of the following:

17 1. Provide the commissioner with information regarding the patient assistance
18 program, including contact information for individuals to call for assistance in
19 accessing the patient assistance program.

20 2. Provide a hotline for individuals to call or access between 8 a.m. and 10 p.m.
21 on weekdays and between 10 a.m. and 6 p.m. on Saturdays.

22 3. List the eligibility requirements under par. (b) on the manufacturer's
23 website.

24 4. Maintain the privacy of all information received from an individual applying
25 for or participating in the patient assistance program and not sell, share, or

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1 disseminate the information unless required under this section or authorized, in
2 writing, by the individual.

3 (b) *Eligible individual.* An individual shall be eligible to receive insulin under
4 a patient assistance program if all of the following conditions are met:

5 1. The individual is a resident of this state.

6 2. The individual, or the individual's parent or legal guardian if the individual
7 is under the age of 18, has a valid Wisconsin driver's license or state identification
8 card.

9 3. The individual has a valid insulin prescription.

10 4. The family income of the individual does not exceed 400 percent of the
11 poverty line as defined and revised annually under 42 USC 9902 (2) for a family the
12 size of the individual's family.

13 5. The individual is not receiving public assistance under ch. 49.

14 6. The individual is not eligible to receive health care through a federally
15 funded program or receive prescription drug benefits through the U.S. department
16 of veterans affairs, except that this subdivision does not apply to an individual who
17 is enrolled in a policy under Part D of Medicare under 42 USC 1395w-101 et seq. if
18 the individual has spent at least \$1,000 on prescription drugs in the current calendar
19 year.

20 7. The individual is not enrolled in prescription drug coverage through an
21 individual or group health plan that limits the total cost sharing amount, including
22 copayments, deductibles, and coinsurance, that an enrollee is required to pay for a
23 30-day supply of insulin to no more than \$75, regardless of the type or amount of
24 insulin needed.

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1 (c) *Application for patient assistance program.* 1. An individual may apply to
2 participate in a patient assistance program by filing an application with the
3 manufacturer that established the patient assistance program, the individual's
4 health care practitioner if the practitioner participates in the patient assistance
5 program, or a navigator included on the list under sub. (8) (c). A health care
6 practitioner or navigator shall immediately submit the application to the
7 manufacturer. Upon receipt of an application, the manufacturer shall determine the
8 individual's eligibility under par. (b) and, except as provided in subd. 2., notify the
9 individual of the determination no later than 10 days after receipt of the application.

10 2. If necessary to determine the individual's eligibility under par. (b), the
11 manufacturer may request additional information from an individual who has filed
12 an application under subd. 1. no later than 5 days after receipt of the application.
13 Upon receipt of the additional information, the manufacturer shall determine the
14 individual's eligibility under par. (b) and notify the individual of the determination
15 no later than 3 days after receipt of the requested information.

16 3. Except as provided in subd. 5., if the manufacturer determines under subd.
17 1. or 2. that the individual is eligible for the patient assistance program, the
18 manufacturer shall provide the individual with a statement of eligibility. The
19 statement of eligibility shall be valid for 12 months and may be renewed upon a
20 determination by the manufacturer that the individual continues to meet the
21 eligibility requirements under par. (b).

22 4. If the manufacturer determines under subd. 1. or 2. that the individual is not
23 eligible for the patient assistance program, the manufacturer shall provide the
24 reason for the determination in the notification under subd. 1. or 2. The individual
25 may appeal the determination by filing an appeal with the commissioner that shall

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1 include all of the information provided to the manufacturer under subds. 1. and 2.
2 The commissioner shall establish procedures for deciding appeals under this
3 subdivision. The commissioner shall issue a decision no later than 10 days after the
4 appeal is filed, and the commissioner's decision shall be final. If the commissioner
5 determines that the individual meets the eligibility requirements under par. (b), the
6 manufacturer shall provide the individual with the statement of eligibility described
7 in subd. 3.

8 5. In the case of an individual who has prescription drug coverage through an
9 individual or group health plan, if the manufacturer determines under subd. 1. or 2.
10 that the individual is eligible for the patient assistance program but also determines
11 that the individual's insulin needs are better addressed through the use of the
12 manufacturer's copayment assistance program rather than the patient assistance
13 program, the manufacturer shall inform the individual of the determination and
14 provide the individual with the necessary coupons to submit to a pharmacy. The
15 individual may not be required to pay more than the copayment amount specified in
16 par. (d) 2.

17 (d) *Provision of insulin under a patient assistance program.* 1. Upon receipt
18 from an individual of the eligibility statement described in par. (c) 3. and a valid
19 insulin prescription, a pharmacy shall submit an order containing the name of the
20 insulin and daily dosage amount to the manufacturer. The pharmacy shall include
21 with the order the pharmacy's name, shipping address, office telephone number, fax
22 number, email address, and contact name, as well as any days or times when
23 deliveries are not accepted by the pharmacy.

24 2. Upon receipt of an order meeting the requirements under subd. 1., the
25 manufacturer shall send the pharmacy a 90-day supply of insulin, or lesser amount

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1 if requested in the order, at no charge to the individual or pharmacy. The pharmacy
2 shall dispense the insulin to the individual associated with the order. The insulin
3 shall be dispensed at no charge to the individual, except that the pharmacy may
4 collect a copayment from the individual to cover the pharmacy's costs for processing
5 and dispensing in an amount not to exceed \$50 for each 90-day supply of insulin.
6 The pharmacy may not seek reimbursement from the manufacturer or a 3rd-party
7 payer.

8 3. The pharmacy may submit a reorder to the manufacturer if the individual's
9 eligibility statement described in par. (c) 3. has not expired. The reorder shall be
10 treated as an order for purposes of subd. 2.

11 4. Notwithstanding subds. 2. and 3., a manufacturer may send the insulin
12 directly to the individual if the manufacturer provides a mail-order service option,
13 in which case the pharmacy may not collect a copayment from the individual.

14 **(4) EXCEPTIONS.** (a) This section does not apply to a manufacturer that shows
15 to the commissioner's satisfaction that the manufacturer's annual gross revenue
16 from insulin sales in this state does not exceed \$2,000,000.

17 (b) A manufacturer may not be required to make an insulin product available
18 under sub. (2) or (3) if the wholesale acquisition cost of the insulin product does not
19 exceed \$8, as adjusted annually based on the U.S. consumer price index for all urban
20 consumers, U.S. city average, per milliliter or the applicable national council for
21 prescription drug programs' plan billing unit.

22 **(5) CONFIDENTIALITY.** All medical information solicited or obtained by any
23 person under this section shall be subject to the applicable provisions of state law
24 relating to confidentiality of medical information, including s. 610.70.

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1 **(6) REIMBURSEMENT PROHIBITION.** No person, including a manufacturer,
2 pharmacy, pharmacist, or 3rd-party administrator, as part of participating in an
3 urgent need safety net program or patient assistance program may request or seek,
4 or cause another person to request or seek, any reimbursement or other
5 compensation for which payment may be made in whole or in part under a federal
6 health care program, as defined in 42 USC 1320a-7b (f).

7 **(7) REPORTS.** (a) Annually, no later than March 1, each manufacturer shall
8 report to the commissioner all of the following information for the previous calendar
9 year:

10 1. The number of individuals who received insulin under the manufacturer's
11 urgent need safety net program.

12 2. The number of individuals who sought assistance under the manufacturer's
13 patient assistance program and the number of individuals who were determined to
14 be ineligible under sub. (3) (c) 4.

15 3. The wholesale acquisition cost of the insulin provided by the manufacturer
16 through the urgent need safety net program and patient assistance program.

17 (b) Annually, no later than April 1, the commissioner shall submit to the
18 governor and the chief clerk of each house of the legislature, for distribution to the
19 legislature under s. 13.172 (2), a report on the urgent need safety net programs and
20 patient assistance programs that includes all of the following:

21 1. The information provided to the commissioner under par. (a).

22 2. The penalties assessed under sub. (9) during the previous calendar year,
23 including the name of the manufacturer and amount of the penalty.

24 **(8) ADDITIONAL RESPONSIBILITIES OF COMMISSIONER.** (a) *Application form.* The
25 commissioner shall make the application form described in sub. (2) (c) 1. a. available

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1 on the office's website and shall make the form available to pharmacies and health
2 care providers who prescribe or dispense insulin, hospital emergency departments,
3 urgent care clinics, and community health clinics.

4 (b) *Public outreach.* 1. The commissioner shall conduct public outreach to
5 create awareness of the urgent need safety net programs and patient assistance
6 programs.

7 2. The commissioner shall develop and make available on the office's website
8 an information sheet that contains all of the following information:

9 a. A description of how to access insulin through an urgent need safety net
10 program.

11 b. A description of how to access insulin through a patient assistance program.

12 c. Information on how to contact a navigator for assistance in accessing insulin
13 through an urgent need safety net program or patient assistance program.

14 d. Information on how to contact the commissioner if a manufacturer
15 determines that an individual is not eligible for a patient assistance program.

16 e. A notification that an individual may contact the commissioner for more
17 information or assistance in accessing ongoing affordable insulin options.

18 (c) *Navigators.* The commissioner shall develop a training program to provide
19 navigators with information and the resources necessary to assist individuals in
20 accessing appropriate long-term insulin options. The commissioner shall compile
21 a list of navigators that have completed the training program and are available to
22 assist individuals in accessing affordable insulin coverage options. The list shall be
23 made available on the office's website and to pharmacies and health care
24 practitioners who dispense and prescribe insulin.

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1 (d) *Satisfaction surveys.* 1. The commissioner shall develop and conduct a
2 satisfaction survey of individuals who have accessed insulin through urgent need
3 safety net programs and patient assistance programs. The survey shall ask whether
4 the individual is still in need of a long-term solution for affordable insulin and shall
5 include questions about the individual's satisfaction with all of the following, if
6 applicable:

7 a. Accessibility to urgent-need insulin.

8 b. Adequacy of the information sheet and list of navigators received from the
9 pharmacy.

10 c. Helpfulness of a navigator.

11 d. Ease of access in applying for a patient assistance program and receiving
12 insulin from the pharmacy under the patient assistance program.

13 2. The commissioner shall develop and conduct a satisfaction survey of
14 pharmacies that have dispensed insulin through urgent need safety net programs
15 and patient assistance programs. The survey shall include questions about the
16 pharmacy's satisfaction with all of the following, if applicable:

17 a. Timeliness of reimbursement from manufacturers for insulin dispensed by
18 the pharmacy under urgent need safety net programs.

19 b. Ease in submitting insulin orders to manufacturers.

20 c. Timeliness of receiving insulin orders from manufacturers.

21 3. The commissioner may contract with a nonprofit entity to develop and
22 conduct the surveys under subds. 1. and 2. and to evaluate the survey results.

23 4. No later than July 1, 2026, the commissioner shall submit to the governor
24 and the chief clerk of each house of the legislature, for distribution to the legislature
25 under s. 13.172 (2), a report on the results of the surveys under subds. 1. and 2.

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1 **(9) PENALTY.** A manufacturer that violates this section may be required to
2 forfeit not more than \$200,000 per month of violation, with the maximum forfeiture
3 increasing to \$400,000 per month if the manufacturer continues to be in violation
4 after 6 months and increasing to \$600,000 per month if the manufacturer continues
5 to be in violation after one year.

6 **SECTION 3091.** 632.869 of the statutes is created to read:

7 **632.869 Reimbursement to federal drug pricing program participants.**

8 **(1)** In this section:

9 (a) “Covered entity” means an entity described in 42 USC 256b (a) (4) (A), (D),
10 (E), (J), or (N) that participates in the federal drug pricing program under 42 USC
11 256b, a pharmacy of the entity, or a pharmacy contracted with the entity to dispense
12 drugs purchased through the federal drug pricing program under 42 USC 256b.

13 (b) “Pharmacy benefit manager” has the meaning given in s. 632.865 (1) (c).

14 **(2)** No person, including a pharmacy benefit manager and 3rd-party payer,
15 may do any of the following:

16 (a) Reimburse a covered entity for a drug that is subject to an agreement under
17 42 USC 256b at a rate lower than that paid for the same drug to pharmacies that are
18 not covered entities and have a similar prescription volume to that of the covered
19 entity.

20 (b) Assess a covered entity any fee, charge back, or other adjustment on the
21 basis of the covered entity’s participation in the federal drug pricing program under
22 42 USC 256b.

23 **(3)** The commissioner may promulgate rules to implement this section and to
24 establish a minimum reimbursement rate for covered entities and any other entity
25 described under 42 USC 256b (a) (4).

ASSEMBLY BILL 43**SECTION 3092**

1 **SECTION 3092.** 632.87 (4) of the statutes is amended to read:

2 632.87 (4) No policy, plan or contract may exclude coverage for diagnosis and
3 treatment of a condition or complaint by a licensed dentist or dental therapist within
4 the scope of the dentist's or dental therapist's license, if the policy, plan or contract
5 covers diagnosis and treatment of the condition or complaint by another health care
6 provider, as defined in s. 146.81 (1) (a) to (p).

7 **SECTION 3093.** 632.87 (7) of the statutes is created to read:

8 632.87 (7) (a) In this subsection:

- 9 1. "Health care provider" has the meaning given in s. 146.81 (1) (a) to (hp).
10 2. "Qualified treatment trainee" has the meaning given in s. DHS 35.03 (17m).

11 (b) No policy, plan, or contract may exclude coverage for mental health or
12 behavioral health treatment or services provided by a qualified treatment trainee
13 within the scope of the qualified treatment trainee's education and training if the
14 policy, plan, or contract covers the mental health or behavioral health treatment or
15 services when provided by another health care provider.

16 **SECTION 3094.** 632.87 (8) of the statutes is created to read:

17 632.87 (8) (a) In this subsection:

- 18 1. "Health care provider" has the meaning given in s. 146.81 (1) (a) to (hp).
19 2. "Substance abuse counselor" means a substance abuse counselor certified
20 under s. 440.88.

21 (b) No policy, plan, or contract may exclude coverage for alcoholism or other
22 drug abuse treatment or services provided by a substance abuse counselor within the
23 scope of the substance abuse counselor's education and training if the policy, plan,
24 or contract covers the alcoholism or other drug abuse treatment or services when
25 provided by another health care provider.

ASSEMBLY BILL 43**SECTION 3095**

1 **SECTION 3095.** 632.871 of the statutes is created to read:

2 **632.871 Telehealth services. (1) DEFINITIONS.** In this section:

3 (a) “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).

4 (b) “Self-insured health plan” means a self-insured health plan of the state or
5 a county, city, village, town, or school district.

6 (c) “Telehealth” means a practice of health care delivery, diagnosis,
7 consultation, treatment, or transfer of medically relevant data by means of audio,
8 video, or data communications that are used either during a patient visit or a
9 consultation or are used to transfer medically relevant data about a patient.
10 “Telehealth” does not include communications delivered solely by audio-only
11 telephone, facsimile machine, or email unless specified otherwise by rule.

12 **(2) COVERAGE DENIAL PROHIBITED.** No disability insurance policy or self-insured
13 health plan may deny coverage for a treatment or service provided through
14 telehealth on the basis that the treatment or service is provided through telehealth
15 if that treatment or service is covered by the disability insurance policy or
16 self-insured health plan when provided in person. A disability insurance policy or
17 self-insured health plan may limit coverage of treatments or services provided
18 through telehealth to those treatments or services that are medically necessary.

19 **(3) CERTAIN LIMITATIONS ON TELEHEALTH PROHIBITED.** A disability insurance
20 policy or self-insured health plan may not subject a treatment or service provided
21 through telehealth for which coverage is required under sub. (2) to any of the
22 following:

23 (a) Any greater deductible, copayment, or coinsurance amount than would be
24 applicable if the treatment or service is provided in person.

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1 (b) Any policy or calendar year or lifetime benefit limit or other maximum
2 limitation that is not imposed on other treatments or services covered by the
3 disability insurance policy or self-insured health plan that are not provided through
4 telehealth.

5 (c) Prior authorization requirements that are not required for the same
6 treatment or service when provided in person.

7 (d) Unique location requirements.

8 **(4) DISCLOSURE OF COVERAGE OF CERTAIN TELEHEALTH SERVICES.** A disability
9 insurance policy or self-insured health plan that covers a telehealth treatment or
10 service that has no equivalent in-person treatment or service, such as remote patient
11 monitoring, shall specify in policy or plan materials the coverage of that telehealth
12 treatment or service.

13 **SECTION 3096.** 632.895 (6) (title) of the statutes is amended to read:

14 632.895 (6) (title) EQUIPMENT AND SUPPLIES FOR TREATMENT OF DIABETES; INSULIN.

15 **SECTION 3097.** 632.895 (6) of the statutes is renumbered 632.895 (6) (a) and
16 amended to read:

17 632.895 (6) (a) Every disability insurance policy ~~which~~ that provides coverage
18 of expenses incurred for treatment of diabetes shall provide coverage for expenses
19 incurred by the installation and use of an insulin infusion pump, coverage for all
20 other equipment and supplies, including insulin or any other prescription
21 medication, used in the treatment of diabetes, and coverage of diabetic
22 self-management education programs. Coverage Except as provided in par. (b),
23 coverage required under this subsection shall be subject to the same exclusions,
24 limitations, deductibles, and coinsurance provisions of the policy as other covered
25 expenses, except that insulin infusion pump coverage may be limited to the purchase

ASSEMBLY BILL 43**SECTION 3097**

1 of one pump per year and the insurer may require the insured to use a pump for 30
2 days before purchase.

3 **SECTION 3098.** 632.895 (6) (b) of the statutes is created to read:

4 632.895 (6) (b) 1. In this paragraph:

5 a. "Cost sharing" means the total of any deductible, copayment, or coinsurance
6 amounts imposed on a person covered under a policy or plan.

7 b. "Self-insured health plan" has the meaning given in s. 632.85 (1) (c).

8 2. Every disability insurance policy and self-insured health plan that cover
9 insulin and impose cost sharing on prescription drugs may not impose cost sharing
10 on insulin in an amount that exceeds \$35 for a one-month supply of insulin.

11 3. Nothing in this paragraph prohibits a disability insurance policy or
12 self-insured health plan from imposing cost sharing on insulin in an amount less
13 than the amount specified under subd. 2. Nothing in this paragraph requires a
14 disability insurance policy or self-insured health plan to impose any cost sharing on
15 insulin.

16 **SECTION 3099.** 632.895 (8) (d) of the statutes is amended to read:

17 632.895 (8) (d) Coverage is required under this subsection despite whether the
18 woman shows any symptoms of breast cancer. Except as provided in pars. (b), (c), and
19 (e), coverage under this subsection may only be subject to exclusions and limitations,
20 including deductibles, copayments and restrictions on excessive charges, that are
21 applied to other radiological examinations covered under the disability insurance
22 policy. Coverage under this subsection may not be subject to any deductibles,
23 copayments, or coinsurance.

24 **SECTION 3100.** 632.895 (13m) of the statutes is created to read:

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1 632.895 (**13m**) PREVENTIVE SERVICES. (a) In this section, “self-insured health
2 plan” has the meaning given in s. 632.85 (1) (c).

3 (b) Every disability insurance policy, except any disability insurance policy that
4 is described in s. 632.745 (11) (b) 1. to 12., and every self-insured health plan shall
5 provide coverage for all of the following preventive services:

6 1. Mammography in accordance with sub. (8).

7 2. Genetic breast cancer screening and counseling and preventive medication
8 for adult women at high risk for breast cancer.

9 3. Papanicolaou test for cancer screening for women 21 years of age or older
10 with an intact cervix.

11 4. Human papillomavirus testing for women who have attained the age of 30
12 years but have not attained the age of 66 years.

13 5. Colorectal cancer screening in accordance with sub. (16m).

14 6. Annual tomography for lung cancer screening for adults who have attained
15 the age of 55 years but have not attained the age of 80 years and who have health
16 histories demonstrating a risk for lung cancer.

17 7. Skin cancer screening for individuals who have attained the age of 10 years
18 but have not attained the age of 22 years.

19 8. Counseling for skin cancer prevention for adults who have attained the age
20 of 18 years but have not attained the age of 25 years.

21 9. Abdominal aortic aneurysm screening for men who have attained the age of
22 65 years but have not attained the age of 75 years and who have ever smoked.

23 10. Hypertension screening for adults and blood pressure testing for adults, for
24 children under the age of 3 years who are at high risk for hypertension, and for
25 children 3 years of age or older.

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1 11. Lipid disorder screening for minors 2 years of age or older, adults 20 years
2 of age or older at high risk for lipid disorders, and all men 35 years of age or older.

3 12. Aspirin therapy for cardiovascular health for adults who have attained the
4 age of 55 years but have not attained the age of 80 years and for men who have
5 attained the age of 45 years but have not attained the age of 55 years.

6 13. Behavioral counseling for cardiovascular health for adults who are
7 overweight or obese and who have risk factors for cardiovascular disease.

8 14. Type II diabetes screening for adults with elevated blood pressure.

9 15. Depression screening for minors 11 years of age or older and for adults when
10 follow-up supports are available.

11 16. Hepatitis B screening for minors at high risk for infection and adults at high
12 risk for infection.

13 17. Hepatitis C screening for adults at high risk for infection and onetime
14 hepatitis C screening for adults born in any year from 1945 to 1965.

15 18. Obesity screening and management for all minors and adults with a body
16 mass index indicating obesity, counseling and behavioral interventions for obese
17 minors who are 6 years of age or older, and referral for intervention for obesity for
18 adults with a body mass index of 30 kilograms per square meter or higher.

19 19. Osteoporosis screening for all women 65 years of age or older and for women
20 at high risk for osteoporosis under the age of 65 years.

21 20. Immunizations in accordance with sub. (14).

22 21. Anemia screening for individuals 6 months of age or older and iron
23 supplements for individuals at high risk for anemia and who have attained the age
24 of 6 months but have not attained the age of 12 months.

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- 1 22. Fluoride varnish for prevention of tooth decay for minors at the age of
2 eruption of their primary teeth.
- 3 23. Fluoride supplements for prevention of tooth decay for minors 6 months of
4 age or older who do not have fluoride in their water source.
- 5 24. Gonorrhea prophylaxis treatment for newborns.
- 6 25. Health history and physical exams for prenatal visits and for minors.
- 7 26. Length and weight measurements for newborns and height and weight
8 measurements for minors.
- 9 27. Head circumference and weight-for-length measurements for newborns
10 and minors who have not attained the age of 3 years.
- 11 28. Body mass index for minors 2 years of age or older.
- 12 29. Blood pressure measurements for minors 3 years of age or older and a blood
13 pressure risk assessment at birth.
- 14 30. Risk assessment and referral for oral health issues for minors who have
15 attained the age of 6 months but have not attained the age of 7 years.
- 16 31. Blood screening for newborns and minors who have not attained the age of
17 2 months.
- 18 32. Screening for critical congenital health defects for newborns.
- 19 33. Lead screenings in accordance with sub. (10).
- 20 34. Metabolic and hemoglobin screening and screening for phenylketonuria,
21 sickle cell anemia, and congenital hypothyroidism for minors including newborns.
- 22 35. Tuberculin skin test based on risk assessment for minors one month of age
23 or older.
- 24 36. Tobacco counseling and cessation interventions for individuals who are 5
25 years of age or older.

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1 37. Vision and hearing screening and assessment for minors including
2 newborns.

3 38. Sexually transmitted infection and human immunodeficiency virus
4 counseling for sexually active minors.

5 39. Risk assessment for sexually transmitted infection for minors who are 10
6 years of age or older and screening for sexually transmitted infection for minors who
7 are 16 years of age or older.

8 40. Alcohol misuse screening and counseling for minors 11 years of age or older.

9 41. Autism screening for minors who have attained the age of 18 months but
10 have not attained the age of 25 months.

11 42. Developmental screening and surveillance for minors including newborns.

12 43. Psychosocial and behavioral assessment for minors including newborns.

13 44. Alcohol misuse screening and counseling for pregnant adults and a risk
14 assessment for all adults.

15 45. Fall prevention and counseling and preventive medication for fall
16 prevention for community-dwelling adults 65 years of age or older.

17 46. Screening and counseling for intimate partner violence for adult women.

18 47. Well-woman visits for women who have attained the age of 18 years but
19 have not attained the age of 65 years and well-woman visits for recommended
20 preventive services, preconception care, and prenatal care.

21 48. Counseling on, consultations with a trained provider on, and equipment
22 rental for breastfeeding for pregnant and lactating women.

23 49. Folic acid supplement for adult women with reproductive capacity.

24 50. Iron deficiency anemia screening for pregnant and lactating women.

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- 1 51. Preeclampsia preventive medicine for pregnant adult women at high risk
2 for preeclampsia.
- 3 52. Low-dose aspirin after 12 weeks of gestation for pregnant women at high
4 risk for miscarriage, preeclampsia, or clotting disorders.
- 5 53. Screenings for hepatitis B and bacteriuria for pregnant women.
- 6 54. Screening for gonorrhea for pregnant and sexually active females 24 years
7 of age or younger and females older than 24 years of age who are at risk for infection.
- 8 55. Screening for chlamydia for pregnant and sexually active females 24 years
9 of age and younger and females older than 24 years of age who are at risk for
10 infection.
- 11 56. Screening for syphilis for pregnant women and adults who are at high risk
12 for infection.
- 13 57. Human immunodeficiency virus screening for adults who have attained the
14 age of 15 years but have not attained the age of 66 years and individuals at high risk
15 of infection who are younger than 15 years of age or older than 65 years of age.
- 16 58. All contraceptives and services in accordance with sub. (17).
- 17 59. Any services not already specified under this paragraph having an A or B
18 rating in current recommendations from the U.S. preventive services task force.
- 19 60. Any preventive services not already specified under this paragraph that are
20 recommended by the federal health resources and services administration's Bright
21 Futures project.
- 22 61. Any immunizations, not already specified under sub. (14), that are
23 recommended and determined to be for routine use by the federal advisory
24 committee on immunization practices.

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1 (c) Subject to par. (d), no disability insurance policy and no self-insured health
2 plan may subject the coverage of any of the preventive services under par. (b) to any
3 deductibles, copayments, or coinsurance under the policy or plan.

4 (d) 1. If an office visit and a preventive service specified under par. (b) are billed
5 separately by the health care provider, the disability insurance policy or self-insured
6 health plan may apply deductibles to and impose copayments or coinsurance on the
7 office visit but not on the preventive service.

8 2. If the primary reason for an office visit is not to obtain a preventive service,
9 the disability insurance policy or self-insured health plan may apply deductibles to
10 and impose copayments or coinsurance on the office visit.

11 3. Except as otherwise provided in this subdivision, if a preventive service
12 specified under par. (b) is provided by a health care provider that is outside the
13 disability insurance policy's or self-insured health plan's network of providers, the
14 policy or plan may apply deductibles to and impose copayments or coinsurance on the
15 office visit and the preventive service. If a preventive service specified under par. (b)
16 is provided by a health care provider that is outside the disability insurance policy's
17 or self-insured health plan's network of providers because there is no available
18 health care provider in the policy's or plan's network of providers that provides the
19 preventive service, the policy or plan may not apply deductibles to or impose
20 copayments or coinsurance on the preventive service.

21 4. If multiple well-woman visits described under par. (b) 47. are required to
22 fulfill all necessary preventive services and are in accordance with clinical
23 recommendations, the disability insurance policy or self-insured health plan may
24 not apply a deductible to or impose a copayment or coinsurance on any of those
25 well-woman visits.

ASSEMBLY BILL 43**SECTION 3101**

1 **SECTION 3101.** 632.895 (14) (a) 1. i. and j. of the statutes are amended to read:

2 632.895 (14) (a) 1. i. Hepatitis A and B.

3 j. Varicella and herpes zoster.

4 **SECTION 3102.** 632.895 (14) (a) 1. k. to o. of the statutes are created to read:

5 632.895 (14) (a) 1. k. Human papillomavirus.

6 L. Meningococcal meningitis.

7 m. Pneumococcal pneumonia.

8 n. Influenza.

9 o. Rotavirus.

10 **SECTION 3103.** 632.895 (14) (b) of the statutes is amended to read:

11 632.895 (14) (b) Except as provided in par. (d), every disability insurance policy,
12 and every self-insured health plan of the state or a county, city, town, village, or
13 school district, ~~that provides coverage for a dependent of the insured shall provide~~
14 coverage of appropriate and necessary immunizations, ~~from birth to the age of 6~~
15 years, for an insured or plan participant, including a dependent who is a child of the
16 insured or plan participant.

17 **SECTION 3104.** 632.895 (14) (c) of the statutes is amended to read:

18 632.895 (14) (c) The coverage required under par. (b) may not be subject to any
19 deductibles, copayments, or coinsurance under the policy or plan. ~~This paragraph~~
20 ~~applies to a defined network plan, as defined in s. 609.01 (1b), only with respect to~~
21 ~~appropriate and necessary immunizations provided by providers participating, as~~
22 ~~defined in s. 609.01 (3m), in the plan.~~

23 **SECTION 3105.** 632.895 (14) (d) 3. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3105**

1 632.895 (14) (d) 3. A health care plan offered by a limited service health
2 organization, as defined in s. 609.01 (3), ~~or by a preferred provider plan, as defined~~
3 ~~in s. 609.01 (4), that is not a defined network plan, as defined in s. 609.01 (1b).~~

4 **SECTION 3106.** 632.895 (14m) of the statutes is created to read:

5 632.895 (14m) ESSENTIAL HEALTH BENEFITS. (a) In this subsection,
6 “self-insured health plan” has the meaning given in s. 632.85 (1) (c).

7 (b) On a date specified by the commissioner, by rule, every disability insurance
8 policy, except as provided in par. (g), and every self-insured health plan shall provide
9 coverage for essential health benefits as determined by the commissioner, by rule,
10 subject to par. (c).

11 (c) In determining the essential health benefits for which coverage is required
12 under par. (b), the commissioner shall do all of the following:

13 1. Include benefits, items, and services in, at least, all of the following
14 categories:

15 a. Ambulatory patient services.

16 b. Emergency services.

17 c. Hospitalization.

18 d. Maternity and newborn care.

19 e. Mental health and substance use disorder services, including behavioral
20 health treatment.

21 f. Prescription drugs.

22 g. Rehabilitative and habilitative services and devices.

23 h. Laboratory services.

24 i. Preventive and wellness services and chronic disease management.

25 j. Pediatric services, including oral and vision care.

ASSEMBLY BILL 43**SECTION 3106**

1 2. Conduct a survey of employer-sponsored coverage to determine benefits
2 typically covered by employers and ensure that the scope of essential health benefits
3 for which coverage is required under this subsection is equal to the scope of benefits
4 covered under a typical disability insurance policy offered by an employer to its
5 employees.

6 3. Ensure that essential health benefits reflect a balance among the categories
7 described in subd. 1. such that benefits are not unduly weighted toward one category.

8 4. Ensure that essential health benefit coverage is provided with no or limited
9 cost-sharing requirements.

10 5. Require that disability insurance policies and self-insured health plans do
11 not make coverage decisions, determine reimbursement rates, establish incentive
12 programs, or design benefits in ways that discriminate against individuals because
13 of their age, disability, or expected length of life.

14 6. Establish essential health benefits in a way that takes into account the
15 health care needs of diverse segments of the population, including women, children,
16 persons with disabilities, and other groups.

17 7. Ensure that essential health benefits established under this subsection are
18 not subject to a coverage denial based on an insured's or plan participant's age,
19 expected length of life, present or predicted disability, degree of dependency on
20 medical care, or quality of life.

21 8. Require that disability insurance policies and self-insured health plans
22 cover emergency department services that are essential health benefits without
23 imposing any requirement to obtain prior authorization for those services and
24 without limiting coverage for services provided by an emergency services provider
25 that is not in the provider network of a policy or plan in a way that is more restrictive

ASSEMBLY BILL 43**SECTION 3106**

1 than requirements or limitations that apply to emergency services provided by a
2 provider that is in the provider network of the policy or plan.

3 9. Require a disability insurance policy or self-insured health plan to apply to
4 emergency department services that are essential health benefits provided by an
5 emergency department provider that is not in the provider network of the policy or
6 plan the same copayment amount or coinsurance rate that applies if those services
7 are provided by a provider that is in the provider network of the policy or plan.

8 (d) The commissioner shall periodically update, by rule, the essential health
9 benefits under this subsection to address any gaps in access to coverage.

10 (e) If an essential health benefit is also subject to mandated coverage elsewhere
11 under this section and the coverage requirements are not identical, the disability
12 insurance policy or self-insured health plan shall provide coverage under whichever
13 subsection provides the insured or plan participant with more comprehensive
14 coverage of the medical condition, item, or service.

15 (f) Nothing in this subsection or rules promulgated under this subsection
16 prohibits a disability insurance policy or a self-insured health plan from providing
17 benefits in excess of the essential health benefit coverage required under this
18 subsection.

19 (g) This subsection does not apply to any disability insurance policy that is
20 described in s. 632.745 (11) (b) 1. to 12.

21 **SECTION 3107.** 632.895 (15m) of the statutes is created to read:

22 **632.895 (15m) COVERAGE OF INFERTILITY SERVICES.** (a) In this subsection:

23 1. "Diagnosis of and treatment for infertility" means any recommended
24 procedure or medication to treat infertility at the direction of a physician that is
25 consistent with established, published, or approved medical practices or professional

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1 guidelines from the American College of Obstetricians and Gynecologists, or its
2 successor organization, or the American Society for Reproductive Medicine, or its
3 successor organization.

4 2. “Infertility” means a disease, condition, or status characterized by any of the
5 following:

6 a. The failure to establish a pregnancy or carry a pregnancy to a live birth after
7 regular, unprotected sexual intercourse for, if the woman is under the age of 35, no
8 longer than 12 months or, if the woman is 35 years of age or older, no longer than 6
9 months, including any time during those 12 months or 6 months that the woman has
10 a pregnancy that results in a miscarriage.

11 b. An individual’s inability to reproduce either as a single individual or with
12 a partner without medical intervention.

13 c. A physician’s findings based on a patient’s medical, sexual, and reproductive
14 history, age, physical findings, or diagnostic testing.

15 3. “Self-insured health plan” means a self-insured health plan of the state or
16 a county, city, village, town, or school district.

17 4. “Standard fertility preservation service” means a procedure that is
18 consistent with established medical practices or professional guidelines published
19 by the American Society for Reproductive Medicine or its successor organization, or
20 the American Society of Clinical Oncology or its successor organization, for a person
21 who has a medical condition or is expected to undergo medication therapy, surgery,
22 radiation, chemotherapy, or other medical treatment that is recognized by medical
23 professionals to cause a risk of impairment to fertility.

24 (b) Subject to pars. (c) to (e), every disability insurance policy and self-insured
25 health plan that provides coverage for medical or hospital expenses shall cover

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1 diagnosis of and treatment for infertility and standard fertility preservation
2 services. Coverage required under this paragraph includes at least 4 completed
3 oocyte retrievals with unlimited embryo transfers, in accordance with the guidelines
4 of the American Society for Reproductive Medicine or its successor organization, and
5 single embryo transfer may be used when recommended and medically appropriate.

6 (c) 1. A disability insurance policy or self-insured health plan may not do any
7 of the following:

8 a. Impose any exclusions, limitations, or other restrictions on coverage
9 required under par. (b) based on a covered individual's participation in fertility
10 services provided by or to a 3rd party.

11 b. Impose any exclusion, limitation, or other restriction on coverage of
12 medications that are required to be covered under par. (b) that are different from
13 those imposed on any other prescription medications covered under the policy or
14 plan.

15 c. Impose any exclusion, limitation, cost-sharing requirement, benefit
16 maximum, waiting period, or other restriction on coverage that is required under
17 par. (b) of diagnosis of and treatment for infertility and standard fertility
18 preservation services that is different from an exclusion, limitation, cost-sharing
19 requirement, benefit maximum, waiting period or other restriction imposed on
20 benefits for services that are covered by the policy or plan and that are not related
21 to infertility.

22 2. A disability insurance policy or self-insured health plan shall provide
23 coverage required under par. (b) to any covered individual under the policy or plan,
24 including any covered spouse or nonspouse dependent, to the same extent as other
25 pregnancy-related benefits covered under the policy or plan.

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1 (d) The commissioner, after consulting with the department of health services
2 on appropriate treatment for infertility, shall promulgate any rules necessary to
3 implement this subsection. Before the promulgation of rules, disability insurance
4 policies and self-insured health plans are considered to comply with the coverage
5 requirements of par. (b) if the coverage conforms to the standards of the American
6 Society for Reproductive Medicine.

7 (e) This subsection does not apply to a disability insurance policy that is a
8 health benefit plan described under s. 632.745 (11) (b).

9 **SECTION 3108.** 632.895 (16m) (b) of the statutes is amended to read:

10 632.895 (16m) (b) The coverage required under this subsection may be subject
11 to any limitations, or exclusions,~~or cost-sharing provisions~~ that apply generally
12 under the disability insurance policy or self-insured health plan. The coverage
13 required under this subsection may not be subject to any deductibles, copayments,
14 or coinsurance.

15 **SECTION 3109.** 632.895 (17) (b) 2. of the statutes is amended to read:

16 632.895 (17) (b) 2. Outpatient consultations, examinations, procedures, and
17 medical services that are necessary to prescribe, administer, maintain, or remove a
18 contraceptive, ~~if covered for any other drug benefits under the policy or plan~~
19 sterilization procedures, and patient education and counseling for all females with
20 reproductive capacity.

21 **SECTION 3110.** 632.895 (17) (c) of the statutes is amended to read:

22 632.895 (17) (c) Coverage under par. (b) may be subject only to the exclusions,
23 and limitations,~~or cost-sharing provisions~~ that apply generally to the coverage of
24 outpatient health care services, preventive treatments and services, or prescription
25 drugs and devices that is provided under the policy or self-insured health plan. A

ASSEMBLY BILL 43**SECTION 3110**

1 disability insurance policy or self-insured health plan may not apply a deductible or
2 impose a copayment or coinsurance to at least one of each type of contraceptive
3 method approved by the federal food and drug administration for which coverage is
4 required under this subsection. The disability insurance policy or self-insured
5 health plan may apply reasonable medical management to a method of contraception
6 to limit coverage under this subsection that is provided without being subject to a
7 deductible, copayment, or coinsurance to prescription drugs without a brand name.
8 The disability insurance policy or self-insured health plan may apply a deductible
9 or impose a copayment or coinsurance for coverage of a contraceptive that is
10 prescribed for a medical need if the services for the medical need would otherwise be
11 subject to a deductible, copayment, or coinsurance.

12 **SECTION 3111.** 632.897 (11) (a) of the statutes is amended to read:

13 632.897 (11) (a) Notwithstanding subs. (2) to (10), the commissioner may
14 promulgate rules establishing standards requiring insurers to provide continuation
15 of coverage for any individual covered at any time under a group policy who is a
16 terminated insured or an eligible individual under any federal program that
17 provides for a federal premium subsidy for individuals covered under continuation
18 of coverage under a group policy, including rules governing election or extension of
19 election periods, notice, rates, premiums, premium payment, ~~application of~~
20 ~~preexisting condition exclusions~~, election of alternative coverage, and status as an
21 eligible individual, as defined in s. 149.10 (2t), 2011 stats.

22 **SECTION 3112.** 655.001 (1) of the statutes is renumbered 655.001 (1r).

23 **SECTION 3113.** 655.001 (1g) of the statutes is created to read:

24 655.001 (1g) “Advanced practice registered nurse” means an individual who
25 is licensed under s. 441.09, who has qualified to practice independently in his or her

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1 recognized role under s. 441.09 (3m) (b), and who practices advanced practice
2 registered nursing, as defined under s. 441.001 (1c), outside of a collaborative
3 relationship with a physician or dentist, as described under s. 441.09 (3m) (a) 1., or
4 other employment relationship. “Advanced practice registered nurse” does not
5 include an individual who only engages in the practice of a certified nurse-midwife,
6 as defined under s. 441.001 (3c).

7 **SECTION 3114.** 655.001 (7t) of the statutes is amended to read:

8 655.001 (7t) “Health care practitioner” means a health care professional, as
9 defined in s. 180.1901 (1m), who is an employee of a health care provider described
10 in s. 655.002 (1) (d), (e), (em), or (f) and who has the authority to provide health care
11 services that are not in collaboration with a physician under s. 441.15 (2) (b) or under
12 the direction and supervision of a physician or nurse-anesthetist advanced practice
13 registered nurse.

14 **SECTION 3115.** 655.001 (9) of the statutes is repealed.

15 **SECTION 3116.** 655.002 (1) (a) of the statutes is amended to read:

16 655.002 (1) (a) A physician or ~~a nurse-anesthetist~~ an advanced practice
17 registered nurse for whom this state is a principal place of practice and who practices
18 his or her profession in this state more than 240 hours in a fiscal year.

19 **SECTION 3117.** 655.002 (1) (b) of the statutes is amended to read:

20 655.002 (1) (b) A physician or ~~a nurse-anesthetist~~ an advanced practice
21 registered nurse for whom Michigan is a principal place of practice, if all of the
22 following apply:

23 1. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse is a
24 resident of this state.

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1 2. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse
2 practices his or her profession in this state or in Michigan or a combination of both
3 more than 240 hours in a fiscal year.

4 3. The physician or ~~nurse-anesthetist~~ advanced practice registered nurse
5 performs more procedures in a Michigan hospital than in any other hospital. In this
6 subdivision, "Michigan hospital" means a hospital located in Michigan that is an
7 affiliate of a corporation organized under the laws of this state that maintains its
8 principal office and a hospital in this state.

9 **SECTION 3118.** 655.002 (1) (c) of the statutes is amended to read:

10 655.002 (1) (c) A physician or ~~nurse-anesthetist~~ an advanced practice
11 registered nurse who is exempt under s. 655.003 (1) or (3), but who practices his or
12 her profession outside the scope of the exemption and who fulfills the requirements
13 under par. (a) in relation to that practice outside the scope of the exemption. For a
14 physician or ~~a nurse-anesthetist~~ an advanced practice registered nurse who is
15 subject to this chapter under this paragraph, this chapter applies only to claims
16 arising out of practice that is outside the scope of the exemption under s. 655.003 (1)
17 or (3).

18 **SECTION 3119.** 655.002 (1) (d) of the statutes is amended to read:

19 655.002 (1) (d) A partnership comprised of physicians or ~~nurse-anesthetists~~
20 advanced practice registered nurses and organized and operated in this state for the
21 primary purpose of providing the medical services of physicians or ~~nurse~~
22 ~~anesthetists~~ advanced practice registered nurses.

23 **SECTION 3120.** 655.002 (1) (e) of the statutes is amended to read:

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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 3121.** 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 3122.** 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 3123.** 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 3124.** 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

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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 3125.** 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 3126.** 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 3127.** 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

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1 percent of the shareholders of the service corporation are neither physicians nor
2 ~~nurse anesthetists~~ advanced practice registered nurses.

3 **SECTION 3128.** 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 3129.** 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 3130.** 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 3131.** 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

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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 3132.** 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 3133.** 700.19 (2) of the statutes is amended to read:

12 700.19 (2) ~~HUSBAND AND WIFE~~ SPOUSES. If persons named as owners in a
13 document of title, transferees in an instrument of transfer, or buyers in a bill of sale
14 are described in the document, instrument, or bill of sale as ~~husband and wife~~
15 married to each other, or are in fact ~~husband and wife~~ married to each other, they are
16 joint tenants, unless the intent to create a tenancy in common is expressed in the
17 document, instrument, or bill of sale. This subsection applies to property acquired
18 before January 1, 1986, and, if ch. 766 does not apply when the property is acquired,
19 to property acquired on or after January 1, 1986.

20 **SECTION 3134.** 704.05 (2) of the statutes is amended to read:

21 704.05 (2) **POSSESSION OF TENANT AND ACCESS BY LANDLORD.** Until the expiration
22 date specified in the lease, or the termination of a periodic tenancy or tenancy at will,
23 and so long as the tenant is not in default, the tenant has the right to exclusive
24 possession of the premises, except as hereafter provided. The landlord may upon
25 advance notice and at reasonable times inspect the premises, allow a city, village,

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1 town, or county inspector access for an inspection, make repairs, and show the
2 premises to prospective tenants or purchasers; and if the tenant is absent from the
3 premises and the landlord reasonably believes that entry is necessary to preserve or
4 protect the premises, the landlord may enter without notice and with such force as
5 appears necessary.

6 **SECTION 3135.** 704.07 (2) (bm) 1. of the statutes is repealed.

7 **SECTION 3136.** 704.07 (2) (bm) 3. of the statutes is amended to read:

8 704.07 (2) (bm) 3. The violation presents a ~~significant~~ threat to the prospective
9 tenant's health or safety.

10 **SECTION 3137.** 704.07 (5) of the statutes is repealed.

11 **SECTION 3138.** 705.01 (4) of the statutes is amended to read:

12 705.01 (4) "Joint account" means an account, other than a marital account,
13 payable on request to one or more of 2 or more parties whether or not mention is made
14 of any right of survivorship. "Joint account" also means any account established with
15 the right of survivorship on or after January 1, 1986, by 2 parties who claim to be
16 ~~husband and wife~~ married to each other, which is payable on request to either or both
17 of the parties.

18 **SECTION 3139.** 705.01 (4m) of the statutes is amended to read:

19 705.01 (4m) "Marital account" means an account established without the right
20 of survivorship on or after January 1, 1986, by 2 parties who claim to be ~~husband and~~
21 ~~wife~~ married to each other, which is payable on request to either or both of the parties
22 and which is designated as a marital account. An account established by those
23 parties with the right of survivorship under s. 766.58 (3) (f) or 766.60 is a joint
24 account.

25 **SECTION 3140.** 706.09 (1) (e) of the statutes is amended to read:

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1 706.09 (1) (e) *Marital interests*. Homestead of the spouse of any transferor of
2 an interest in real estate, if the recorded conveyance purporting to transfer the
3 homestead states that the person executing it is single, unmarried, or widowed a
4 surviving spouse or fails to indicate the marital status of the transferor, and if the
5 conveyance has, in either case, appeared of record for 5 years. This paragraph does
6 not apply to the interest of a married person who is described of record as a holder
7 in joint tenancy or of marital property with that transferor.

8 **SECTION 3141.** 753.06 (4) (c) of the statutes is amended to read:

9 753.06 (4) (c) Manitowoc County. The circuit has ~~3~~ 4 branches.

10 **SECTION 3142.** 753.06 (4) (dm) of the statutes is amended to read:

11 753.06 (4) (dm) Waushara County. The circuit has ~~one branch~~ 2 branches.

12 **SECTION 3143.** 753.06 (7) (ag) of the statutes is amended to read:

13 753.06 (7) (ag) Adams County. The circuit has ~~one branch~~ 2 branches.

14 **SECTION 3144.** 753.06 (7) (ar) of the statutes is amended to read:

15 753.06 (7) (ar) Clark County. The circuit has ~~one branch~~ 2 branches.

16 **SECTION 3145.** 753.06 (9) (L) of the statutes is amended to read:

17 753.06 (9) (L) Vilas County. The circuit has ~~one branch~~ 2 branches.

18 **SECTION 3146.** 753.06 (9) (m) of the statutes is amended to read:

19 753.06 (9) (m) Wood County. The circuit has ~~3~~ 4 branches.

20 **SECTION 3147.** 753.06 (10) (g) of the statutes is amended to read:

21 753.06 (10) (g) Eau Claire County. The circuit has ~~5~~ 6 branches.

22 **SECTION 3148.** 753.06 (10) (L) of the statutes is amended to read:

23 753.06 (10) (L) Sawyer County. The circuit has ~~one branch~~ 2 branches.

24 **SECTION 3149.** 756.04 (2) (b) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3149**

1 756.04 (2) (b) Each year, on a date agreed upon with the office of the director
2 of state courts, the department of transportation shall compile a list that includes the
3 name, address, county, date of birth, race, gender, identification number and renewal
4 date of each person residing in the state who is licensed as a motor vehicle operator
5 under ch. 343 or who has received an identification card under s. 343.50 or 343.51,
6 and social security number, as permitted by law and any record sharing agreement
7 between the department of transportation and the office of the director of state
8 courts. The office of the director of state courts shall establish the format of the list
9 by agreement with the department of transportation. The department of
10 transportation shall transmit the list without charge to the office of the director of
11 state courts, ~~without charge.~~ and to the clerks of court for the district courts of the
12 United States within this state. If the department of transportation does not have
13 a record sharing agreement with the clerk of court for a district court that requires
14 the clerk of court to keep prospective jurors' identification numbers, renewal dates,
15 and social security numbers confidential and secure from unauthorized access, the
16 department of transportation shall redact that information from the list the
17 department of transportation transmits to the clerk of court.

18 **SECTION 3150.** 757.02 (5) of the statutes is amended to read:

19 757.02 (5) Except for retired judges appointed under s. 753.075, each supreme
20 court justice, court of appeals judge and circuit court judge included under ch. 40
21 shall accrue sick leave at the rate established under s. 230.35 (2) for the purpose of
22 credits under s. 40.05 (4) (b) and for premium payment determinations under s. 40.05
23 (4) ~~and (5).~~

24 **SECTION 3151.** 758.19 (5) (j) of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 3151**

1 758.19 (5) (j) Notwithstanding par. (b), the director of state courts shall make
2 payments from the appropriation under s. 20.625 (1) (d) to counties to reimburse
3 counties for circuit court costs related to implementing the use of pretrial risk
4 assessments.

5 **SECTION 3152.** 765.001 (2) of the statutes is amended to read:

6 765.001 (2) INTENT. It is the intent of chs. 765 to 768 to promote the stability
7 and best interests of marriage and the family. It is the intent of the legislature to
8 recognize the valuable contributions of both spouses during the marriage and at
9 termination of the marriage by dissolution or death. Marriage is the institution that
10 is the foundation of the family and of society. Its stability is basic to morality and
11 civilization, and of vital interest to society and the state. The consequences of the
12 marriage contract are more significant to society than those of other contracts, and
13 the public interest must be taken into account always. The seriousness of marriage
14 makes adequate premarital counseling and education for family living highly
15 desirable and courses thereon are urged upon all persons contemplating marriage.
16 The impairment or dissolution of the marriage relation generally results in injury
17 to the public wholly apart from the effect upon the parties immediately concerned.
18 Under the laws of this state, marriage is a legal relationship between 2 equal
19 persons, ~~a husband and wife~~, who owe to each other mutual responsibility and
20 support. Each spouse has an equal obligation in accordance with his or her ability
21 to contribute money or services or both which are necessary for the adequate support
22 and maintenance of his or her minor children and of the other spouse. No spouse may
23 be presumed primarily liable for support expenses under this subsection.

24 **SECTION 3153.** 765.01 of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3153**

1 **765.01 A civil contract.** Marriage, so far as its validity at law is concerned,
2 is a civil contract, to which the consent of the parties capable in law of contracting
3 is essential, and which creates the legal status of ~~husband and wife~~ spouse to each
4 other.

5 **SECTION 3154.** 765.02 (3) of the statutes is created to read:

6 765.02 (3) Marriage may be contracted between persons of the same sex or
7 different sexes.

8 **SECTION 3155.** 765.03 (1) of the statutes is amended to read:

9 765.03 (1) No marriage shall be contracted while either of the parties has a
10 ~~husband or wife~~ spouse living, nor between persons who are nearer of kin than 2nd
11 cousins except that marriage may be contracted between first cousins ~~where the~~
12 ~~female has attained the age of 55 years or where~~ if either party, at the time of
13 application for a marriage license, submits an affidavit signed by a physician stating
14 that either party is permanently sterile or that the 2 parties are otherwise
15 permanently biologically incapable of producing a child together. Relationship
16 under this section shall be computed by the rule of the civil law, whether the parties
17 to the marriage are of the half or of the whole blood. A marriage may not be
18 contracted if either party has such want of understanding as renders him or her
19 incapable of assenting to marriage.

20 **SECTION 3156.** 765.16 (1m) (intro.) of the statutes is amended to read:

21 765.16 (1m) (intro.) Marriage may be validly solemnized and contracted in this
22 state only after a marriage license has been issued therefor, and only by the mutual
23 declarations of the 2 parties to be joined in marriage that ~~they take each~~ takes the
24 ~~other as husband and wife~~ his or her spouse, made before an authorized officiating
25 person and in the presence of at least 2 competent adult witnesses other than the

ASSEMBLY BILL 43**SECTION 3156**

1 officiating person. If one of the parties is serving on active duty in the U.S. armed
2 forces or in forces incorporated in the U.S. armed forces, in a reserve unit of the U.S.
3 armed forces, or in the national guard, the presence of only one competent adult
4 witness other than the officiating person is required. The following are authorized
5 to be officiating persons:

6 **SECTION 3157.** 765.16 (1m) (c) of the statutes is amended to read:

7 765.16 (1m) (c) The 2 parties themselves, by mutual declarations that they
8 ~~take each takes the other as husband and wife~~ his or her spouse, in accordance with
9 the customs, rules, and regulations of any religious society, denomination, or sect to
10 which either of the parties may belong.

11 **SECTION 3158.** 765.23 of the statutes is amended to read:

12 **765.23 Immaterial irregularities otherwise.** No marriage hereafter
13 contracted shall be void either by reason of the marriage license having been issued
14 by a county clerk not having jurisdiction to issue the same; or by reason of any
15 informality or irregularity of form in the application for the marriage license or in
16 the marriage license itself, or the incompetency of the witnesses to such marriage;
17 or because the marriage may have been solemnized more than 60 days after the date
18 of the marriage license, if the marriage is in other respects lawful and is
19 consummated with the full belief on the part of the persons so married, or either of
20 them, that they have been lawfully joined in marriage. Where a marriage has been
21 celebrated in one of the forms provided for in s. 765.16 (1m), and the parties thereto
22 have immediately thereafter assumed the habit and repute of ~~husband and wife~~ a
23 married couple, and having continued the same uninterruptedly thereafter for the
24 period of one year, or until the death of either of them, it shall be deemed that a
25 marriage license has been issued as required by ss. 765.05 to 765.24 and 767.803.

ASSEMBLY BILL 43**SECTION 3159**

1 **SECTION 3159.** 765.24 of the statutes is amended to read:

2 **765.24 Removal of impediments to subsequent marriage.** If a person
3 during the lifetime of a ~~husband or wife~~ spouse with whom the marriage is in force,
4 enters into a subsequent marriage contract in accordance with s. 765.16, and the
5 parties thereto live together thereafter as ~~husband and wife~~ a married couple, and
6 such subsequent marriage contract was entered into by one of the parties in good
7 faith, in the full belief that the former ~~husband or wife~~ spouse was dead, or that the
8 former marriage had been annulled, or dissolved by a divorce, or without knowledge
9 of such former marriage, ~~they~~ the parties shall, after the impediment to their
10 marriage has been removed by the death or divorce of the other party to such former
11 marriage, if they continue to live together as ~~husband and wife~~ a married couple in
12 good faith on the part of one of them, be held to have been legally married from and
13 after the removal of such impediment and ~~the issue of~~ any children born during such
14 subsequent marriage shall be considered as the marital issue children of both
15 ~~parents~~ parties.

16 **SECTION 3160.** 765.30 (3) (a) of the statutes is amended to read:

17 765.30 (3) (a) *Penalty for unlawful solemnization of marriage.* Any officiating
18 person who solemnizes a marriage unless the contracting parties have first obtained
19 a proper marriage license as heretofore provided; or unless the parties to such
20 marriage declare that ~~they take each~~ takes the other as ~~husband and wife~~ his or her
21 spouse; or without the presence of competent adult witnesses as required under s.
22 765.16 (1m); or solemnizes a marriage knowing of any legal impediment thereto; or
23 solemnizes a marriage more than 60 days after the date of the marriage license; or
24 falsely certifies to the date of a marriage solemnized by the officiating person.

25 **SECTION 3161.** 766.587 (7) (form) 9. of the statutes is amended to read:

ASSEMBLY BILL 43

SECTION 3161

1 766.587 (7) (form) 9. BOTH SPOUSES MUST SIGN THIS AGREEMENT. IF
 2 SIGNED BEFORE JANUARY 1, 1986, IT IS EFFECTIVE ON JANUARY 1, 1986,
 3 OR THE DATE THE PARTIES MARRY, WHICHEVER IS LATER. IF SIGNED ON
 4 OR AFTER JANUARY 1, 1986, IT IS EFFECTIVE ON THE DATE SIGNED OR THE
 5 DATE THE PARTIES MARRY, WHICHEVER IS LATER.

STATUTORY INDIVIDUAL

PROPERTY CLASSIFICATION AGREEMENT

(Pursuant to Section 766.587, Wisconsin Statutes)

9 This agreement is made and entered into by and, (~~husband and wife who~~
 10 are married) (who intend to marry) (strike one).

11 The parties to this agreement agree to classify all their property, including
 12 property owned by them now and property acquired before January 1, 1987, as the
 13 individual property of the owning spouse, and agree that ownership of their property
 14 shall be determined as if it were December 31, 1985.

15 This agreement terminates on January 1, 1987.

16 Signature Date

17 Print Name Here:

18 Address:

19 Signature Date

20 Print Name Here:

21 Address:

22 [NOTE: Each spouse should retain a copy of the agreement for himself or
 23 herself.]

24 **SECTION 3162.** 766.588 (9) (form) 13. of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3162**

1 766.588 (9) (form) 13. IF AFTER ENTERING INTO THIS AGREEMENT ONE
2 OR BOTH OF YOU ESTABLISH A DOMICILE OUTSIDE THIS STATE, YOU ARE
3 URGED TO SEEK LEGAL ADVICE CONCERNING THE CONTINUED
4 EFFECTIVENESS OF THIS AGREEMENT.

5 STATUTORY TERMINABLE MARITAL

6 PROPERTY CLASSIFICATION AGREEMENT

7 (Pursuant to Section 766.588, Wisconsin Statutes)

8 This agreement is entered into by and (~~husband and wife~~ who are
9 married) (who intend to marry) (strike one). The parties hereby classify all of the
10 property owned by them when this agreement becomes effective, and property
11 acquired during the term of this agreement, as marital property.

12 One spouse may terminate this agreement at any time by giving signed notice
13 of termination to the other spouse. Notice of termination by a spouse is given upon
14 personal delivery or when sent by certified mail to the other spouse's last-known
15 address. The agreement terminates 30 days after such notice is given.

16 The parties (have) (have not) (strike one) completed Schedule "A", "Financial
17 Disclosure", attached to this agreement. If Schedule "A" has not been completed, the
18 duration of this agreement is 3 years after both parties have signed the agreement.
19 If Schedule "A" has been completed, the duration of this agreement is not limited to
20 3 years after it is signed.

21 IF THE DURATION OF THIS AGREEMENT IS NOT TO BE LIMITED TO 3
22 YEARS, MAKE SURE SCHEDULE "A", "FINANCIAL DISCLOSURE", IS
23 COMPLETED AND THAT YOU HAVE REVIEWED THE SCHEDULE BEFORE
24 SIGNING THE AGREEMENT. IF YOU AND YOUR SPOUSE HAVE PREVIOUSLY
25 ENTERED INTO A STATUTORY TERMINABLE MARITAL PROPERTY

ASSEMBLY BILL 43

SECTION 3162

1 CLASSIFICATION AGREEMENT WITH EACH OTHER WHICH WAS
 2 EFFECTIVE DURING YOUR PRESENT MARRIAGE AND YOU AND YOUR
 3 SPOUSE DID NOT COMPLETE SCHEDULE "A", YOU MAY NOT EXECUTE THIS
 4 AGREEMENT IF YOU DO NOT COMPLETE SCHEDULE "A".

5 Signature of One Spouse:

6 Date:

7 Print Name Here:

8 Residence Address:

9 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

10 AUTHENTICATION

11 Signature authenticated this day of, (year)

12 *....

13 TITLE: MEMBER STATE BAR OF WISCONSIN

14 (If not, authorized by s. 706.06, Wis. Stats.)

15 ACKNOWLEDGMENT

16 STATE OF WISCONSIN)

17) ss.

18 County)

19 Personally came before me this day of, (year) the above named to
 20 me known to be the person who executed the foregoing instrument and acknowledge
 21 the same.

22 *....

23 Notary Public, County, Wisconsin.

24 My Commission is permanent.

25 (If not, state expiration date:, (year))

ASSEMBLY BILL 43

SECTION 3162

1 (Signatures may be authenticated or
2 acknowledged. Both are not necessary.)

3 *Names of persons signing in any capacity should be
4 typed or printed below their signatures.

5 Signature of Other Spouse:

6 Date:

7 Print Name Here:

8 Residence Address:

9 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

10 AUTHENTICATION

11 Signature authenticated this day of, (year)

12 *....

13 TITLE: MEMBER STATE BAR OF WISCONSIN

14 (If not, authorized by s. 706.06, Wis. Stats.)

15 ACKNOWLEDGMENT

16 STATE OF WISCONSIN)

17) ss.

18 County)

19 Personally came before me this day of, (year) the above named to
20 me known to be the person who executed the foregoing instrument and acknowledge
21 the same.

22 *....

23 Notary Public, County, Wisconsin.

24 My Commission is permanent.

25 (If not, state expiration date:, (year))

ASSEMBLY BILL 43

SECTION 3162

1 (Signatures may be authenticated or
 2 acknowledged. Both are not necessary.)
 3 *Names of persons signing in any capacity should be
 4 typed or printed below their signatures.

TERMINATION OF STATUTORY TERMINABLE

MARITAL PROPERTY CLASSIFICATION AGREEMENT

I UNDERSTAND THAT:

8 1. THIS TERMINATION TAKES EFFECT 30 DAYS AFTER MY SPOUSE IS
 9 NOTIFIED OF THE TERMINATION, AS PROVIDED UNDER SECTION 766.588
 10 (4) OF THE WISCONSIN STATUTES.

11 2. THIS TERMINATION IS PROSPECTIVE; IT DOES NOT AFFECT THE
 12 CLASSIFICATION OF PROPERTY ACQUIRED BEFORE THE TERMINATION
 13 BECOMES EFFECTIVE. PROPERTY ACQUIRED AFTER THE TERMINATION
 14 BECOMES EFFECTIVE IS CLASSIFIED AS PROVIDED UNDER THE MARITAL
 15 PROPERTY LAW.

16 3. IN GENERAL, THIS TERMINATION IS NOT BINDING ON CREDITORS
 17 UNLESS THEY ARE PROVIDED A COPY OF THE TERMINATION BEFORE
 18 CREDIT IS EXTENDED.

19 The undersigned terminates the statutory terminable marital property
 20 classification agreement entered into by me and my spouse on (date last spouse
 21 signed the agreement) under section 766.588 of the Wisconsin Statutes.

22 Signature:

23 Date:

24 Print Name Here:

25 Residence Address:

ASSEMBLY BILL 43**SECTION 3162**

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SCHEDULE "A"

FINANCIAL DISCLOSURE

The following general categories of assets and liabilities are not all inclusive and if other assets or liabilities exist they should be listed. Assets should be listed according to which spouse has title (including assets owned by a spouse or the spouses with one or more third parties) and at their approximate market value.

Husband ~~*Wife*~~ *Spouse (Name)* *Spouse (Name)* *Both Names*

I. ASSETS

- A. Real estate (gross value)
- B. Stocks, bonds and mutual funds
- C. Accounts at and certificates or other instruments issued by financial institutions
- D. Mortgages, land contracts, promissory notes and cash
- E. Partnership interests
- EL. Limited liability company interests.
- F. Trust interests
- G. Livestock, farm products, crops
- H. Automobiles and other vehicles
- I. Jewelry and personal effects
- J. Household furnishings
- K. Life insurance and annuities:
 - 1. Face value
 - 2. Cash surrender value
- L. Retirement benefits (include value):

ASSEMBLY BILL 43

SECTION 3162

- 1 1. Pension plans
- 2 2. Profit sharing plans
- 3 3. HR-10 KEOGH plans
- 4 4. IRAs
- 5 5. Deferred compensation plans

6 M. Other assets not listed elsewhere

7 II. OBLIGATIONS (TOTAL OUTSTANDING BALANCE):

8 A. Mortgages and liens

9 B. Credit cards

10 C. Other obligations to financial institutions

11 D. Alimony, maintenance and child support (per
12 month)

13 E. Other obligations (such as other obligations
14 to individuals, guarantees, contingent
15 liabilities)

16 III. ANNUAL COMPENSATION FOR SERVICES:

17 (for example, wages and income from
18 self-employment; also include social security,
19 disability and similar income here)

20 (IF YOU NEED ADDITIONAL SPACE,

21 ADD ADDITIONAL SHEETS)

22 **SECTION 3163.** 766.589 (10) (form) 14. of the statutes is amended to read:

23 766.589 (10) (form) 14. IF AFTER ENTERING INTO THIS AGREEMENT
24 ONE OR BOTH OF YOU ESTABLISH A DOMICILE OUTSIDE THIS STATE, YOU

ASSEMBLY BILL 43**SECTION 3163**

1 ARE URGED TO SEEK LEGAL ADVICE CONCERNING THE CONTINUED
2 EFFECTIVENESS OF THIS AGREEMENT.

3 STATUTORY TERMINABLE INDIVIDUAL

4 PROPERTY CLASSIFICATION AGREEMENT

5 (Pursuant to Section 766.589, Wisconsin Statutes)

6 This agreement is entered into by and (~~husband and wife~~ who are
7 married) (who intend to marry) (strike one). The parties hereby classify the marital
8 property owned by them when this agreement becomes effective, and property
9 acquired during the term of this agreement ~~which~~ that would otherwise have been
10 marital property, as the individual property of the owning spouse. The parties agree
11 that ownership of such property shall be determined by the name in which the
12 property is held and, if property is not held by either or both spouses, ownership shall
13 be determined as if the parties were unmarried persons when the property was
14 acquired.

15 Upon the death of either spouse the surviving spouse may, except as otherwise
16 provided in a subsequent marital property agreement, and regardless of whether
17 this agreement has terminated, elect against the property of the decedent spouse as
18 provided in section 766.589 (7) of the Wisconsin Statutes.

19 One spouse may terminate this agreement at any time by giving signed notice
20 of termination to the other spouse. Notice of termination by a spouse is given upon
21 personal delivery or when sent by certified mail to the other spouse's last-known
22 address. The agreement terminates 30 days after such notice is given.

23 The parties (have) (have not) (strike one) completed Schedule "A", "Financial
24 Disclosure", attached to this agreement. If Schedule "A" has not been completed, the
25 duration of this agreement is 3 years after both parties have signed the agreement.

ASSEMBLY BILL 43

SECTION 3163

1 If Schedule "A" has been completed, the duration of this agreement is not limited to
2 3 years after it is signed.

3 IF THE DURATION OF THIS AGREEMENT IS NOT TO BE LIMITED TO 3
4 YEARS, MAKE SURE THAT SCHEDULE "A", "FINANCIAL DISCLOSURE", IS
5 COMPLETED AND THAT YOU HAVE REVIEWED THE SCHEDULE BEFORE
6 SIGNING THE AGREEMENT. IF YOU AND YOUR SPOUSE HAVE PREVIOUSLY
7 ENTERED INTO A STATUTORY TERMINABLE INDIVIDUAL PROPERTY
8 CLASSIFICATION AGREEMENT WITH EACH OTHER WHICH WAS
9 EFFECTIVE DURING YOUR PRESENT MARRIAGE AND YOU AND YOUR
10 SPOUSE DID NOT COMPLETE SCHEDULE "A", YOU MAY NOT EXECUTE THIS
11 AGREEMENT IF YOU DO NOT COMPLETE SCHEDULE "A".

12 Signature of One Spouse:

13 Date:

14 Print Name Here:

15 Residence Address:

16 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

17 AUTHENTICATION

18 Signature authenticated this day of, (year)

19 *....

20 TITLE: MEMBER STATE BAR OF WISCONSIN

21 (If not, authorized by s. 706.06, Wis. Stats.)

22 ACKNOWLEDGMENT

23 STATE OF WISCONSIN)

24) ss.

25 County)

ASSEMBLY BILL 43

SECTION 3163

1 Personally came before me this day of, (year) the above named to
2 me known to be the person who executed the foregoing instrument and acknowledge
3 the same.

4 *....

5 Notary Public, County, Wisconsin.

6 My Commission is permanent.

7 (If not, state expiration date:, (year))

8 (Signatures may be authenticated or

9 acknowledged. Both are not necessary.)

10 *Names of persons signing in any capacity should be
11 typed or printed below their signatures.

12 Signature of Other Spouse:

13 Date:

14 Print Name Here:

15 Residence Address:

16 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

17 AUTHENTICATION

18 Signature authenticated this day of, (year)

19 *....

20 TITLE: MEMBER STATE BAR OF WISCONSIN

21 (If not, authorized by s. 706.06, Wis. Stats.)

22 ACKNOWLEDGMENT

23 STATE OF WISCONSIN)

24) ss.

25 County)

ASSEMBLY BILL 43

SECTION 3163

1 Personally came before me this day of, (year) the above named to
2 me known to be the person who executed the foregoing instrument and acknowledge
3 the same.

4 *....

5 Notary Public, County, Wisconsin.

6 My Commission is permanent.

7 (If not, state expiration date:, (year))

8 (Signatures may be authenticated or

9 acknowledged. Both are not necessary.)

10 *Names of persons signing in any capacity should

11 be typed or printed below their signatures.

12 TERMINATION OF

13 STATUTORY TERMINABLE INDIVIDUAL

14 PROPERTY CLASSIFICATION AGREEMENT

15 I UNDERSTAND THAT:

16 1. THIS TERMINATION TAKES EFFECT 30 DAYS AFTER MY SPOUSE IS
17 NOTIFIED OF THE TERMINATION, AS PROVIDED UNDER SECTION 766.589
18 (4) OF THE WISCONSIN STATUTES.

19 2. THIS TERMINATION IS PROSPECTIVE; IT DOES NOT AFFECT THE
20 CLASSIFICATION OF PROPERTY ACQUIRED BEFORE THE TERMINATION
21 BECOMES EFFECTIVE. PROPERTY ACQUIRED AFTER THE TERMINATION
22 BECOMES EFFECTIVE IS CLASSIFIED AS PROVIDED UNDER THE MARITAL
23 PROPERTY LAW.

ASSEMBLY BILL 43**SECTION 3163**

- 1 EL. Limited liability company interests
- 2 F. Trust interests
- 3 G. Livestock, farm products, crops
- 4 H. Automobiles and other vehicles
- 5 I. Jewelry and personal effects
- 6 J. Household furnishings
- 7 K. Life insurance and annuities:
 - 8 1. Face value
 - 9 2. Cash surrender value
- 10 L. Retirement benefits (include value):
 - 11 1. Pension plans
 - 12 2. Profit sharing plans
 - 13 3. HR-10 KEOGH plans
 - 14 4. IRAs
 - 15 5. Deferred compensation plans
- 16 M. Other assets not listed elsewhere
- 17 II. OBLIGATIONS (TOTAL OUTSTANDING BALANCE):
 - 18 A. Mortgages and liens
 - 19 B. Credit cards
 - 20 C. Other obligations to financial institutions
 - 21 D. Alimony, maintenance and child support (per
22 month)
 - 23 E. Other obligations (such as other obligations
24 to individuals, guarantees, contingent
25 liabilities)

ASSEMBLY BILL 43**SECTION 3163**

1 III. ANNUAL COMPENSATION FOR SERVICES:

2 (for example, wages and income from
3 self-employment; also include social security,
4 disability and similar income here)

5 (IF YOU NEED ADDITIONAL SPACE,
6 ADD ADDITIONAL SHEETS.)

7 **SECTION 3164.** 767.215 (2) (b) of the statutes is amended to read:

8 767.215 (2) (b) The name and birthdate of each minor child of the parties and
9 each other child born to ~~the wife~~ a party during the marriage, and whether ~~the wife~~
10 a party is pregnant.

11 **SECTION 3165.** 767.215 (5) (a) 2. of the statutes is amended to read:

12 767.215 (5) (a) 2. The name, date of birth, and social security number of each
13 minor child of the parties and of each child who was born to ~~the wife~~ a party during
14 the marriage and who is a minor.

15 **SECTION 3166.** 767.323 of the statutes is amended to read:

16 **767.323 Suspension of proceedings to effect reconciliation.** During the
17 pendency of an action for divorce or legal separation, the court may, upon written
18 stipulation of both parties that they desire to attempt a reconciliation, enter an order
19 suspending any and all orders and proceedings for such period, not exceeding 90
20 days, as the court determines advisable to permit the parties to attempt a
21 reconciliation without prejudice to their respective rights. During the suspension
22 period, the parties may resume living together as ~~husband and wife~~ a married couple
23 and their acts and conduct do not constitute an admission that the marriage is not
24 irretrievably broken or a waiver of the ground that the parties have voluntarily lived
25 apart continuously for 12 months or more immediately prior to the commencement

ASSEMBLY BILL 43**SECTION 3166**

1 of the action. Suspension may be revoked upon the motion of either party by an order
2 of the court. If the parties become reconciled, the court shall dismiss the action. If
3 the parties are not reconciled after the period of suspension, the action shall proceed
4 as though no reconciliation period was attempted.

5 **SECTION 3167.** 767.80 (1) (intro.) of the statutes is amended to read:

6 767.80 (1) WHO MAY BRING ACTION OR FILE MOTION. (intro.) The following persons
7 may bring an action or file a motion, including an action or motion for declaratory
8 judgment, for the purpose of determining the paternity of a child, or for the purpose
9 of rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or
10 891.41 (1):

11 **SECTION 3168.** 767.80 (1) (c) of the statutes is amended to read:

12 767.80 (1) (c) Unless s. 767.804 (1) or 767.805 (1) applies, a male person
13 presumed to be the child's ~~father~~ parent under s. 891.405, 891.407, or 891.41 (1).

14 **SECTION 3169.** 767.80 (2) of the statutes is amended to read:

15 767.80 (2) CERTAIN AGREEMENTS NOT A BAR TO ACTION. Regardless of its terms,
16 an agreement made after July 1, 1981, other than an agreement approved by the
17 court between an alleged or presumed ~~father~~ parent and the mother or child, does
18 not bar an action under this section. Whenever the court approves an agreement in
19 which one of the parties agrees not to commence an action under this section, the
20 court shall first determine whether or not the agreement is in the best interest of the
21 child. The court shall not approve any provision waiving the right to bring an action
22 under this section if this provision is contrary to the best interests of the child.

23 **SECTION 3170.** 767.803 of the statutes is amended to read:

24 **767.803 Determination of marital children.** If the ~~father and mother~~
25 natural parents of a nonmarital child enter into a lawful marriage or a marriage

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1 which appears and they believe is lawful, except where the parental rights of the
2 mother parent who gave birth were terminated before either of these circumstances,
3 the child becomes a marital child, is entitled to a change in birth record under s. 69.15
4 (3) (b), and shall enjoy all of the rights and privileges of a marital child as if he or she
5 had been born during the marriage of the parents. This section applies to all cases
6 before, on, or after its effective date, but no estate already vested shall be divested
7 by this section and ss. 765.05 to 765.24 and 852.05. The children of all marriages
8 declared void under the law are nevertheless marital children.

9 **SECTION 3171.** 767.804 (1) (a) 4. of the statutes is amended to read:

10 767.804 (1) (a) 4. No other male person is presumed to be the father natural
11 parent under s. 891.405 or 891.41 (1).

12 **SECTION 3172.** 767.805 (title), (1), (1m), (2) (a) and (b) and (3) (title) and (a) of
13 the statutes are amended to read:

14 **767.805 (title) Voluntary acknowledgment of paternity parentage. (1)**
15 CONCLUSIVE DETERMINATION OF PATERNITY PARENTAGE. A statement acknowledging
16 paternity parentage that is on file with the state registrar under s. 69.15 (3) (b) 3.
17 after the last day on which a person may timely rescind the statement, as specified
18 in s. 69.15 (3m), is a conclusive determination, which shall be of the same effect as
19 a judgment, of paternity parentage.

20 **(1m) MINOR PARENT MAY NOT SIGN.** A minor may not sign a statement
21 acknowledging paternity parentage.

22 **(2) (a)** A statement acknowledging paternity parentage that is filed with the
23 state registrar under s. 69.15 (3) (b) 3. may be rescinded as provided in s. 69.15 (3m)
24 by a person who signed the statement as a parent of the child who is the subject of
25 the statement.

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1 (b) If a statement acknowledging ~~paternity~~ parentage is timely rescinded as
2 provided in s. 69.15 (3m), a court may not enter an order specified in sub. (4) with
3 respect to the ~~male person~~ who signed the statement as the ~~father~~ parent of the child
4 unless the ~~male person~~ is adjudicated the child's ~~father~~ parent using the procedures
5 set forth in this subchapter, except for this section.

6 **(3)** (title) ACTIONS WHEN ~~PATERNITY~~ PARENTAGE ACKNOWLEDGED. (a) Unless the
7 statement acknowledging ~~paternity~~ parentage has been rescinded, an action
8 affecting the family concerning custody, child support or physical placement rights
9 may be brought with respect to persons who, with respect to a child, jointly signed
10 and filed with the state registrar under s. 69.15 (3) (b) 3. as parents of the child a
11 statement acknowledging ~~paternity~~ parentage.

12 **SECTION 3173.** 767.805 (4) (intro.) of the statutes is amended to read:

13 767.805 (4) ORDERS WHEN ~~PATERNITY~~ PARENTAGE ACKNOWLEDGED. (intro.) In an
14 action under sub. (3) (a), if the persons who signed and filed the statement
15 acknowledging ~~paternity as parents~~ parentage of the child had notice of the hearing,
16 the court shall make an order that contains all of the following provisions:

17 **SECTION 3174.** 767.805 (4) (d) of the statutes is amended to read:

18 767.805 (4) (d) 1. An order establishing the amount of the ~~father's~~ obligation
19 to pay or contribute to the reasonable expenses of ~~the mother's~~ pregnancy and the
20 ~~child's birth~~ childbirth by the parent who did not give birth. The amount established
21 may not exceed one-half of the total actual and reasonable pregnancy and birth
22 expenses. The order also shall specify the court's findings as to whether the ~~father's~~
23 parent who did not give birth has an income that is at or below the poverty line
24 established under 42 USC 9902 (2), and shall specify whether periodic payments are

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1 due on the obligation, based on the father's parent's ability to pay or contribute to
2 those expenses.

3 2. If the order does not require periodic payments because the father parent has
4 no present ability to pay or contribute to the expenses, the court may modify the
5 judgment or order at a later date to require periodic payments if the father parent
6 has the ability to pay at that time.

7 **SECTION 3175.** 767.805 (5) (a) and (b) of the statutes are amended to read:

8 767.805 (5) (a) A determination of paternity parentage that arises under this
9 section may be voided at any time upon a motion or petition stating facts that show
10 fraud, duress or a mistake of fact. Except for good cause shown, any orders entered
11 under sub. (4) shall remain in effect during the pendency of a proceeding under this
12 paragraph.

13 (b) If a court in a proceeding under par. (a) determines that the male person is
14 not the father parent of the child, the court shall vacate any order entered under sub.
15 (4) with respect to the male person. The court or the county child support agency
16 under s. 59.53 (5) shall notify the state registrar, in the manner provided in s. 69.15
17 (1) (b), to remove the male's person's name as the father parent of the child from the
18 child's birth record. No paternity action may thereafter be brought against the male
19 person with respect to the child.

20 **SECTION 3176.** 767.805 (6) (a) (intro.) of the statutes is amended to read:

21 767.805 (6) (a) (intro.) This section does not apply unless all of the following
22 apply to the statement acknowledging paternity parentage:

23 **SECTION 3177.** 767.855 of the statutes is amended to read:

24 **767.855 Dismissal if adjudication not in child's best interest.** Except as
25 provided in s. 767.863 (1m), at any time in an action to establish the paternity of a

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1 child, upon the motion of a party or guardian ad litem or the child's mother if she is
2 not a party, the court or supplemental court commissioner under s. 757.675 (2) (g)
3 may, if the court or supplemental court commissioner determines that a judicial
4 determination of whether a male is the father of the child is not in the best interest
5 of the child, dismiss the action with respect to the male, regardless of whether genetic
6 tests have been performed or what the results of the tests, if performed, were.
7 Notwithstanding ss. 767.813 (5g) (form) 4., 767.84 (1) and (2), 767.863 (2), 767.865
8 (2), and 767.88 (4), if genetic tests have not yet been performed with respect to the
9 male, the court or supplemental court commissioner is not required to order those
10 genetic tests.

11 **SECTION 3178.** 767.863 (1m) of the statutes is amended to read:

12 767.863 (1m) PATERNITY ALLEGATION BY MALE PERSON OTHER THAN HUSBAND
13 SPOUSE; WHEN DETERMINATION NOT IN BEST INTEREST OF CHILD. In an action to establish
14 the paternity of a child who was born to a woman while she was married, if a male
15 person other than the woman's husband spouse alleges that he, not the husband
16 woman's spouse, is the child's father biological parent, a party, or the woman if she
17 is not a party, may allege that a judicial determination that a male person other than
18 the husband woman's spouse is the father biological parent is not in the best interest
19 of the child. If the court or a supplemental court commissioner under s. 757.675 (2)
20 (g) determines that a judicial determination of whether a male person other than the
21 husband woman's spouse is the father biological parent is not in the best interest of
22 the child, no genetic tests may be ordered and the action shall be dismissed.

23 **SECTION 3179.** 767.87 (1m) (intro.) of the statutes is amended to read:

24 767.87 (1m) BIRTH RECORD REQUIRED. (intro.) If the child was born in this state,
25 the petitioner shall present a certified copy of the child's birth record or a printed copy

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1 of the record from the birth database of the state registrar to the court, so that the
2 court is aware of whether a name has been inserted on the birth record as the ~~father~~
3 parent of the child other than the mother, at the earliest possible of the following:

4 **SECTION 3180.** 767.87 (8) of the statutes is amended to read:

5 767.87 (8) BURDEN OF PROOF. The party bringing an action for the purpose of
6 determining paternity or for the purpose of declaring the nonexistence of paternity
7 presumed under s. 891.405, 891.407, or the nonexistence of parentage presumed
8 under s. 891.405 or 891.41 (1) shall have the burden of proving the issues involved
9 by clear and satisfactory preponderance of the evidence.

10 **SECTION 3181.** 767.87 (9) of the statutes is amended to read:

11 767.87 (9) ARTIFICIAL INSEMINATION; NATURAL FATHER PARENT. ~~Where~~ If a child
12 is conceived by artificial insemination, the ~~husband~~ spouse of the mother of the child
13 at the time of the conception of the child is the natural ~~father~~ parent of the child, as
14 provided in s. 891.40.

15 **SECTION 3182.** 767.883 (1) of the statutes is amended to read:

16 767.883 (1) TWO PARTS. The trial shall be divided into 2 parts, the first part
17 dealing with the determination of ~~paternity~~ parentage and the 2nd part dealing with
18 child support, legal custody, periods of physical placement, and related issues. The
19 main issue at the first part shall be whether the alleged or presumed ~~father~~ parent
20 is or is not the ~~father~~ parent of the mother's child, but if the child was born to the
21 mother while she was the lawful wife spouse of a specified male person, the prior
22 issue of whether the ~~husband~~ mother's spouse was not the ~~father~~ parent of the child
23 shall be determined first, as provided under s. 891.39. The first part of the trial shall
24 be by jury only if the defendant verbally requests a jury trial either at the initial
25 appearance or pretrial hearing or requests a jury trial in writing prior to the pretrial

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1 hearing. The court may direct and, if requested by either party before the
2 introduction of any testimony in the party's behalf, shall direct the jury to find a
3 special verdict as to any of the issues specified in this section, except that the court
4 shall make all of the findings enumerated in s. 767.89 (2) to (4). If the mother is dead,
5 becomes insane, cannot be found within the jurisdiction, or fails to commence or
6 pursue the action, the proceeding does not abate if any of the persons under s. 767.80
7 (1) makes a motion to continue. The testimony of the mother taken at the pretrial
8 hearing may in any such case be read in evidence if it is competent, relevant, and
9 material. The issues of child support, custody, and visitation, and related issues shall
10 be determined by the court either immediately after the first part of the trial or at
11 a later hearing before the court.

12 **SECTION 3183.** 769.316 (9) of the statutes is amended to read:

13 769.316 (9) The defense of immunity based on the relationship of husband and
14 wife between spouses or parent and child does not apply in a proceeding under this
15 chapter.

16 **SECTION 3184.** 769.401 (2) (a) of the statutes is amended to read:

17 769.401 (2) (a) A parent or presumed father parent of the child.

18 **SECTION 3185.** 769.401 (2) (g) of the statutes is repealed.

19 **SECTION 3186.** 801.02 (1) of the statutes is amended to read:

20 801.02 (1) ~~A~~ Except as provided in s. 20.9315 (5) (b), a civil action in which a
21 personal judgment is sought is commenced as to any defendant when a summons and
22 a complaint naming the person as defendant are filed with the court, provided service
23 of an authenticated copy of the summons and of the complaint is made upon the
24 defendant under this chapter within 90 days after filing.

25 **SECTION 3187.** 801.50 (5sb) of the statutes is created to read:

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1 801.50 **(5sb)** Venue of an action under s. 813.124 shall be in the county in which
2 the cause of action arose or where the petitioner or the respondent resides.

3 **SECTION 3188.** 801.58 (2m) of the statutes is amended to read:

4 801.58 **(2m)** If, under sub. (2), the judge determines that the request for
5 substitution was made timely and in proper form, any ex parte order granted by the
6 original judge remains in effect according to the terms, except that a temporary
7 restraining order issued under s. 813.12 (3), 813.122 (4), 813.123 (4), 813.124 (2t), or
8 813.125 (3) by the original judge is extended until the newly assigned judge holds a
9 hearing on the issuance of an injunction. The newly assigned judge shall hear any
10 subsequent motion to modify or vacate any ex parte order granted by the original
11 judge.

12 **SECTION 3189.** 803.09 (1) of the statutes is amended to read:

13 803.09 **(1)** ~~Upon~~ Except as provided in s. 20.9315, upon timely motion anyone
14 shall be permitted to intervene in an action when the movant claims an interest
15 relating to the property or transaction which is the subject of the action and the
16 movant is so situated that the disposition of the action may as a practical matter
17 impair or impede the movant's ability to protect that interest, unless the movant's
18 interest is adequately represented by existing parties.

19 **SECTION 3190.** 803.09 (2) of the statutes is amended to read:

20 803.09 **(2)** ~~Upon~~ Except as provided in s. 20.9315, upon timely motion anyone
21 may be permitted to intervene in an action when a movant's claim or defense and the
22 main action have a question of law or fact in common. When a party to an action
23 relies for ground of claim or defense upon any statute or executive order or rule
24 administered by a federal or state governmental officer or agency or upon any
25 regulation, order, rule, requirement or agreement issued or made pursuant to the

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1 statute or executive order, the officer or agency upon timely motion may be permitted
2 to intervene in the action. In exercising its discretion the court shall consider
3 whether the intervention will unduly delay or prejudice the adjudication of the rights
4 of the original parties.

5 **SECTION 3191.** 803.09 (2m) of the statutes is repealed.

6 **SECTION 3192.** 804.01 (2) (intro.) of the statutes is amended to read:

7 804.01 (2) SCOPE OF DISCOVERY. (intro.) ~~Unless~~ Except as provided in s. 20.9315
8 (9), and unless otherwise limited by order of the court in accordance with the
9 provisions of this chapter, the scope of discovery is as follows:

10 **SECTION 3193.** 805.04 (1) of the statutes is amended to read:

11 805.04 (1) BY PLAINTIFF; BY STIPULATION. ~~An~~ Except as provided in sub. (2p), an
12 action may be dismissed by the plaintiff without order of court by serving and filing
13 a notice of dismissal at any time before service by an adverse party of responsive
14 pleading or motion or by the filing of a stipulation of dismissal signed by all parties
15 who have appeared in the action. Unless otherwise stated in the notice of dismissal
16 or stipulation, the dismissal is not on the merits, except that a notice of dismissal
17 operates as an adjudication on the merits when filed by a plaintiff who has once
18 dismissed in any court an action based on or including the same claim.

19 **SECTION 3194.** 805.04 (2p) of the statutes is created to read:

20 805.04 (2p) FALSE CLAIMS. An action filed under s. 20.9315 may be dismissed
21 only by order of the court. In determining whether to dismiss the action filed under
22 s. 20.9315, the court shall take into account the best interests of the parties and the
23 purposes of s. 20.9315.

24 **SECTION 3195.** 806.04 (11) of the statutes is amended to read:

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1 806.04 (11) PARTIES. When declaratory relief is sought, all persons shall be
2 made parties who have or claim any interest which would be affected by the
3 declaration, and no declaration may prejudice the right of persons not parties to the
4 proceeding. In any proceeding which involves the validity of a municipal ordinance
5 or franchise, the municipality shall be made a party, and shall be entitled to be heard.
6 If a statute, ordinance, or franchise is alleged to be unconstitutional, ~~or to be in~~
7 ~~violation of or preempted by federal law, or if the construction or validity of a statute~~
8 ~~is otherwise challenged,~~ the attorney general shall also be served with a copy of the
9 proceeding and be entitled to be heard. ~~If a statute is alleged to be unconstitutional,~~
10 ~~or to be in violation of or preempted by federal law, or if the construction or validity~~
11 ~~of a statute is otherwise challenged, the speaker of the assembly, the president of the~~
12 ~~senate, and the senate majority leader shall also be served with a copy of the~~
13 ~~proceeding, and the assembly, the senate, and the state legislature are entitled to be~~
14 ~~heard. If the assembly, the senate, or the joint committee on legislative organization~~
15 ~~intervenes as provided under s. 803.09 (2m), the assembly shall represent the~~
16 ~~assembly, the senate shall represent the senate, and the joint committee on~~
17 ~~legislative organization shall represent the legislature.~~ In any proceeding under this
18 section in which the constitutionality, construction, or application of any provision
19 of ch. 227, or of any statute allowing a legislative committee to suspend, or to delay
20 or prevent the adoption of, a rule as defined in s. 227.01 (13) is placed in issue by the
21 parties, the joint committee for review of administrative rules shall be served with
22 a copy of the petition and, with the approval of the joint committee on legislative
23 organization, shall be made a party and be entitled to be heard. In any proceeding
24 under this section in which the constitutionality, construction, or application of any
25 provision of ch. 13, 20, 111, 227, or 230 or subch. I, III, or IV of ch. 16 or s. 753.075,

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1 or of any statute allowing a legislative committee to suspend, or to delay or prevent
2 the adoption of, a rule, as defined in s. 227.01 (13), is placed in issue by the parties,
3 the joint committee on legislative organization shall be served with a copy of the
4 petition and the joint committee on legislative organization, the senate committee
5 on organization, or the assembly committee on organization may intervene as a party
6 to the proceedings and be heard.

7 **SECTION 3196.** 809.13 of the statutes is amended to read:

8 **809.13 Rule (Intervention).** A person who is not a party to an appeal may
9 file in the court of appeals a petition to intervene in the appeal. A party may file a
10 response to the petition within 11 days after service of the petition. The court may
11 grant the petition upon a showing that the petitioner's interest meets the
12 requirements of s. 803.09 (1), or (2), or (2m).

13 **SECTION 3197.** 813.06 of the statutes is amended to read:

14 **813.06 Security for damages.** In proceedings under s. 767.225 the court or
15 judge may, and in all other proceedings except proceedings under ss. 813.12, 813.122,
16 813.124, 813.125 and 823.113 the court or judge shall, require a bond of the party
17 seeking an injunction, with sureties, to the effect that he or she will pay to the party
18 enjoined such damages, not exceeding an amount to be specified, as he or she may
19 sustain by reason of the injunction if the court finally decides that the party was not
20 entitled thereto. Copies of such bond, affidavit or other pleading shall be served upon
21 the party enjoined and the officer serving the same shall, within 8 days after such
22 service, file his or her return in the office of the clerk of the court.

23 **SECTION 3198.** 813.124 of the statutes is created to read:

24 **813.124 Extreme risk protection temporary restraining orders and**
25 **injunctions. (1) DEFINITIONS.** In this section:

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- 1 (a) “Family or household member” means any of the following:
- 2 1. A person related by blood, adoption, or marriage to the respondent.
- 3 2. A person with whom the respondent has or had a dating relationship, as
- 4 defined in s. 813.12 (1) (ag), or with whom the respondent has a child in common.
- 5 3. A person who resides with, or within the 6 months before filing a petition,
- 6 had resided with, the respondent.
- 7 4. A domestic partner under ch. 770 of the respondent.
- 8 5. A person who is acting or has acted as the respondent’s legal guardian or who
- 9 is or was a foster parent or other physical custodian described in s. 48.62 (2) of the
- 10 respondent.
- 11 6. A person for whom the respondent is acting or has acted as a legal guardian
- 12 or for whom the respondent is or was the foster parent or other physical custodian
- 13 described in s. 48.62 (2).
- 14 (b) “Firearms dealer” has the meaning given in s. 175.35 (1) (ar).
- 15 (c) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).
- 16 **(2)** COMMENCEMENT OF ACTION AND RESPONSE. No action under this section may
- 17 be commenced by complaint and summons. An action under this section may be
- 18 commenced only by a petition described under sub. (4) (a).
- 19 **(2m)** PROCEDURE. Procedure for an action under this section is as follows:
- 20 (a) If the petitioner requests an extreme risk protection temporary restraining
- 21 order, the court shall consider the request as provided under sub. (2t). If the court
- 22 issues a temporary restraining order, the court shall set forth the date, which must
- 23 be within 14 days of issuing the temporary restraining order, for the hearing on the
- 24 injunction and shall forward a copy of the temporary restraining order, the
- 25 injunction hearing date, and the petition to the appropriate law enforcement agency

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1 with jurisdiction over the respondent's residence. The law enforcement agency shall
2 immediately, or as soon as practicable, serve it on the respondent. If personal service
3 cannot be effected upon the respondent, the court may order other appropriate
4 service.

5 (b) The court shall hold a hearing under sub. (3) on whether to issue an extreme
6 risk protection injunction, which is the final relief. If there was no temporary
7 restraining order, the respondent shall be served notice of the petition by a law
8 enforcement officer and the date for the hearing shall be set upon motion by either
9 party. If personal service cannot be effected upon the respondent, the court may
10 order other appropriate service. The service shall include the name of the respondent
11 and of the petitioner, and, if known, notice of the date, time, and place of the
12 injunction hearing.

13 (c) When the respondent is served under this subsection, the respondent shall
14 be provided notice of the requirements and penalties under s. 941.29.

15 **(2t) EXTREME RISK PROTECTION TEMPORARY RESTRAINING ORDER.** (a) A judge shall
16 issue an extreme risk protection temporary restraining order under this subsection
17 prohibiting the respondent from possessing a firearm and ordering the respondent
18 to surrender all firearms in the respondent's possession if all of the following occur:

19 1. A petitioner files a petition alleging the elements under sub. (4) (a), and
20 requests a temporary restraining order. The petition requesting a temporary
21 restraining order shall be heard by the court in an expedited manner. The judge shall
22 examine under oath the petitioner and any witness the petitioner may produce or
23 may rely on an affidavit submitted in support of the petition.

24 2. The judge finds all of the following:

25 a. Substantial likelihood that the petition for an injunction will be successful.

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1 b. Good cause to believe that there is an immediate and present danger that
2 the respondent may injure himself or herself or another person if the respondent
3 possesses a firearm and that waiting for the injunction hearing may increase the
4 immediate and present danger.

5 (b) A temporary restraining order issued under this subsection shall remain
6 in effect until a hearing is held on issuance of an injunction under sub. (3). Notice
7 need not be given to the respondent before issuing a temporary restraining order
8 under this subsection. A temporary restraining order may be entered against only
9 the respondent named in the petition and may not be renewed or extended.

10 (c) A temporary restraining order issued under this subsection shall inform the
11 respondent named in the petition of the requirements and penalties under s. 941.29.

12 (d) The temporary restraining order issued under this subsection shall require
13 one of the following:

14 1. If a law enforcement officer is able to personally serve the respondent with
15 the order, the officer to require the respondent to immediately surrender all firearms
16 in the respondent's possession.

17 2. If a law enforcement officer is not able to personally serve the respondent
18 with the order, the respondent to, within 24 hours of service, surrender all firearms
19 in the respondent's possession to a law enforcement officer or transfer or sell all
20 firearms in the respondent's possession to a firearms dealer. Within 48 hours of
21 service, the respondent shall file with the court that issued the order under this
22 subsection a receipt indicating that the respondent surrendered, transferred, or sold
23 the firearms. The receipt must include the date on which each firearm was
24 surrendered, transferred, or sold and the manufacturer, model, and serial number
25 of each firearm and must be signed by either the law enforcement officer to whom the

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1 firearm was surrendered or the firearms dealer to whom the firearm was transferred
2 or sold.

3 **(3) EXTREME RISK PROTECTION INJUNCTION.** (a) The court shall hold a hearing on
4 whether to issue an extreme risk protection injunction, which is the final relief. At
5 the hearing, a judge may grant an injunction prohibiting the respondent from
6 possessing a firearm and, if there was no temporary restraining order under sub. (2t),
7 ordering the respondent to surrender all firearms in the respondent's possession if
8 all of the following occur:

9 1. The petitioner files a petition alleging the elements set forth under sub. (4)
10 (a).

11 2. The petitioner serves upon the respondent a copy or summary of the petition
12 and notice of the time for hearing on the issuance of the injunction, or the respondent
13 serves upon the petitioner notice of the time for hearing on the issuance of the
14 injunction.

15 3. The judge finds by clear and convincing evidence that the respondent is
16 substantially likely to injure himself or herself or another person if the respondent
17 possesses a firearm.

18 (b) The judge may enter an injunction against only the respondent named in
19 the petition.

20 (c) 1. Unless a judge vacates the injunction under par. (d), an injunction under
21 this subsection is effective for a period determined by the judge that is no longer than
22 one year.

23 2. When an injunction expires, the court shall extend the injunction, upon
24 petition, for up to one year if the judge finds by clear and convincing evidence that

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1 the respondent is still substantially likely to injure himself or herself or another
2 person if the respondent possesses a firearm.

3 (d) A respondent who is subject to an injunction issued under this subsection
4 may request in writing a judge to vacate the injunction one time during any
5 injunction period. If a respondent files a request under this paragraph, the
6 petitioner shall be notified of the request before the judge considers the request. The
7 judge shall vacate the injunction if the respondent demonstrates by clear and
8 convincing evidence that the respondent is no longer substantially likely to injure
9 himself or herself or another person if the respondent possesses a firearm.

10 (e) An injunction issued under this subsection shall inform the respondent
11 named in the petition of the requirements and penalties under s. 941.29.

12 **(4) PETITION.** (a) The petition shall allege facts sufficient to show the following:

13 1. The name of the petitioner and, unless the petitioner is a law enforcement
14 officer, how the petitioner is a family or household member of the respondent.

15 2. The name of the respondent.

16 3. That the respondent is substantially likely to injure himself or herself or
17 another person if the respondent possesses a firearm.

18 4. If the petitioner knows, the number, types, and locations of any firearms that
19 the respondent possesses.

20 5. If requesting a temporary restraining order, evidence of an immediate and
21 present danger that the respondent may injure himself or herself or another person
22 if the respondent possesses a firearm and that waiting for the injunction hearing may
23 increase the immediate and present danger.

24 (b) The clerk of the circuit court shall provide simplified forms to help a person
25 file a petition.

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1 (c) Only the following persons may file a petition under this section:

2 1. A law enforcement officer.

3 2. A family or household member of the respondent.

4 **(5) ENFORCEMENT ASSISTANCE.** (a) 1. If a temporary restraining order is issued
5 under sub. (2t) or an injunction is issued, extended, or vacated under sub. (3), the
6 clerk of the circuit court shall notify the department of justice of the action and shall
7 provide the department of justice with information concerning the period during
8 which the order or injunction is in effect or the date on which the injunction is vacated
9 and with information necessary to identify the respondent for purposes of
10 responding to a request under s. 165.63 or for purposes of a firearms restrictions
11 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

12 2. Except as provided in subd. 3., the department of justice may disclose
13 information that it receives under subd. 1. only to respond to a request under s.
14 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or
15 a background check under s. 175.60 (9g) (a).

16 3. The department of justice shall disclose any information that it receives
17 under subd. 1. to a law enforcement agency when the information is needed for law
18 enforcement purposes.

19 (b) Within one business day after a temporary restraining order is issued under
20 sub. (2t) or an injunction is issued, extended, or vacated under sub. (3), the clerk of
21 the circuit court shall send a copy of the temporary restraining order, of the
22 injunction, or of the order extending or vacating an injunction, to the sheriff or to any
23 other local law enforcement agency that is the central repository for injunctions and
24 that has jurisdiction over the petitioner's premises.

ASSEMBLY BILL 43**SECTION 3198**

1 (c) No later than 24 hours after receiving the information under par. (b), the
2 sheriff or other appropriate local law enforcement agency under par. (b) shall enter
3 the information concerning a temporary restraining order issued under sub. (2t) or
4 concerning an injunction issued, extended, or vacated under sub. (3) into the
5 transaction information for management of enforcement system. The sheriff or other
6 appropriate local law enforcement agency shall also make available to other law
7 enforcement agencies, through a verification system, information on the existence
8 and status of any order or injunction issued under this section. The information need
9 not be maintained after the order or injunction is no longer in effect.

10 (d) 1. The court may schedule a hearing to surrender firearms for any reason
11 relevant to the surrender of firearms.

12 2. If the respondent does not comply with an order issued at a hearing to
13 surrender firearms, or a law enforcement officer has probable cause to believe that
14 the respondent possesses a firearm, the law enforcement officer shall request a
15 search warrant to seize the firearms and may use information contained in the
16 petition to establish probable cause.

17 **(6) PENALTY FOR FALSE SWEARING.** Whoever files a petition under this section
18 knowing the information in the petition to be false is subject to the penalty for false
19 swearing under s. 946.32 (1).

20 **(7) RETURN OF FIREARMS AND FORM.** (a) A firearm surrendered under this section
21 may not be returned to the respondent until the respondent completes a petition for
22 the return of firearms under par. (c) and a judge or circuit court commissioner
23 determines all of the following:

24 1. If a temporary restraining order was issued, that the temporary restraining
25 order has expired and no injunction has been issued.

ASSEMBLY BILL 43**SECTION 3198**

1 2. If an injunction was issued, that the injunction has been vacated or has
2 expired and not been extended.

3 3. That the person is not prohibited from possessing a firearm under any state
4 or federal law or by the order of any federal court or state court, other than an order
5 from which the judge or circuit court commissioner is competent to grant relief. The
6 judge or commissioner shall use the information provided under s. 165.63 to aid in
7 making the determination under this subdivision.

8 (b) If a respondent surrenders under this section a firearm that is owned by a
9 person other than the respondent, the person who owns the firearm may apply for
10 its return to the circuit court for the county in which the person to whom the firearm
11 was surrendered is located. The court shall order such notice as it considers
12 adequate to be given to all persons who have or may have an interest in the firearm
13 and shall hold a hearing to hear all claims to its true ownership. If the right to
14 possession is proved to the court's satisfaction, it shall order the firearm returned.
15 If the court returns a firearm under this paragraph, the court shall inform the person
16 to whom the firearm is returned of the requirements and penalties under s. 941.2905.

17 (c) The director of state courts shall develop a petition for the return of firearms
18 form that is substantially the same as the form under s. 813.1285 (5) (b).

19 **(8) NOTICE OF FULL FAITH AND CREDIT.** A temporary restraining order issued
20 under sub. (2t) and an injunction issued under sub. (3) shall include a statement that
21 the order or injunction may be accorded full faith and credit in every civil or criminal
22 court of the United States, civil or criminal courts of any other state, and Indian
23 tribal courts to the extent that such courts may have personal jurisdiction over
24 nontribal members.

25 **SECTION 3199.** 813.126 (1) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3199**

1 813.126 (1) TIME LIMITS FOR DE NOVO HEARING. If a party seeks to have the judge
2 conduct a hearing de novo under s. 757.69 (8) of a determination, order, or ruling
3 entered by a court commissioner in an action under s. 813.12, 813.122, 813.123,
4 813.124, or 813.125, including a denial of a request for a temporary restraining order,
5 the motion requesting the hearing must be filed with the court within 30 days after
6 the circuit court commissioner issued the determination, order, or ruling. The court
7 shall hold the de novo hearing within 30 days after the motion requesting the hearing
8 is filed with the court unless the court finds good cause for an extension. Any
9 determination, order, or ruling entered by a court commissioner in an action under
10 s. 813.12, 813.122, 813.123, 813.124, or 813.125 remains in effect until the judge in
11 the de novo hearing issues his or her final determination, order, or ruling.

12 **SECTION 3200.** 813.127 of the statutes is amended to read:

13 **813.127 Combined actions; domestic abuse, child abuse, extreme risk**
14 **protection, and harassment.** A petitioner may combine in one action 2 or more
15 petitions under one or more of the provisions in ss. 813.12, 813.122, 813.124, and
16 813.125 if the respondent is the same person in each petition. In any such action,
17 there is only one fee applicable under s. 814.61 (1) (a). In any such action, the
18 hearings for different types of temporary restraining orders or injunctions may be
19 combined.

20 **SECTION 3201.** 813.128 (2g) (b) of the statutes is amended to read:

21 813.128 (2g) (b) A foreign protection order or modification of the foreign
22 protection order that meets the requirements under this section has the same effect
23 as an order issued under s. 813.12, 813.122, 813.123, 813.124, or 813.125, except that
24 the foreign protection order or modification shall be enforced according to its own
25 terms.

ASSEMBLY BILL 43**SECTION 3202**

1 **SECTION 3202.** 814.04 (intro.) of the statutes is amended to read:

2 **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.195 (5m)
3 (b), 100.30 (5m), 106.50 (6) (i) and (6m) (a), 111.397 (2) (a), 115.80 (9), 767.553 (4) (d),
4 769.313, 802.05, 814.245, 895.035 (4), 895.044, 895.443 (3), 895.444 (2), 895.445 (3),
5 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b), and 995.10 (3),
6 when allowed costs shall be as follows:

7 **SECTION 3203.** 814.04 (intro.) of the statutes, as affected by 2023 Wisconsin Act
8 (this act), is amended to read:

9 **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.195 (5m)
10 (b), 100.30 (5m), 103.135 (3), 106.50 (6) (i) and (6m) (a), 111.397 (2) (a), 115.80 (9),
11 767.553 (4) (d), 769.313, 802.05, 814.245, 895.035 (4), 895.044, 895.443 (3), 895.444
12 (2), 895.445 (3), 895.446 (3), 895.506, 943.212 (2) (b), 943.245 (2) (d), 943.51 (2) (b),
13 and 995.10 (3), when allowed costs shall be as follows:

14 **SECTION 3204.** 815.18 (3) (intro.) of the statutes is amended to read:

15 815.18 (3) **EXEMPT PROPERTY.** (intro.) The debtor's interest in or right to receive
16 the following property is exempt, except as specifically provided in this section and
17 ss. ~~70.20 (2)~~, 71.91 (5m) and (6), ~~74.55 (2)~~ and 102.28 (5):

18 **SECTION 3205.** 815.20 (1) of the statutes is amended to read:

19 815.20 (1) An exempt homestead as defined in s. 990.01 (14) selected by a
20 resident owner and occupied by him or her shall be exempt from execution, from the
21 lien of every judgment, and from liability for the debts of the owner to the amount
22 of \$75,000, except mortgages, laborers', mechanics', and purchase money liens, and
23 taxes, and except as otherwise provided. The exemption shall not be impaired by
24 temporary removal with the intention to reoccupy the premises as a homestead nor
25 by the sale of the homestead, but shall extend to the proceeds derived from the sale

ASSEMBLY BILL 43**SECTION 3205**

1 to an amount not exceeding \$75,000, while held, with the intention to procure
2 another homestead with the proceeds, for 2 years. The exemption extends to land
3 owned by ~~husband and wife~~ spouses jointly or in common or as marital property, and
4 each spouse may claim a homestead exemption of not more than \$75,000. The
5 exemption extends to the interest therein of tenants in common, having a homestead
6 thereon with the consent of the cotenants, and to any estate less than a fee.

7 **SECTION 3206.** 822.40 (4) of the statutes is amended to read:

8 822.40 (4) A privilege against disclosure of communications between spouses
9 and a defense of immunity based on the relationship of ~~husband and wife~~ between
10 spouses or parent and child may not be invoked in a proceeding under this
11 subchapter.

12 **SECTION 3207.** 851.30 (2) (a) of the statutes is amended to read:

13 851.30 (2) (a) An individual who obtains or consents to a final decree or
14 judgment of divorce from the decedent or an annulment of their marriage, if the
15 decree or judgment is not recognized as valid in this state, unless they subsequently
16 participate in a marriage ceremony purporting to marry each other or they
17 subsequently hold themselves out as ~~husband and wife~~ married to each other.

18 **SECTION 3208.** 852.01 (1) (f) 1. of the statutes is amended to read:

19 852.01 (1) (f) 1. One-half to the ~~maternal~~ grandparents on one side equally if
20 both survive, or to the surviving ~~maternal~~ grandparent on that side; if both ~~maternal~~
21 grandparents on that side are deceased, to the issue of the ~~maternal~~ grandparents
22 on that side or either of them, per stirpes.

23 **SECTION 3209.** 852.01 (1) (f) 2. of the statutes is amended to read:

24 852.01 (1) (f) 2. One-half to the ~~paternal~~ relations on the other side in the same
25 manner as to the ~~maternal~~ relations under subd. 1.

ASSEMBLY BILL 43**SECTION 3210**

1 **SECTION 3210.** 852.01 (1) (f) 3. of the statutes is amended to read:

2 852.01 (1) (f) 3. If either ~~the maternal side or the paternal~~ side has no surviving
3 grandparent or issue of a grandparent, the entire estate to the decedent's relatives
4 on the other side.

5 **SECTION 3211.** 854.03 (3) of the statutes is amended to read:

6 854.03 (3) MARITAL PROPERTY. Except as provided in subs. (4) and (5), if ~~a~~
7 ~~husband and wife~~ 2 spouses die leaving marital property and it is not established
8 that one survived the other by at least 120 hours, 50 percent of the marital property
9 shall be distributed as if it were the husband's first spouse's individual property and
10 the husband 2nd spouse had survived, and 50 percent of the marital property shall
11 be distributed as if it were the wife's 2nd spouse's individual property and the wife
12 first spouse had survived.

13 **SECTION 3212.** 891.39 (title) of the statutes is amended to read:

14 **891.39 (title) Presumption as to whether a child is marital or**
15 **nonmarital; self-erimination self-incrimination; birth certificates.**

16 **SECTION 3213.** 891.39 (1) (a) of the statutes is amended to read:

17 891.39 (1) (a) Whenever it is established in an action or proceeding that a child
18 was born to a woman while she was ~~the lawful wife of~~ legally married to a specified
19 ~~man~~ person, any party asserting in such action or proceeding that the ~~husband was~~
20 spouse is not the father parent of the child shall have the burden of proving that
21 assertion by a clear and satisfactory preponderance of the evidence. In all such
22 actions or proceedings the ~~husband and the wife~~ spouses are competent to testify as
23 witnesses to the facts. The court or judge in such cases shall appoint a guardian ad
24 litem to appear for and represent the child whose ~~paternity~~ parentage is questioned.
25 Results of a genetic test, as defined in s. 767.001 (1m), showing that a ~~man~~ person

ASSEMBLY BILL 43**SECTION 3213**

1 other than the ~~husband~~ mother's spouse is not excluded as the father of the child and
2 that the statistical probability of the man's person's parentage is 99.0 percent or
3 higher constitute a clear and satisfactory preponderance of the evidence of the
4 assertion under this paragraph, even if the ~~husband~~ mother's spouse is unavailable
5 to submit to genetic tests, as defined in s. 767.001 (1m).

6 **SECTION 3214.** 891.39 (1) (b) of the statutes is amended to read:

7 891.39 (1) (b) In actions affecting the family, in which the question of paternity
8 parentage is raised, and in paternity proceedings, the court, upon being satisfied that
9 the parties to the action are unable to adequately compensate any such guardian ad
10 litem for the guardian ad litem's services and expenses, shall then make an order
11 specifying the guardian ad litem's compensation and expenses, which compensation
12 and expenses shall be paid as provided in s. 967.06. If the court orders a county to
13 pay the compensation of the guardian ad litem, the amount ordered may not exceed
14 the compensation paid to private attorneys under s. 977.08 (4m) (b).

15 **SECTION 3215.** 891.39 (3) of the statutes is amended to read:

16 891.39 (3) If any court under this section adjudges a child to be a nonmarital
17 child, the clerk of court shall report the facts to the state registrar, who shall issue
18 a new birth record showing the correct facts as found by the court, and shall dispose
19 of the original, with the court's report attached under s. 69.15 (3). If the ~~husband~~
20 mother's spouse is a party to the action and the court makes a finding as to whether
21 or not the ~~husband~~ mother's spouse is the ~~father~~ parent of the child, such finding
22 shall be conclusive in all other courts of this state.

23 **SECTION 3216.** 891.40 (1) of the statutes is renumbered 891.40 (1) (a) and
24 amended to read:

ASSEMBLY BILL 43**SECTION 3216**

1 891.40 (1) (a) ~~If, under the supervision of a licensed physician and with the~~
2 ~~spouse's consent of her husband, a wife~~ person is inseminated artificially as provided
3 in par. (b) with semen donated by a man person who is not her husband the spouse
4 of the person being inseminated, the husband spouse of the ~~mother~~ inseminated
5 person at the time of the conception of the child shall be the natural father parent
6 of a child conceived. The ~~husband's~~ spouse's consent must be in writing and signed
7 by ~~him or her~~ and ~~his wife~~. ~~The~~ by the inseminated person.

8 (c) 1. If the artificial insemination under par. (a) takes place under the
9 supervision of a licensed physician, the physician shall certify their the signatures
10 on the consent and the date of the insemination, and shall file the ~~husband's~~ spouse's
11 consent with the department of health services, ~~where it shall be kept.~~ If the
12 artificial insemination under par. (a) does not take place under the supervision of a
13 licensed physician, the spouses shall file the signed consent, which shall include the
14 date of the insemination, with the department of health services.

15 2. The department of health services shall keep a consent filed under subd. 1.
16 confidential and in a sealed file except as provided in s. 46.03 (7) (bm). ~~However,~~

17 3. Notwithstanding subd. 1., the physician's or spouses' failure to file the
18 consent form does not affect the legal status of ~~father~~ natural parent and child.

19 (d) All papers and records pertaining to the artificial insemination under par.
20 (a), whether part of the permanent record of a court or of a file held by the a
21 supervising physician or sperm bank or elsewhere, may be inspected only upon an
22 order of the court for good cause shown.

23 **SECTION 3217.** 891.40 (1) (b) of the statutes is created to read:

24 891.40 (1) (b) The artificial insemination under par. (a) must satisfy any of the
25 following:

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1 1. The artificial insemination takes place under the supervision of a licensed
2 physician.

3 2. The semen used for the insemination is obtained from a sperm bank.

4 **SECTION 3218.** 891.40 (2) of the statutes is amended to read:

5 891.40 (2) The donor of semen provided to a licensed physician or obtained from
6 a sperm bank for use in the artificial insemination of a woman other than the donor's
7 wife spouse is not the natural ~~father~~ parent of a child conceived, bears no liability for
8 the support of the child, and has no parental rights with regard to the child.

9 **SECTION 3219.** 891.40 (3) of the statutes is created to read:

10 891.40 (3) This section applies with respect to children conceived before, on,
11 or after the effective date of this subsection [LRB inserts date], as a result of
12 artificial insemination.

13 **SECTION 3220.** 891.405 of the statutes is amended to read:

14 **891.405 Presumption of paternity parentage based on**
15 **acknowledgment.** A man person is presumed to be the natural ~~father~~ parent of a
16 child if ~~he~~ the person and the ~~mother~~ person who gave birth have acknowledged
17 paternity parentage under s. 69.15 (3) (b) 1. or 3. and no other ~~man~~ person is
18 presumed to be the ~~father~~ natural parent under s. 891.41 (1).

19 **SECTION 3221.** 891.407 of the statutes is amended to read:

20 **891.407 Presumption of paternity based on genetic test results.** A man
21 is presumed to be the natural father of a child if the man has been conclusively
22 determined from genetic test results to be the father under s. 767.804 and no other
23 ~~man~~ person is presumed to be the ~~father~~ natural parent under s. 891.405 or 891.41
24 (1).

25 **SECTION 3222.** 891.41 (title) of the statutes is amended to read:

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SECTION 3222

1 **891.41** (title) **Presumption of paternity parentage based on marriage of**
2 **the parties.**

3 **SECTION 3223.** 891.41 (1) (intro.) of the statutes is amended to read:

4 891.41 (1) (intro.) A ~~man~~ person is presumed to be the natural father parent
5 of a child if any of the following applies:

6 **SECTION 3224.** 891.41 (1) (a) of the statutes is amended to read:

7 891.41 (1) (a) ~~He~~ The person and the child's established natural mother parent
8 are or have been married to each other and the child is conceived or born after
9 marriage and before the granting of a decree of legal separation, annulment, or
10 divorce between the parties.

11 **SECTION 3225.** 891.41 (1) (b) of the statutes is renumbered 891.41 (1) (b) (intro.)
12 and amended to read:

13 891.41 (1) (b) (intro.) ~~He~~ The person and the child's established natural mother
14 parent were married to each other after the child was born but ~~he~~ the person and the
15 child's established natural mother parent had a relationship with one another
16 during the period of time within which the child was conceived and ~~no other man~~ all
17 of the following apply:

18 1. No person has been adjudicated to be the father ~~or~~.

19 2. No other person is presumed to be the father parent of the child under par.
20 (a).

21 **SECTION 3226.** 891.41 (2) of the statutes is amended to read:

22 891.41 (2) In a legal action or proceeding, a presumption under sub. (1) is
23 rebutted by results of a genetic test, as defined in s. 767.001 (1m), that show that a
24 ~~man~~ person other than the ~~man~~ person presumed to be the father parent under sub.
25 (1) is not excluded as the father of the child and that the statistical probability of the

ASSEMBLY BILL 43**SECTION 3226**

1 ~~man's~~ person's parentage is 99.0 percent or higher, even if the ~~man~~ person presumed
2 to be the ~~father~~ natural parent under sub. (1) is unavailable to submit to genetic
3 tests, as defined in s. 767.001 (1m).

4 **SECTION 3227.** 891.41 (3) of the statutes is created to read:

5 891.41 (3) This section applies with respect to children born before, on, or after
6 the effective date of this subsection [LRB inserts date].

7 **SECTION 3228.** Subchapter VIII (title) of chapter 893 [precedes 893.80] of the
8 statutes is amended to read:

9 **CHAPTER 893**

10 **SUBCHAPTER VIII**

11 **CLAIMS AGAINST GOVERNMENTAL**

12 **BODIES, OFFICERS, AND EMPLOYEES;**

13 **~~STATUTORY CHALLENGES~~**

14 **SECTION 3229.** 893.825 of the statutes is repealed.

15 **SECTION 3230.** 893.9815 of the statutes is created to read:

16 **893.9815 False claims.** An action or claim under s. 20.9315 shall be
17 commenced within 10 years after the cause of the action or claim accrues or be
18 barred.

19 **SECTION 3231.** 893.995 of the statutes is created to read:

20 **893.995 Employment discrimination; civil remedies.** Any civil action
21 arising under s. 111.397 is subject to the limitations of s. 111.397 (1) (b).

22 **SECTION 3232.** 895.48 (1m) (a) (intro.) of the statutes is amended to read:

23 895.48 (1m) (a) (intro.) Except as provided in par. (b), any physician,
24 naturopathic doctor, physician assistant, podiatrist, or athletic trainer licensed
25 under ch. 448, chiropractor licensed under ch. 446, dentist or dental therapist

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1 licensed under ch. 447, emergency medical services practitioner licensed under s.
2 256.15, emergency medical responder certified under s. 256.15 (8), registered nurse
3 licensed under ch. 441, or a massage therapist or bodywork therapist licensed under
4 ch. 460 who renders voluntary health care to a participant in an athletic event or
5 contest sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private
6 school, as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a
7 public agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1)
8 (c), is immune from civil liability for his or her acts or omissions in rendering that
9 care if all of the following conditions exist:

10 **SECTION 3233.** 895.48 (1m) (a) 2. of the statutes is amended to read:

11 895.48 (1m) (a) 2. The physician, naturopathic doctor, podiatrist, athletic
12 trainer, chiropractor, dentist, dental therapist, emergency medical services
13 practitioner, as defined in s. 256.01 (5), emergency medical responder, as defined in
14 s. 256.01 (4p), physician assistant, registered nurse, massage therapist or bodywork
15 therapist does not receive compensation for the health care, other than
16 reimbursement for expenses.

17 **SECTION 3234.** 905.05 (title) of the statutes is amended to read:

18 **905.05 (title) Husband-wife Spousal and domestic partner privilege.**

19 **SECTION 3235.** 938.02 (1) of the statutes is amended to read:

20 938.02 (1) "Adult" means a person who is 18 years of age or older, ~~except that~~
21 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
22 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
23 ~~means a person who has attained 17 years of age.~~

24 **SECTION 3236.** 938.02 (10m) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3236**

1 938.02 (10m) “Juvenile,” when used without further qualification, means a
2 person who is less than 18 years of age, ~~except that for purposes of investigating or~~
3 ~~prosecuting a person who is alleged to have violated a state or federal criminal law~~
4 ~~or any civil law or municipal ordinance, “juvenile” does not include a person who has~~
5 ~~attained 17 years of age.~~

6 **SECTION 3237.** 938.02 (12c) of the statutes is created to read:

7 938.02 (12c) “Like-kin” means a person who has a significant emotional
8 relationship with a child or the child’s family and to whom any of the following
9 applies:

10 (a) Prior to the child’s placement in out-of-home care, the person had an
11 existing relationship with the child or the child’s family that is similar to a familial
12 relationship.

13 (b) During the child’s placement in out-of-home care, the person developed a
14 relationship with the child or the child’s family that is similar to a familial
15 relationship, and the person is not and has not previously been the child’s licensed
16 foster parent.

17 (c) For an Indian child, “like-kin” includes individuals identified by the child’s
18 tribe according to tribal tradition, custom or resolution, code, or law.

19 **SECTION 3238.** 938.02 (13) of the statutes is amended to read:

20 938.02 (13) “Parent” means a biological natural parent, ~~a husband who has~~
21 ~~consented to the artificial insemination of his wife under s. 891.40, or a parent by~~
22 adoption. If the juvenile is a nonmarital child who is not adopted or whose parents
23 do not subsequently intermarry under s. 767.803, “parent” includes a person
24 conclusively determined from genetic test results to be the father under s. 767.804
25 or a person acknowledged under s. 767.805 or a substantially similar law of another

ASSEMBLY BILL 43**SECTION 3238**

1 state or adjudicated to be the ~~biological father~~ natural parent. “Parent” does not
2 include any person whose parental rights have been terminated. For purposes of the
3 application of s. 938.028 and the federal Indian Child Welfare Act, 25 USC 1901 to
4 1963, “parent” means a ~~biological~~ natural parent of an Indian child, an Indian
5 ~~husband~~ spouse who has consented to the artificial insemination of his wife or her
6 spouse under s. 891.40, or an Indian person who has lawfully adopted an Indian
7 juvenile, including an adoption under tribal law or custom, and includes, in the case
8 of a nonmarital Indian child who is not adopted or whose parents do not subsequently
9 intermarry under s. 767.803, a person conclusively determined from genetic test
10 results to be the father under s. 767.804, a person acknowledged under s. 767.805,
11 a substantially similar law of another state, or tribal law or custom to be the
12 ~~biological father~~ natural parent, or a person adjudicated to be the ~~biological father~~
13 natural parent, but does not include any person whose parental rights have been
14 terminated.

15 **SECTION 3239.** 938.02 (15) of the statutes is amended to read:

16 938.02 (15) “Relative” means a parent, stepparent, brother, sister, stepbrother,
17 stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd
18 cousin, first cousin once removed, nephew, niece, uncle, aunt, stepuncle, stepaunt,
19 or any person of a preceding generation as denoted by the prefix of grand, great, or
20 great-great, whether by blood, marriage, or legal adoption, or the spouse of any
21 person named in this subsection, even if the marriage is terminated by death or
22 divorce. For purposes of the application of s. 938.028 and the federal Indian Child
23 Welfare Act, 25 USC 1901 to 1963, “relative” includes an extended family member,
24 as defined in s. 938.028 (2) (a), whether by blood, marriage, or adoption, including
25 adoption under tribal law or custom. For purposes of placement of a juvenile,

ASSEMBLY BILL 43**SECTION 3239**

1 “relative” also includes a parent of a sibling of the juvenile who has legal custody of
2 that sibling.

3 **SECTION 3240.** 938.028 (2) (c) of the statutes is amended to read:

4 938.028 (2) (c) “Out-of-home care placement” means the removal of an Indian
5 juvenile from the home of his or her parent or Indian custodian for temporary
6 placement in a foster home, group home, residential care center for children and
7 youth, or shelter care facility, in the home of a relative other than a parent, in the
8 home of like-kin, or in the home of a guardian, from which placement the parent or
9 Indian custodian cannot have the juvenile returned upon demand. “Out-of-home
10 care placement” does not include an emergency change in placement under s.
11 938.357 (2) (b) or holding an Indian juvenile in custody under ss. 938.19 to 938.21.

12 **SECTION 3241.** 938.12 (2) of the statutes is amended to read:

13 938.12 (2) ~~SEVENTEEN-YEAR-OLDS~~ JUVENILES WHO BECOME ADULTS. If a petition
14 alleging that a juvenile is delinquent is filed before the juvenile is 17 years of age
15 becomes an adult, but the juvenile becomes 17 years of age an adult before admitting
16 the facts of the petition at the plea hearing or, if the juvenile denies the facts, before
17 an adjudication, the court retains jurisdiction over the case.

18 **SECTION 3242.** 938.18 (2) of the statutes is amended to read:

19 938.18 (2) **PETITION.** The petition for waiver of jurisdiction may be filed by the
20 district attorney or the juvenile or may be initiated by the court and shall contain a
21 brief statement of the facts supporting the request for waiver. The petition for waiver
22 of jurisdiction shall be accompanied by or filed after the filing of a petition alleging
23 delinquency and shall be filed prior to the plea hearing, except that if the juvenile
24 denies the facts of the petition and becomes 17 years of age an adult before an
25 adjudication, the petition for waiver of jurisdiction may be filed at any time prior to

ASSEMBLY BILL 43**SECTION 3242**

1 the adjudication. If the court initiates the petition for waiver of jurisdiction, the
2 judge shall disqualify himself or herself from any future proceedings on the case.

3 **SECTION 3243.** 938.183 (3) of the statutes is amended to read:

4 938.183 (3) PLACEMENT IN STATE PRISON; PAROLE. ~~When~~ Subject to s. 973.013
5 (3m), when a juvenile who is subject to a criminal penalty under sub. (1m) or s.
6 938.183 (2), 2003 stats., ~~attains the age of 17 years~~ becomes an adult, the department
7 of corrections may place the juvenile in a state prison named in s. 302.01, except that
8 that department may not place any person under the age of 18 years in the
9 correctional institution authorized in s. 301.16 (1n). A juvenile who is subject to a
10 criminal penalty under sub. (1m) or under s. 938.183 (2), 2003 stats., for an act
11 committed before December 31, 1999, is eligible for parole under s. 304.06.

12 **SECTION 3244.** 938.207 (1) (b) of the statutes is amended to read:

13 938.207 (1) (b) The home of a relative or like-kin, except that a juvenile may
14 not be held in the home of a ~~relative if the relative~~ person who has been convicted
15 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
16 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction has
17 not been reversed, set aside or vacated, unless the person making the custody
18 decision determines by clear and convincing evidence that the placement would be
19 in the best interests of the juvenile. The person making the custody decision shall
20 consider the wishes of the juvenile in making that determination.

21 **SECTION 3245.** 938.207 (1) (f) of the statutes is amended to read:

22 938.207 (1) (f) The home of a person not a relative or like-kin if the person has
23 not had a license under s. 48.62 refused, revoked, or suspended within the previous
24 2 years. A placement under this paragraph may not exceed 30 days, unless the
25 placement is extended by the court for cause for an additional 30 days.

ASSEMBLY BILL 43**SECTION 3246**

1 **SECTION 3246.** 938.208 (1) (b) of the statutes is amended to read:

2 938.208 (1) (b) Probable cause exists to believe that the juvenile possessed,
3 used or threatened to use a handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d),
4 short-barreled rifle, as defined in s. 941.28 (1) (b), or short-barreled shotgun, as
5 defined in s. 941.28 (1) (c), while committing a delinquent act that would be a felony
6 under ch. 940 if committed by an adult.

7 **SECTION 3247.** 938.255 (1) (intro.) of the statutes is amended to read:

8 938.255 (1) TITLE AND CONTENTS. (intro.) A petition initiating proceedings
9 under this chapter, other than a petition initiating proceedings under s. 938.12,
10 938.125, or 938.13 (12), shall be entitled, "In the interest of (juvenile's name), a
11 person under the age of 18". A petition initiating proceedings under s. 938.12,
12 938.125, or 938.13 (12) shall be entitled, "In the interest of (juvenile's name), a person
13 ~~under the age of 17". juvenile.~~ A petition initiating proceedings under this chapter
14 shall specify all of the following:

15 **SECTION 3248.** 938.33 (4) (intro.) of the statutes is amended to read:

16 938.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending
17 placement in a foster home, group home, or nonsecured residential care center for
18 children and youth, in the home of a relative other than a parent, in the home of
19 like-kin, in the home of a guardian under s. 48.977 (2), or in a supervised
20 independent living arrangement shall be in writing, except that the report may be
21 presented orally at the dispositional hearing if all parties consent. A report that is
22 presented orally shall be transcribed and made a part of the court record. The report
23 shall include all of the following:

24 **SECTION 3249.** 938.335 (3g) (intro.) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3249**

1 938.335 **(3g)** REASONABLE EFFORTS FINDING. (intro.) At hearings under this
2 section, if the agency, as defined in s. 938.38 (1) (a), is recommending placement of
3 the juvenile in a foster home, group home, or residential care center for children and
4 youth, in the home of a relative other than a parent, in the home of like-kin, in the
5 home of a guardian under s. 48.977 (2), or in a supervised independent living
6 arrangement, the agency shall present as evidence specific information showing all
7 of the following:

8 **SECTION 3250.** 938.335 (3j) (intro.) of the statutes is amended to read:

9 938.335 **(3j)** INDIAN JUVENILE; ACTIVE EFFORTS FINDING. (intro.) At hearings
10 under this section involving an Indian juvenile who is the subject of a proceeding
11 under s. 938.13 (4), (6), (6m), or (7), if the agency, as defined in s. 938.38 (1) (a), is
12 recommending removal of the Indian juvenile from the home of his or her parent or
13 Indian custodian and placement of the Indian juvenile in a foster home, group home,
14 or residential care center for children and youth ~~or~~, in the home of a relative other
15 than a parent, or in the home of like-kin, the agency shall present as evidence
16 specific information showing all of the following:

17 **SECTION 3251.** 938.34 (3) (a) (intro.) of the statutes is amended to read:

18 938.34 **(3)** (a) (intro.) The home of a parent ~~or~~, other relative, or like-kin of the
19 juvenile, except that the court may not designate any of the following as the juvenile's
20 placement, unless the court determines by clear and convincing evidence that the
21 placement would be in the best interests of the juvenile or, in the case of an Indian
22 juvenile, the best interests of the Indian juvenile as described in s. 938.01 (3):

23 **SECTION 3252.** 938.34 (3) (a) 1. of the statutes is amended to read:

24 938.34 **(3)** (a) 1. The home of a parent ~~or~~, other relative, or like-kin of the
25 juvenile if the parent ~~or~~, other relative, or like-kin has been convicted of the homicide

ASSEMBLY BILL 43**SECTION 3252**

1 of a parent of the juvenile under s. 940.01 or 940.05, and the conviction has not been
2 reversed, set aside, or vacated. In determining whether a placement under this
3 subdivision would be in the best interests of the juvenile, the court shall consider the
4 wishes of the juvenile.

5 **SECTION 3253.** 938.34 (3) (a) 2. of the statutes is amended to read:

6 938.34 (3) (a) 2. The home of a relative other than the parent of the juvenile
7 or the home of like-kin if the court finds that the relative or like-kin has been
8 convicted of, has pleaded no contest to, or has had a charge dismissed or amended
9 as a result of a plea agreement for a crime under s. 948.02 (1) or (2), 948.025, 948.03
10 (2) or (5) (a) 1., 2., 3., or 4., 948.05, 948.051, 948.055, 948.06, 948.07, 948.08, 948.081,
11 948.085, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21, 948.215, 948.30, or 948.53, or
12 a similar law of another state.

13 **SECTION 3254.** 938.34 (4m) (b) 2. of the statutes is amended to read:

14 938.34 (4m) (b) 2. The juvenile has possessed, used or threatened to use a
15 handgun, as defined in s. 175.35 ~~(1) (b)~~ 941.237 (1) (d), short-barreled rifle, as
16 defined in s. 941.28 (1) (b), or short-barreled shotgun, as defined in s. 941.28 (1) (c),
17 while committing a delinquent act that would be a felony under ch. 940 if committed
18 by an adult.

19 **SECTION 3255.** 938.34 (8) of the statutes is amended to read:

20 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that
21 this disposition is in the best interest of the juvenile and the juvenile's rehabilitation.
22 The maximum forfeiture that the court may impose under this subsection for a
23 violation by a juvenile is the maximum amount of the fine that may be imposed on
24 an adult for committing that violation or, if the violation is applicable only to ~~a person~~
25 ~~under 18 years of age juveniles~~, \$100. The order shall include a finding that the

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1 juvenile alone is financially able to pay the forfeiture and shall allow up to 12 months
2 for payment. If the juvenile fails to pay the forfeiture, the court may vacate the
3 forfeiture and order other alternatives under this section; or the court may suspend
4 any license issued under ch. 29 for not less than 30 days nor more than 5 years, or
5 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more
6 than 2 years. If the court suspends any license under this subsection, the clerk of the
7 court shall immediately take possession of the suspended license if issued under ch.
8 29 or, if the license is issued under ch. 343, the court may take possession of, and if
9 possession is taken, shall destroy, the license. The court shall forward to the
10 department ~~which~~ that issued the license a notice of suspension stating that the
11 suspension is for failure to pay a forfeiture imposed by the court, together with any
12 license issued under ch. 29 of which the court takes possession. If the forfeiture is
13 paid during the period of suspension, the suspension shall be reduced to the time
14 period ~~which~~ that has already elapsed and the court shall immediately notify the
15 department, which shall then, if the license is issued under ch. 29, return the license
16 to the juvenile. Any recovery under this subsection shall be reduced by the amount
17 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

18 **SECTION 3256.** 938.341 of the statutes is amended to read:

19 **938.341 Delinquency adjudication; restriction on firearm possession.**

20 Whenever a court adjudicates a juvenile delinquent for an act that if committed by
21 an adult in this state would be a felony or for a violation under s. 175.33 (2), the court
22 shall inform the juvenile of the requirements and penalties under s. 941.29.

23 **SECTION 3257.** 938.343 (2) of the statutes is amended to read:

24 938.343 (2) FORFEITURE. Impose a forfeiture not to exceed the maximum
25 forfeiture that may be imposed on an adult for committing that violation or, if the

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1 violation is only applicable to ~~a person under 18 years of age~~ juveniles, \$50. The
2 order shall include a finding that the juvenile alone is financially able to pay and
3 shall allow up to 12 months for the payment. If a juvenile fails to pay the forfeiture,
4 the court may suspend any license issued under ch. 29 or suspend the juvenile's
5 operating privilege, as defined in s. 340.01 (40), for not more than 2 years. The court
6 shall immediately take possession of the suspended license if issued under ch. 29 or,
7 if the license is issued under ch. 343, the court may take possession of, and if
8 possession is taken, shall destroy, the license. The court shall forward to the
9 department ~~which~~ that issued the license the notice of suspension stating that the
10 suspension is for failure to pay a forfeiture imposed by the court, together with any
11 license issued under ch. 29 of which the court takes possession. If the forfeiture is
12 paid during the period of suspension, the court shall immediately notify the
13 department, which shall, if the license is issued under ch. 29, return the license to
14 the person. Any recovery under this subsection shall be reduced by the amount
15 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

16 **SECTION 3258.** 938.344 (3) of the statutes is amended to read:

17 938.344 (3) PROSECUTION IN ADULT COURT. If the juvenile alleged to have
18 committed the violation is within 3 months of ~~his or her 17th birthday~~ becoming an
19 adult, the court assigned to exercise jurisdiction under this chapter and ch. 48 may,
20 at the request of the district attorney or on its own motion, dismiss the citation
21 without prejudice and refer the matter to the district attorney for prosecution under
22 s. 125.07 (4). The juvenile is entitled to a hearing only on the issue of his or her age.
23 This subsection does not apply to violations under s. 961.573 (2), 961.574 (2), or
24 961.575 (2) or a local ordinance that strictly conforms to one of those statutes.

25 **SECTION 3259.** 938.35 (1m) of the statutes is amended to read:

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1 938.35 (1m) FUTURE CRIMINAL PROCEEDINGS BARRED. Disposition by the court
2 assigned to exercise jurisdiction under this chapter and ch. 48 of any allegation
3 under s. 938.12 or 938.13 (12) shall bar any future proceeding on the same matter
4 in criminal court when the juvenile attains 17 years of age becomes an adult. This
5 subsection does not affect proceedings in criminal court that have been transferred
6 under s. 938.18.

7 **SECTION 3260.** 938.355 (4) (am) (intro.) of the statutes is amended to read:

8 938.355 (4) (am) (intro.) Except as provided in par. (b) or s. 938.368, an order
9 under this section or s. 938.357 or 938.365 made before the juvenile attains 18 years
10 of age that places or continues the placement of the juvenile in a foster home, group
11 home, or residential care center for children and youth, in the home of a relative other
12 than a parent, in the home of like-kin, or in a supervised independent living
13 arrangement shall terminate on the latest of the following dates, unless the court
14 specifies a shorter period or the court terminates the order sooner:

15 **SECTION 3261.** 938.355 (4) (b) of the statutes is amended to read:

16 938.355 (4) (b) Except as provided in s. 938.368, an order under s. 938.34 (4d)
17 or (4m) made before the juvenile attains 18 years of age may apply for up to 2 years
18 after the date on which the order is granted or until the juvenile's ~~18th~~ 19th birthday,
19 whichever is earlier, unless the court specifies a shorter period of time or the court
20 terminates the order sooner. If the order does not specify a termination date, it shall
21 apply for one year after the date on which the order is granted or until the juvenile's
22 ~~18th~~ 19th birthday, whichever is earlier, unless the court terminates the order
23 sooner. Except as provided in s. 938.368, an order under s. 938.34 (4h) made before
24 the juvenile attains 18 years of age shall apply for 5 years after the date on which the
25 order is granted, if the juvenile is adjudicated delinquent for committing a violation

ASSEMBLY BILL 43**SECTION 3261**

1 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C
2 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the
3 juvenile is adjudicated delinquent for committing an act that would be punishable
4 as a Class A felony if committed by an adult. Except as provided in s. 938.368, an
5 extension of an order under s. 938.34 (4d), (4h), (4m), or (4n) made before the juvenile
6 ~~attains 17 years of age~~ becomes an adult shall terminate at the end of one year after
7 the date on which the order is granted unless the court specifies a shorter period of
8 time or the court terminates the order sooner. No extension under s. 938.365 of an
9 original dispositional order under s. 938.34 (4d), (4h), (4m), or (4n) may be granted
10 for a juvenile who is ~~17 years of age or older when~~ becomes an adult by the time the
11 original dispositional order terminates.

12 **SECTION 3262.** 938.355 (4m) (a) of the statutes is amended to read:

13 938.355 (4m) (a) A juvenile who has been adjudged delinquent under s. 48.12,
14 1993 stats., or s. 938.12 may, on ~~attaining 17 years of age~~ becoming an adult, petition
15 the court to expunge the court's record of the juvenile's adjudication. Subject to par.
16 (b), the court may expunge the record if the court determines that the juvenile has
17 satisfactorily complied with the conditions of his or her dispositional order and that
18 the juvenile will benefit from, and society will not be harmed by, the expungement.

19 **SECTION 3263.** 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,

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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 3264.** 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 3265.** 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 3266.** 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 3267.** 938.371 (1) (intro.) of the statutes is amended to read:

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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 3268.** 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 3269.** 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),

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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 3270.** 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 3271.** 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

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1 shall prepare a written permanency plan, if any of the conditions under pars. (a) to
2 (e) exists:

3 **SECTION 3272.** 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 3273.** 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 3274.** 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 3275.** 938.38 (4m) (d) of the statutes is amended to read:

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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 3276.** 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

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1 contact information for the caseworker or social worker assigned to the juvenile's
2 case.

3 **SECTION 3277.** 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 3278.** 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

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1 Indian custodian under s. 938.13 (4), (6), (6m), or (7), the Indian juvenile's Indian
2 custodian and tribe.

3 **SECTION 3279.** 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 3280.** 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

ASSEMBLY BILL 43**SECTION 3280**

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 3281.** 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

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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 3282.** 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 3283.** 938.39 of the statutes is amended to read:

18 **938.39 Disposition by court bars criminal proceeding.** Disposition by the
19 court of any violation of state law within its jurisdiction under s. 938.12 bars any
20 future criminal proceeding on the same matter in circuit court when the juvenile
21 ~~reaches the age of 17~~ becomes an adult. This section does not affect criminal
22 proceedings in circuit court that were transferred under s. 938.18.

23 **SECTION 3284.** 938.396 (2g) (g) of the statutes is amended to read:

24 938.396 (2g) (g) *Paternity Parentage of juvenile*. Upon request of a court having
25 jurisdiction over actions affecting the family, an attorney responsible for support

ASSEMBLY BILL 43**SECTION 3284**

1 enforcement under s. 59.53 (6) (a) or a party to a paternity proceeding under subch.
2 IX of ch. 767, the party's attorney or the guardian ad litem for the juvenile who is the
3 subject of that proceeding to review or be provided with information from the records
4 of the court assigned to exercise jurisdiction under this chapter and ch. 48 relating
5 to the paternity parentage of a juvenile for the purpose of determining the paternity
6 parentage of the juvenile or for the purpose of rebutting the presumption of paternity
7 under s. ~~891.405~~, 891.407, or the presumption of parentage under s. 891.405 or
8 891.41, the court assigned to exercise jurisdiction under this chapter and ch. 48 shall
9 open for inspection by the requester its records relating to the paternity parentage
10 of the juvenile or disclose to the requester those records.

11 **SECTION 3285.** Subchapter IX (title) of chapter 938 [precedes 938.44] of the
12 statutes is amended to read:

CHAPTER 938**SUBCHAPTER IX****JURISDICTION OVER PERSONS 17****OR OLDER ADULTS**

16 **SECTION 3286.** 938.44 of the statutes is amended to read:

17 **938.44 Jurisdiction over persons ~~17 or older~~ adults.** The court has
18 jurisdiction over ~~persons 17 years of age or older~~ adults as provided under ss. 938.355
19 (4), 938.357 (6), 938.365 (5), and 938.45 and as otherwise specified in this chapter.

20 **SECTION 3287.** 938.45 (1) (a) of the statutes is amended to read:

21 **938.45 (1) (a)** If in the hearing of a case of a juvenile alleged to be delinquent
22 under s. 938.12 or in need of protection or services under s. 938.13 it appears that any
23 ~~person 17 years of age or older~~ adult has been guilty of contributing to, encouraging,
24 or tending to cause by any act or omission, ~~such~~ that condition of the juvenile, the
25

ASSEMBLY BILL 43**SECTION 3287**

1 court may make orders with respect to the conduct of that person in his or her
2 relationship to the juvenile, including orders relating to determining the ability of
3 the person to provide for the maintenance or care of the juvenile and directing when,
4 how, and from where funds for the maintenance or care shall be paid.

5 **SECTION 3288.** 938.45 (3) of the statutes is amended to read:

6 938.45 (3) PROSECUTION OF ADULT CONTRIBUTING TO DELINQUENCY OF JUVENILE.

7 If it appears at a court hearing that any ~~person 17 years of age or older~~ adult has
8 violated s. 948.40, the court shall refer the record to the district attorney. This
9 subsection does not prohibit prosecution of violations of s. 948.40 without the prior
10 reference by the court to the district attorney.

11 **SECTION 3289.** 938.48 (4m) (title) of the statutes is amended to read:

12 938.48 (4m) (title) CONTINUING CARE AND SERVICES FOR JUVENILES ~~OVER 17~~ WHO
13 BECOME ADULTS.

14 **SECTION 3290.** 938.48 (4m) (a) of the statutes is amended to read:

15 938.48 (4m) (a) Is at least ~~17 years of age~~ an adult.

16 **SECTION 3291.** 938.48 (4m) (b) of the statutes is amended to read:

17 938.48 (4m) (b) Was under the supervision of the department under s. 938.183,
18 938.34 (4h), or 938.357 (3) or (4) when the person reached ~~17 years of age~~ became an
19 adult.

20 **SECTION 3292.** 938.48 (14) of the statutes is amended to read:

21 938.48 (14) SCHOOL-RELATED EXPENSES FOR JUVENILES ~~OVER 17~~ WHO BECOME
22 ADULTS. Pay maintenance, tuition, and related expenses from the appropriation
23 under s. 20.410 (3) (ho) for persons who, when they ~~attained 17 years of age~~ became
24 adults, were students regularly attending a school, college, or university or regularly
25 attending a course of vocational or technical training designed to prepare them for

ASSEMBLY BILL 43**SECTION 3292**

1 gainful employment, and who upon ~~attaining that age~~ becoming adults were under
2 the supervision of the department under s. 938.183, 938.34 (4h), or 938.357 (3) or (4)
3 as a result of a judicial decision.

4 **SECTION 3293.** 938.57 (3) (title) of the statutes is amended to read:

5 938.57 (3) (title) CONTINUING MAINTENANCE FOR JUVENILES ~~OVER 17~~ WHO BECOME
6 ADULTS.

7 **SECTION 3294.** 938.57 (3) (a) (intro.) of the statutes is amended to read:

8 938.57 (3) (a) (intro.) From the reimbursement received under s. 48.569 (1) (d),
9 counties may provide funding for the maintenance of any juvenile person who meets
10 all of the following qualifications:

11 **SECTION 3295.** 938.57 (3) (a) 1. of the statutes is amended to read:

12 938.57 (3) (a) 1. Is ~~17 years of age or older~~ an adult.

13 **SECTION 3296.** 938.57 (3) (a) 3. of the statutes is amended to read:

14 938.57 (3) (a) 3. Received funding under s. 48.569 (1) (d) immediately prior to
15 ~~his or her 17th birthday~~ becoming an adult.

16 **SECTION 3297.** 938.57 (3) (b) of the statutes is amended to read:

17 938.57 (3) (b) The funding provided for the maintenance of a juvenile person
18 under par. (a) shall be in an amount equal to that which the juvenile person would
19 receive under s. 48.569 (1) (d) if the person were a juvenile ~~were 16 years of age~~.

20 **SECTION 3298.** 941.237 (1) (d) of the statutes is amended to read:

21 941.237 (1) (d) "Handgun" ~~has the meaning given in s. 175.35 (1) (b)~~ means any
22 weapon designed or redesigned, or made or remade, and intended to be fired while
23 held in one hand and to use the energy of an explosive to expel a projectile through
24 a smooth or rifled bore.

ASSEMBLY BILL 43**SECTION 3299**

1 **SECTION 3299.** 941.29 (1m) (dm), (dn) and (do) of the statutes are created to
2 read:

3 941.29 **(1m)** (dm) The person has been convicted of a misdemeanor under s.
4 175.33 (2), unless at least 2 years have passed since the conviction.

5 (dn) The person has been adjudicated delinquent for a violation under s. 175.33
6 (2), unless at least 2 years have passed since the adjudication.

7 (do) The person has been found not guilty of a misdemeanor under s. 175.33 (2)
8 by reason of mental disease or defect, unless at least 2 years have passed since the
9 finding.

10 **SECTION 3300.** 941.29 (1m) (f) of the statutes is amended to read:

11 941.29 **(1m)** (f) The person is subject to an injunction issued under s. 813.12
12 or 813.122, a temporary restraining order or an injunction issued under s. 813.124,
13 or ~~under~~ a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
14 established by any federally recognized Wisconsin Indian tribe or band, except the
15 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
16 or she is subject to the requirements and penalties under this section and that has
17 been filed under s. 813.128 (3g).

18 **SECTION 3301.** 941.296 (1) (b) of the statutes is amended to read:

19 941.296 **(1)** (b) “Handgun” has the meaning given in s. ~~175.35 (1) (b)~~ 941.237
20 (1) (d).

21 **SECTION 3302.** 941.315 (5) of the statutes is amended to read:

22 941.315 **(5)** (a) Subsection (2) does not apply to a person to whom nitrous oxide
23 is administered for the purpose of providing medical or dental care, if the nitrous
24 oxide is administered by a physician ~~or~~, dentist, or dental therapist or at the direction
25 or under the supervision of a physician ~~or~~, dentist, or dental therapist.

ASSEMBLY BILL 43**SECTION 3302**

1 (b) Subsection (3) does not apply to the administration of nitrous oxide by a
2 physician ~~or, dentist, or dental therapist~~, or by another person at the direction or
3 under the supervision of a physician ~~or, dentist, or dental therapist~~, for the purpose
4 of providing medical or dental care.

5 (c) Subsection (3) (c) does not apply to the sale to a hospital, health care clinic
6 or other health care organization or to a physician ~~or, dentist, or dental therapist~~ of
7 any object used, designed for use or primarily intended for use in administering
8 nitrous oxide for the purpose of providing medical or dental care.

9 **SECTION 3303.** 943.20 (2) (c) of the statutes is amended to read:

10 943.20 (2) (c) “Property of another” includes property in which the actor is a
11 co-owner and property of a partnership of which the actor is a member, unless the
12 actor and the victim are ~~husband and wife~~ married to each other.

13 **SECTION 3304.** 943.201 (1) (b) 8. of the statutes is amended to read:

14 943.201 (1) (b) 8. The ~~maiden name~~ surname of an individual’s ~~mother~~ parent
15 before marriage if the surname was changed as a result of marriage.

16 **SECTION 3305.** 943.205 (2) (b) of the statutes is amended to read:

17 943.205 (2) (b) “Owner” includes a co-owner of the person charged and a
18 partnership of which the person charged is a member, unless the person charged and
19 the victim are ~~husband and wife~~ married to each other.

20 **SECTION 3306.** 943.395 (1) (e) of the statutes is created to read:

21 943.395 (1) (e) Presents an application for worker’s compensation insurance
22 coverage that is false or fraudulent or that falsely or fraudulently misclassifies
23 employees to lower worker’s compensation insurance premiums.

24 **SECTION 3307.** 946.15 of the statutes is created to read:

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1 **946.15 Public construction contracts at less than full rate. (1)** Any
2 employer, or any agent or employee of an employer, who induces any individual who
3 seeks to be or is employed pursuant to a public contract, as defined in s. 66.0901 (1)
4 (c), or who seeks to be or is 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) to give up, waive, or return any
7 part of the compensation to which that individual is entitled under his or her contract
8 of employment or under the prevailing wage rate determination issued by the
9 department, or who reduces the hourly basic rate of pay normally paid to an
10 employee for work on a project on which a prevailing wage rate determination has
11 not been issued under s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) during a
12 week in which the employee works both on a project on which a prevailing wage rate
13 determination has been issued and on a project on which a prevailing wage rate
14 determination has not been issued, is guilty of a Class I felony.

15 **(2)** Any individual employed pursuant to a public contract, as defined in s.
16 66.0901 (1) (c), or employed on a project on which a prevailing wage rate
17 determination has been issued by the department of workforce development under
18 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who gives up, waives, or returns
19 to the employer or agent of the employer any part of the compensation to which the
20 employee is entitled under his or her contract of employment or under the prevailing
21 wage determination issued by the department, or who gives up any part of the
22 compensation to which he or she is normally entitled for work on a project on which
23 a prevailing wage rate determination has not been issued under s. 66.0903 (3),
24 103.49 (3), 103.50 (3), or 229.8275 (3) during a week in which the individual works
25 part-time on a project on which a prevailing wage rate determination has been

ASSEMBLY BILL 43**SECTION 3307**

1 issued and part-time on a project on which a prevailing wage rate determination has
2 not been issued, is guilty of a Class C misdemeanor.

3 (3) Any employer or labor organization, or any agent or employee of an
4 employer or labor organization, who induces any individual who seeks to be or is
5 employed on a project on which a prevailing wage rate determination has been issued
6 by the department of workforce development under s. 66.0903 (3), 103.49 (3), 103.50
7 (3), or 229.8275 (3) to allow any part of the wages to which that individual is entitled
8 under the prevailing wage rate determination issued by the department or local
9 governmental unit to be deducted from the individual's pay is guilty of a Class I
10 felony, unless the deduction would be allowed under 29 CFR 3.5 or 3.6 from an
11 individual who is working on a project that is subject to 40 USC 3142.

12 (4) Any individual employed on a project on which a prevailing wage rate
13 determination has been issued by the department of workforce development under
14 s. 66.0903 (3), 103.49 (3), 103.50 (3), or 229.8275 (3) who allows any part of the wages
15 to which that individual is entitled under the prevailing wage rate determination
16 issued by the department or local governmental unit to be deducted from his or her
17 pay is guilty of a Class C misdemeanor, unless the deduction would be allowed under
18 29 CFR 3.5 or 3.6 from an individual who is working on a project that is subject to
19 40 USC 3142.

20 **SECTION 3308.** 946.50 (intro.) of the statutes is amended to read:

21 **946.50 Absconding.** (intro.) Any person who is adjudicated delinquent, but
22 who intentionally fails to appear before the court assigned to exercise jurisdiction
23 under chs. 48 and 938 for his or her dispositional hearing under s. 938.335, and who
24 does not return to that court for a dispositional hearing before ~~attaining the age of~~
25 ~~17 years~~ becoming an adult is guilty of the following:

ASSEMBLY BILL 43**SECTION 3309**

1 **SECTION 3309.** 947.20 of the statutes is repealed.

2 **SECTION 3310.** 947.21 of the statutes is repealed.

3 **SECTION 3311.** 948.01 (1) of the statutes is amended to read:

4 948.01 (1) “Child” means a person who has not attained the age of 18 years,
5 except that for purposes of prosecuting a person who is alleged to have violated a
6 state or federal criminal law, “child” does not include a person who has attained the
7 age of 17 years.

8 **SECTION 3312.** 948.11 (2) (am) (intro.) of the statutes is amended to read:

9 948.11 (2) (am) (intro.) Any person who has attained the age of 17 and adult
10 who, with knowledge of the character and content of the description or narrative
11 account, verbally communicates, by any means, a harmful description or narrative
12 account to a child, with or without monetary consideration, is guilty of a Class I
13 felony if any of the following applies:

14 **SECTION 3313.** 948.45 (1) of the statutes is amended to read:

15 948.45 (1) Except as provided in sub. (2), any person 17 years of age or older
16 adult who, by any act or omission, knowingly encourages or contributes to the
17 truancy, as defined under s. 118.16 (1) (c), of a person 17 years of age or under child
18 is guilty of a Class C misdemeanor.

19 **SECTION 3314.** 948.60 (2) (d) of the statutes is amended to read:

20 948.60 (2) (d) A person under 17 years of age child who has violated this
21 subsection is subject to the provisions of ch. 938 unless jurisdiction is waived under
22 s. 938.18 or the person is subject to the jurisdiction of a court of criminal jurisdiction
23 under s. 938.183.

24 **SECTION 3315.** 948.61 (4) of the statutes is amended to read:

ASSEMBLY BILL 43**SECTION 3315**

1 948.61 (4) A ~~person under 17 years of age~~ child who has violated this section
2 is subject to the provisions of ch. 938, unless jurisdiction is waived under s. 938.18
3 or the person is subject to the jurisdiction of a court of criminal jurisdiction under s.
4 938.183.

5 **SECTION 3316.** 950.04 (1v) (g) of the statutes is amended to read:

6 950.04 (1v) (g) To have reasonable attempts made to notify the victim of
7 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),
8 938.27 (4m) and (6), 938.273 (2), 971.095 (3) ~~and~~, 972.14 (3) (b), and 973.015 (1m) (c).

9 **SECTION 3317.** 961.01 (14) of the statutes is renumbered 961.70 (2) and
10 amended to read:

11 961.70 (2) “Marijuana” means all parts of the plants of the genus Cannabis,
12 whether growing or not; the seeds thereof; the resin extracted from any part of the
13 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
14 of the plant, its seeds or resin, ~~including if the tetrahydrocannabinols concentration~~
15 of the plant part, seeds, resin, compound, manufacture, salt, derivative, mixture, or
16 preparation is greater than 0.3 percent on a dry weight basis. “Marijuana” does
17 include the mature stalks if mixed with other parts of the plant, but does not include
18 fiber produced from the stalks, oil or cake made from the seeds of the plant, any other
19 compound, manufacture, salt, derivative, mixture, or preparation of the mature
20 stalks (except the resin extracted therefrom), fiber, oil, or cake or the sterilized seed
21 of the plant which is incapable of germination. “Marijuana” does not include hemp,
22 as defined in s. 94.55 (1).

23 **SECTION 3318.** 961.01 (19) (a) of the statutes is amended to read:

24 961.01 (19) (a) A physician, advanced practice registered nurse, dentist,
25 veterinarian, podiatrist, optometrist, scientific investigator or, subject to s. 448.975

ASSEMBLY BILL 43**SECTION 3318**

1 (1) (b), a physician assistant, or other person licensed, registered, certified or
2 otherwise permitted to distribute, dispense, conduct research with respect to,
3 administer or use in teaching or chemical analysis a controlled substance in the
4 course of professional practice or research in this state.

5 **SECTION 3319.** 961.11 (4g) of the statutes is repealed.

6 **SECTION 3320.** 961.14 (4) (t) of the statutes is repealed.

7 **SECTION 3321.** 961.32 (2m) of the statutes is repealed.

8 **SECTION 3322.** 961.34 of the statutes is renumbered 961.75, and 961.75 (title),
9 as renumbered, is amended to read:

10 **961.75 (title) ~~Controlled substances~~ Marijuana therapeutic research.**

11 **SECTION 3323.** 961.38 (1n) of the statutes is repealed.

12 **SECTION 3324.** 961.395 of the statutes is amended to read:

13 **961.395 Limitation on advanced practice registered nurses.** (1) An
14 advanced practice registered nurse who ~~is certified~~ may issue prescription orders
15 under s. 441.16 ~~441.09 (2)~~ may prescribe controlled substances only as permitted by
16 the rules promulgated under s. 441.16 ~~(3)~~ 441.09 (6) (a) 4.

17 (2) An advanced practice registered nurse ~~certified under s. 441.16~~ who may
18 issue prescription orders under s. 441.09 (2) shall include with each prescription
19 order the ~~advanced practice nurse prescriber certification~~ license number issued to
20 him or her by the board of nursing.

21 (3) An advanced practice registered nurse ~~certified under s. 441.16~~ who may
22 issue prescription orders under s. 441.09 (2) may dispense a controlled substance
23 only by prescribing or administering the controlled substance or as otherwise
24 permitted by the rules promulgated under s. 441.16 ~~(3)~~ 441.09 (6) (a) 4.

25 **SECTION 3325.** 961.41 (1) (h) of the statutes is repealed.

ASSEMBLY BILL 43**SECTION 3326**

1 **SECTION 3326.** 961.41 (1m) (h) of the statutes is repealed.

2 **SECTION 3327.** 961.41 (1q) of the statutes is repealed.

3 **SECTION 3328.** 961.41 (1r) of the statutes is amended to read:

4 961.41 **(1r)** DETERMINING WEIGHT OF SUBSTANCE. In determining amounts under
5 s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m), an amount includes the weight
6 of cocaine, cocaine base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic
7 acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,
8 tetrahydrocannabinols, synthetic cannabinoids, or substituted cathinones, or any
9 controlled substance analog of any of these substances together with any compound,
10 mixture, diluent, plant material or other substance mixed or combined with the
11 controlled substance or controlled substance analog. ~~In addition, in determining~~
12 ~~amounts under subs. (1) (h) and (1m) (h), the amount of tetrahydrocannabinols~~
13 ~~means anything included under s. 961.14 (4) (t) and includes the weight of any~~
14 ~~marijuana.~~

15 **SECTION 3329.** 961.41 (1x) of the statutes is amended to read:

16 961.41 **(1x)** CONSPIRACY. Any person who conspires, as specified in s. 939.31,
17 to commit a crime under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g) is subject to the
18 applicable penalties under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g).

19 **SECTION 3330.** 961.41 (3g) (c) of the statutes is amended to read:

20 961.41 **(3g)** (c) *Cocaine and cocaine base.* If a person possesses or attempts to
21 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine
22 base, the person shall be fined not more than \$5,000 and may be imprisoned for not
23 more than one year in the county jail upon a first conviction and is guilty of a Class
24 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense
25 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the

ASSEMBLY BILL 43**SECTION 3330**

1 offense, the offender has at any time been convicted of any felony or misdemeanor
2 under this chapter or under any statute of the United States or of any state relating
3 to controlled substances, controlled substance analogs, narcotic drugs, ~~marijuana~~,
4 or depressant, stimulant, or hallucinogenic drugs.

5 **SECTION 3331.** 961.41 (3g) (d) of the statutes is amended to read:

6 961.41 (3g) (d) *Certain hallucinogenic and stimulant drugs.* If a person
7 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
8 amphetamine, 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
9 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
10 (u) to (xb), or (7) (L), psilocin, or psilocybin, or a controlled substance analog of
11 lysergic acid diethylamide, phencyclidine, amphetamine,
12 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
13 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
14 (u) to (xb), or (7) (L), psilocin, or psilocybin, the person may be fined not more than
15 \$5,000 or imprisoned for not more than one year in the county jail or both upon a first
16 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
17 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
18 prior to the offender's conviction of the offense, the offender has at any time been
19 convicted of any felony or misdemeanor under this chapter or under any statute of
20 the United States or of any state relating to controlled substances, controlled
21 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
22 hallucinogenic drugs.

23 **SECTION 3332.** 961.41 (3g) (e) of the statutes is repealed.

24 **SECTION 3333.** 961.41 (3g) (em) of the statutes is amended to read:

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1 961.41 (3g) (em) *Synthetic cannabinoids*. If a person possesses or attempts to
2 possess a controlled substance specified in s. 961.14 (4) (tb), or a controlled substance
3 analog of a controlled substance specified in s. 961.14 (4) (tb), the person may be fined
4 not more than \$1,000 or imprisoned for not more than 6 months or both upon a first
5 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
6 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
7 prior to the offender's conviction of the offense, the offender has at any time been
8 convicted of any felony or misdemeanor under this chapter or under any statute of
9 the United States or of any state relating to controlled substances, controlled
10 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
11 hallucinogenic drugs.

12 **SECTION 3334.** 961.443 (2) (title) of the statutes is amended to read:

13 961.443 (2) (title) IMMUNITY FROM CRIMINAL PROSECUTION AND REVOCATION OF
14 PAROLE, PROBATION, OR EXTENDED SUPERVISION.

15 **SECTION 3335.** 961.443 (2) of the statutes is renumbered 961.443 (2) (a) and
16 amended to read:

17 961.443 (2) (a) ~~An~~ No aider may have his or her parole, probation, or extended
18 supervision revoked, and an aider is immune from prosecution under s. 961.573 for
19 the possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a
20 controlled substance or a controlled substance analog, and under s. 961.69 (2) for
21 possession of a masking agent under the circumstances surrounding or leading to his
22 or her commission of an act described in sub. (1) if the aider's attempt to obtain
23 assistance occurs immediately after the aider believes the other person is suffering
24 from the overdose or other adverse reaction.

25 **SECTION 3336.** 961.443 (2) (b) of the statutes is created to read:

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1 961.443 (2) (b) 1. No aided person person may have his or her parole, probation,
2 or extended supervision revoked under the circumstances surrounding or leading to
3 an aider's commission of an act described in sub. (1) if the aided person completes a
4 treatment program as a condition of his or her parole, probation, or extended
5 supervision or, if a treatment program is unavailable or would be prohibitive
6 financially, agrees to be imprisoned in the county jail for not less than 15 days.

7 2. If an aided person is subject to prosecution under s. 961.573 for the
8 possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a
9 controlled substance or a controlled substance analog, or under s. 961.69 (2) for
10 possession of a masking agent under the circumstances surrounding or leading to an
11 aider's commission of an act described in sub. (1), the district attorney shall offer the
12 aided person a deferred prosecution agreement that includes the completion of a
13 treatment program. This subdivision does not apply to an aided person who is on
14 parole, probation, or extended supervision and fails to meet a condition under subd.
15 1.

16 **SECTION 3337.** 961.455 (title) of the statutes is amended to read:

17 **961.455 (title) Using a ~~child~~ minor for illegal drug distribution or**
18 **manufacturing purposes.**

19 **SECTION 3338.** 961.455 (1) of the statutes is amended to read:

20 961.455 (1) ~~Any person who has attained the age of 17 years~~ adult who
21 knowingly solicits, hires, directs, employs, or uses a ~~person who is under the age of~~
22 ~~17 years~~ minor for the purpose of violating s. 961.41 (1) is guilty of a Class F felony.

23 **SECTION 3339.** 961.455 (2) of the statutes is amended to read:

24 961.455 (2) The knowledge requirement under sub. (1) does not require proof
25 of knowledge of the age of the ~~child~~ minor. It is not a defense to a prosecution under

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1 this section that the actor mistakenly believed that the person solicited, hired,
2 directed, employed, or used under sub. (1) had attained the age of 18 years, even if
3 the mistaken belief was reasonable.

4 **SECTION 3340.** 961.46 of the statutes is amended to read:

5 **961.46 Distribution to persons under age 18 minors.** ~~If a person 17 years~~
6 ~~of age or over~~ an adult violates s. 961.41 (1) by distributing or delivering a controlled
7 substance or a controlled substance analog to a ~~person 17 years of age or under~~ minor
8 who is at least 3 years his or her junior, the applicable maximum term of
9 imprisonment prescribed under s. 961.41 (1) for the offense may be increased by not
10 more than 5 years.

11 **SECTION 3341.** 961.47 (1) of the statutes is amended to read:

12 961.47 (1) Whenever any person who has not previously been convicted of any
13 offense under this chapter, or of any offense under any statute of the United States
14 or of any state or of any county ordinance relating to controlled substances or
15 controlled substance analogs, narcotic drugs, ~~marijuana~~ or stimulant, depressant,
16 or hallucinogenic drugs, pleads guilty to or is found guilty of possession or attempted
17 possession of a controlled substance or controlled substance analog under s. 961.41
18 (3g) (b), the court, without entering a judgment of guilt and with the consent of the
19 accused, may defer further proceedings and place him or her on probation upon terms
20 and conditions. Upon violation of a term or condition, the court may enter an
21 adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the
22 terms and conditions, the court shall discharge the person and dismiss the
23 proceedings against him or her. Discharge and dismissal under this section shall be
24 without adjudication of guilt and is not a conviction for purposes of disqualifications
25 or disabilities imposed by law upon conviction of a crime, including the additional

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1 penalties imposed for 2nd or subsequent convictions under s. 961.48. There may be
2 only one discharge and dismissal under this section with respect to any person.

3 **SECTION 3342.** 961.472 (5) (b) of the statutes is amended to read:

4 961.472 (5) (b) The person is participating in a an evidence-based substance
5 ~~abuse use disorder~~ treatment program that meets the requirements of s. 165.95 (3),
6 as determined by the department of justice ~~under s. 165.95 (9) and (10).~~

7 **SECTION 3343.** 961.48 (3) of the statutes is amended to read:

8 961.48 (3) For purposes of this section, a felony offense under this chapter is
9 considered a 2nd or subsequent offense if, prior to the offender's conviction of the
10 offense, the offender has at any time been convicted of any felony or misdemeanor
11 offense under this chapter or under any statute of the United States or of any state
12 relating to controlled substances or controlled substance analogs, narcotic drugs,
13 ~~marijuana~~ or depressant, stimulant, or hallucinogenic drugs.

14 **SECTION 3344.** 961.48 (5) of the statutes is amended to read:

15 961.48 (5) This section does not apply if the person is presently charged with
16 a felony under s. 961.41 (3g) (c), (d), ~~(e)~~, or (g).

17 **SECTION 3345.** 961.49 (1m) (intro.) of the statutes is amended to read:

18 961.49 (1m) (intro.) If any person violates s. 961.41 (1) (cm), (d), (dm), (e), (f),
19 or (g) ~~or (h)~~ by delivering or distributing, or violates s. 961.41 (1m) (cm), (d), (dm), (e),
20 (f), or (g) ~~or (h)~~ by possessing with intent to deliver or distribute, cocaine, cocaine
21 base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic acid diethylamide,
22 psilocin, psilocybin, amphetamine, methamphetamine, or methcathinone ~~or any~~
23 ~~form of tetrahydrocannabinols~~ or a controlled substance analog of any of these
24 substances and the delivery, distribution or possession takes place under any of the

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1 following circumstances, the maximum term of imprisonment prescribed by law for
2 that crime may be increased by 5 years:

3 **SECTION 3346.** 961.571 (1) (a) 7. of the statutes is repealed.

4 **SECTION 3347.** 961.571 (1) (a) 11. (intro.) of the statutes is amended to read:

5 961.571 (1) (a) 11. (intro.) Objects used, designed for use or primarily intended
6 for use in ingesting, inhaling, or otherwise introducing ~~marijuana~~, cocaine, hashish
7 or hashish oil into the human body, such as:

8 **SECTION 3348.** 961.571 (1) (a) 11. e. of the statutes is repealed.

9 **SECTION 3349.** 961.571 (1) (a) 11. k. and L. of the statutes are repealed.

10 **SECTION 3350.** 961.573 (2) of the statutes is amended to read:

11 961.573 (2) ~~Any person minor who violates sub. (1) who is under 17 years of age~~
12 is subject to a disposition under s. 938.344 (2e).

13 **SECTION 3351.** 961.574 (2) of the statutes is amended to read:

14 961.574 (2) ~~Any person minor who violates sub. (1) who is under 17 years of age~~
15 is subject to a disposition under s. 938.344 (2e).

16 **SECTION 3352.** 961.575 (1) of the statutes is amended to read:

17 961.575 (1) ~~Any person 17 years of age or over adult who violates s. 961.574 (1)~~
18 by delivering drug paraphernalia to a ~~person 17 years of age or under~~ minor who is
19 at least 3 years younger than the violator may be fined not more than \$10,000 or
20 imprisoned for not more than 9 months or both.

21 **SECTION 3353.** 961.575 (2) of the statutes is amended to read:

22 961.575 (2) ~~Any person minor who violates this section who is under 17 years~~
23 ~~of age~~ is subject to a disposition under s. 938.344 (2e).

24 **SECTION 3354.** 961.575 (3) of the statutes is amended to read:

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1 961.575 (3) Any ~~person 17 years of age or over~~ adult who violates s. 961.574 (3)
2 by delivering drug paraphernalia to a ~~person 17 years of age or under~~ minor is guilty
3 of a Class G felony.

4 **SECTION 3355.** Subchapter VIII of chapter 961 [precedes 961.70] of the statutes
5 is created to read:

CHAPTER 961**SUBCHAPTER VIII****REGULATION OF MARIJUANA**

6 **961.70 Definitions.** In this subchapter:

7 **(1)** “Extreme measure to avoid detection” means any of the following:

8 (a) A system that aims to alert a person if law enforcement approaches an area
9 that contains marijuana plants if the system exceeds a security system that would
10 be used by a reasonable person in the person’s region.

11 (b) A method of intimidating individuals who approach an area that contains
12 marijuana plants if the method exceeds a method that would be used by a reasonable
13 person in the person’s region.

14 (c) A system that is designed so that an individual approaching the area that
15 contains marijuana plants may be injured or killed by the system.

16 **(1m)** “Legal age” means 21 years of age, except that in the case of a qualifying
17 patient, as defined in s. 73.17 (1) (d), “legal age” means 18 years of age.

18 **(3)** “Permissible amount” means one of the following:

19 (a) For a person who is a resident of Wisconsin, an amount that does not exceed
20 2 ounces of usable marijuana.

21 (b) For a person who is not a resident of Wisconsin, an amount that does not
22 exceed one-quarter ounce of usable marijuana.
23
24
25

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1 (4) “Permittee” has the meaning given under s. 139.97 (10).

2 (5) “Retail outlet” has the meaning given in s. 139.97 (11).

3 (6) “Tetrahydrocannabinols concentration” means the percent of
4 tetrahydrocannabinol content per dry weight of any part of the plant Cannabis, or
5 per volume or weight of marijuana product, or the combined percent of
6 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant
7 Cannabis regardless of moisture content.

8 (7) “Underage person” means a person who has not attained the legal age.

9 (8) “Usable marijuana” has the meaning given in s. 139.97 (13).

10 **961.71 Underage persons prohibitions; penalties.** (1) (a) 1. No permittee
11 may sell, distribute, or deliver marijuana to any underage person.

12 2. No permittee may directly or indirectly permit an underage person to violate
13 sub. (2m).

14 (b) A permittee that violates par. (a) 1. or 2. may be subject to a forfeiture of not
15 more than \$500 and to a suspension of the permittee’s permit for an amount of time
16 not to exceed 30 days.

17 (c) In determining whether a permittee has violated par. (a) 2., all relevant
18 circumstances surrounding the presence of the underage person may be considered.
19 In determining whether a permittee has violated par. (a) 1., all relevant
20 circumstances surrounding the selling, distributing, or delivering of marijuana may
21 be considered. In addition, proof of all of the following facts by the permittee is a
22 defense to any prosecution for a violation under par. (a):

23 1. That the underage person falsely represented that he or she had attained the
24 legal age.

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1 2. That the appearance of the underage person was such that an ordinary and
2 prudent person would believe that the underage person had attained the legal age.

3 3. That the action was made in good faith and in reliance on the representation
4 and appearance of the underage person in the belief that the underage person had
5 attained the legal age.

6 4. That the underage person supported the representation under subd. 1. with
7 documentation that he or she had attained the legal age.

8 **(2)** Any underage person who does any of the following is subject to a forfeiture
9 of not less than \$250 nor more than \$500:

10 (a) Procures or attempts to procure marijuana from a permittee.

11 (b) Falsely represents his or her age for the purpose of receiving marijuana from
12 a permittee.

13 (c) Knowingly possesses or consumes marijuana.

14 (d) Violates sub. (2m).

15 **(2m)** An underage person not accompanied by his or her parent, guardian, or
16 spouse who has attained the legal age may not enter, knowingly attempt to enter, or
17 be on the premises of a retail outlet.

18 **(3)** An individual who has attained the legal age and who knowingly does any
19 of the following may be subject to a forfeiture that does not exceed \$1,000:

20 (a) Permits or fails to take action to prevent a violation of sub. (2) (c) on premises
21 owned by the individual or under the individual's control.

22 (b) Encourages or contributes to a violation of sub. (2) (a).

23 **961.72 Restrictions; penalties. (1)** No person except a permittee may sell,
24 or possess with the intent to sell, marijuana. No person may distribute or deliver,

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1 or possess with the intent to distribute or deliver, marijuana except a permittee. Any
2 person who violates a prohibition under this subsection is guilty of the following:

3 (a) Except as provided in par. (b), a Class I felony.

4 (b) If the individual to whom the marijuana is, or is intended to be, sold,
5 distributed, or delivered has not attained the legal age and the actual or intended
6 seller, distributor, or deliverer is at least 3 years older than the individual to whom
7 the marijuana is, or is intended to be, sold, distributed, or delivered, a Class H felony.

8 (2) (a) A person that is not a permittee who possesses an amount of marijuana
9 that exceeds the permissible amount by not more than one ounce is subject to a civil
10 forfeiture not to exceed \$1,000.

11 (b) A person who is not a permittee who possesses an amount of marijuana that
12 exceeds the permissible amount by more than one ounce is one of the following:

13 1. Except as provided in subd. 2., subject to a fine not to exceed \$1,000 or
14 imprisonment not to exceed 90 days, or both.

15 2. Guilty of a Class I felony if the person has taken action to hide how much
16 marijuana the person possesses and has in place an extreme measure to avoid
17 detection.

18 (c) A person who is not a permittee that possesses more than 6 marijuana plants
19 that have reached the flowering stage at one time must apply for a permit under s.
20 139.972 and is one of the following:

21 1. Except as provided in subds. 2. and 3., subject to a civil forfeiture that is not
22 more than twice the permitting fee under s. 139.972.

23 2. Except as provided in subd. 3., subject to a fine not to exceed \$1,000 or
24 imprisonment not to exceed 90 days, or both, if the number of marijuana plants that
25 have reached the flowering stage is more than 12.

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1 3. Guilty of a Class I felony if the number of marijuana plants that have reached
2 the flowering stage is more than 12, if the individual has taken action to hide the
3 number of marijuana plants that have reached the flowering stage and if the person
4 has in place an extreme measure to avoid detection.

5 (d) Whoever uses or displays marijuana in a public space is subject to a civil
6 forfeiture of not more than \$100.

7 **(3)** Any person who sells or attempts to sell marijuana via mail, telephone, or
8 Internet is subject to a fine not to exceed \$10,000 or imprisonment not to exceed 9
9 months, or both.

10 **SECTION 3356.** 967.055 (1m) (b) 5. of the statutes is repealed.

11 **SECTION 3357.** 967.056 of the statutes is created to read:

12 **967.056 Prosecution of offenses; disorderly conduct.** **(1)** If a person is
13 accused of or charged with disorderly conduct in violation of s. 947.01 or a local
14 ordinance in conformity with s. 947.01, a prosecutor shall offer the person an
15 alternative to prosecution under sub. (2) if all of the following apply:

16 (a) The accused or charged violation is the person's first violation of s. 947.01.

17 (b) The person has not previously been convicted of a misdemeanor or felony
18 for conduct that is substantially similar to the accused or charged violation.

19 (c) The person has not been convicted of a felony in this state, or of a violation
20 in another state that would be a felony if committed by an adult in this state, in the
21 preceding 3 years.

22 **(2)** A prosecutor shall offer one of the following alternatives to prosecution to
23 a qualifying person under sub. (1):

24 (a) A deferred prosecution agreement that includes restitution, if applicable.

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1 (b) An agreement in which the defendant stipulates to his or her guilt of a
2 noncriminal ordinance violation that includes payment of a forfeiture.

3 **SECTION 3358.** 967.11 (1) of the statutes is amended to read:

4 967.11 (1) In this section, “~~approved substance abuse treatment program~~”
5 means a ~~substance abuse treatment~~ program that meets the requirements of s.
6 165.95 (3), as determined by the department of justice under s. 165.95 (9) and (10).

7 **SECTION 3359.** 967.11 (2) of the statutes is amended to read:

8 967.11 (2) If a county establishes an approved ~~substance abuse treatment~~
9 program and the approved program authorizes the use of surveillance and
10 monitoring technology or day reporting programs, a court or a district attorney may
11 require a person participating in an the approved ~~substance abuse treatment~~
12 program to submit to surveillance and monitoring technology or a day reporting
13 program as a condition of participation.

14 **SECTION 3360.** 968.20 (3) (b) of the statutes is amended to read:

15 968.20 (3) (b) Except as provided in par. (a) or sub. (1m) or (4), a city, village,
16 town or county or other custodian of a seized dangerous weapon or ammunition, if
17 the dangerous weapon or ammunition is not required for evidence or use in further
18 investigation and has not been disposed of pursuant to a court order at the
19 completion of a criminal action or proceeding, shall make reasonable efforts to notify
20 all persons who have or may have an authorized rightful interest in the dangerous
21 weapon or ammunition of the application requirements under sub. (1). If, within 30
22 days after the notice, an application under sub. (1) is not made and the seized
23 dangerous weapon or ammunition is not returned by the officer under sub. (2), the
24 city, village, town or county or other custodian may retain the dangerous weapon or
25 ammunition and authorize its use by a law enforcement agency, except that a

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1 dangerous weapon used in the commission of a homicide or a handgun, as defined
2 in s. 175.35 (1) (b) 941.237 (1) (d), may not be retained. If a dangerous weapon other
3 than a firearm is not so retained, the city, village, town or county or other custodian
4 shall safely dispose of the dangerous weapon or, if the dangerous weapon is a motor
5 vehicle, as defined in s. 340.01 (35), sell the motor vehicle following the procedure
6 under s. 973.075 (4). If a firearm or ammunition is not so retained, the city, village,
7 town or county or other custodian shall ship it to the state crime laboratories and it
8 is then the property of the laboratories. A person designated by the department of
9 justice may destroy any material for which the laboratories have no use or arrange
10 for the exchange of material with other public agencies. In lieu of destruction,
11 shoulder weapons for which the laboratory has no use shall be turned over to the
12 department of natural resources for sale and distribution of proceeds under s. 29.934
13 or for use under s. 29.938.

14 **SECTION 3361.** 971.17 (1g) of the statutes is amended to read:

15 971.17 (1g) NOTICE OF RESTRICTION ON FIREARM POSSESSION. If the defendant
16 under sub. (1) is found not guilty of a felony, or of a violation under s. 175.33 (2), by
17 reason of mental disease or defect, the court shall inform the defendant of the
18 requirements and penalties under s. 941.29.

19 **SECTION 3362.** 971.365 (1) (a) of the statutes is amended to read:

20 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)
21 (cm), (d), (dm), (e), (f), or (g) ~~or (h)~~ involving more than one violation, all violations
22 may be prosecuted as a single crime if the violations were pursuant to a single intent
23 and design.

24 **SECTION 3363.** 971.365 (1) (b) of the statutes is amended to read:

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1 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41
2 (1m) (cm), (d), (dm), (e), (f), or (g) ~~or (h)~~ involving more than one violation, all
3 violations may be prosecuted as a single crime if the violations were pursuant to a
4 single intent and design.

5 **SECTION 3364.** 971.365 (1) (c) of the statutes is amended to read:

6 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41
7 (3g) (dm), 1999 stats., or s. 961.41 (3g) (am), (c), (d), ~~(e)~~, or (g) involving more than
8 one violation, all violations may be prosecuted as a single crime if the violations were
9 pursuant to a single intent and design.

10 **SECTION 3365.** 971.365 (2) of the statutes is amended to read:

11 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
12 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)
13 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,
14 or s. 961.41 (1) (cm), (d), (dm), (e), (f), or (g), ~~or (h)~~, (1m) (cm), (d), (dm), (e), (f), or (g),
15 ~~or (h)~~ or (3g) (am), (c), (d), ~~(e)~~, or (g) on which no evidence was received at the trial
16 on the original charge.

17 **SECTION 3366.** 973.015 (1b) of the statutes is created to read:

18 973.015 (1b) In this section, “record” means a criminal case file.

19 **SECTION 3367.** 973.015 (1m) (a) 1. of the statutes is renumbered 973.015 (1m)
20 (a) 1. (intro.) and amended to read:

21 973.015 (1m) (a) 1. (intro.) Subject to subd. 2. ~~and except as provided in subd.~~
22 ~~3., when a person is under the age of 25 at the time of the commission of an offense~~
23 ~~for which the person has been found guilty in a court for violation of a law for which~~
24 ~~the maximum period of imprisonment is 6 years or less, the, a court may order at the~~
25 ~~time of sentencing after a conviction that the record a criminal case be expunged~~

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1 ~~upon successful completion of the sentence if the court determines the person will~~
2 ~~benefit and society will not be harmed by this disposition. by one of the following~~
3 ~~methods:~~

4 (d) This subsection does not apply to information maintained by the
5 department of transportation regarding a conviction that is required to be included
6 in a record kept under s. 343.23 (2) (a).

7 **SECTION 3368.** 973.015 (1m) (a) 1. a. and b. of the statutes are created to read:

8 973.015 (1m) (a) 1. a. Except as provided in subd. 3., the court may order at the
9 time of sentencing that the record be expunged upon successful completion of the
10 sentence if the court determines that the person has not previously had a record
11 expunged under this section and that the person will benefit and society will not be
12 harmed by this disposition.

13 b. If at least one year has passed since the person successfully completed his
14 or her sentence, the person may file a petition in the county of conviction requesting
15 that the record be expunged. Upon receipt of the petition, the court shall review the
16 petition to determine if the person is ineligible to petition for expungement because
17 subd. 3. or 4. applies, less than one year has passed since the person successfully
18 completed his or her sentence, there are criminal charges pending against the
19 person, the person has previously had a record expunged under this section, or the
20 person has exceeded the maximum number of petitions allowed under this subd. 1.

21 b. If the court determines the person is eligible to petition for expungement, the court
22 shall forward the petition to the district attorney. If the district attorney requests
23 a hearing within 90 days after the court forwards the petition, the court shall
24 schedule a hearing to review the petition. If the district attorney waives the hearing
25 or at least 90 days have passed since the court forwarded the petition, the court may

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1 review the petition with or without a hearing. If a hearing is scheduled, then if
2 practicable, the sentencing judge shall be the judge to review the petition. The court
3 may order that the record be expunged if the court determines the person will benefit
4 and society will not be harmed by this disposition. If the court does not order the
5 record be expunged under this subd. 1. b., the person may file a 2nd petition under
6 this subd. 1. b. only if at least 2 years have passed since he or she filed the first
7 petition. No person may file more than 2 petitions per record under this subd. 1. b.
8 For a 2nd petition regarding the same record, the person shall pay to the clerk of
9 circuit court a \$100 fee to be retained for the use of the county.

10 **SECTION 3369.** 973.015 (1m) (a) 3. a. of the statutes is amended to read:

11 973.015 (1m) (a) 3. a. A Class H felony, if the person has, in his or her lifetime,
12 been convicted of a prior felony offense, or if the felony is a violent offense, as defined
13 in s. 301.048 (2) (bm), or is a violation of s. ~~940.32~~, 948.03 (2), (3), or (5) (a) 1., 2., 3.,
14 or 4., or 948.095.

15 **SECTION 3370.** 973.015 (1m) (a) 3. c., cg., cr. and d. and 4. of the statutes are
16 created to read:

17 973.015 (1m) (a) 3. c. A crime for which the maximum period of imprisonment
18 is more than 6 years.

19 cg. A violation of s. 940.32 or 943.14 or, if the court noted in the record that the
20 property damaged was a business, a violation of s. 943.01.

21 cr. A violation of a temporary restraining order or injunction issued under s.
22 813.12 (3) or (4).

23 d. A violation of chs. 341 to 348.

24 4. The court may order at the time of sentencing that the record is ineligible
25 for expungement.

ASSEMBLY BILL 43**SECTION 3371**

1 **SECTION 3371.** 973.015 (1m) (b) of the statutes is amended to read:

2 973.015 (1m) (b) ~~—A—~~ For purposes of par. (a), a person has successfully
3 completed the sentence if the person has completed all periods of incarceration,
4 parole, or extended supervision to which he or she was sentenced; the person has paid
5 all fines, costs, fees, surcharges, and restitution assessed and has completed any
6 court-ordered community service; the person has not been convicted of a subsequent
7 offense crime; and, if ~~on~~ probation was imposed, the probation has not been revoked
8 and the probationer has satisfied the conditions of probation. Upon successful
9 completion of the a sentence involving incarceration or probation, the detaining or
10 probationary authority shall issue and forward to the court of record a certificate of
11 discharge which shall be forwarded to the court of record and which shall have the
12 effect of expunging the record that indicates whether the person successfully
13 completed his or her sentence. If the court has ordered the record expunged under
14 par. (a) 1. a. or 2. and the person has successfully completed the sentence, the person's
15 record shall be expunged as ordered. If the person has been imprisoned incarcerated,
16 the detaining authority shall also forward a copy of the certificate of discharge to the
17 department.

18 **SECTION 3372.** 973.015 (1m) (c) of the statutes is created to read:

19 973.015 (1m) (c) Upon receipt of a petition under par. (a) 1. b., the district
20 attorney shall make a reasonable attempt to notify the victim, as defined in s. 950.02
21 (4), of the petition. In the notice, the district attorney shall inform the victim that
22 he or she may waive the hearing requirement and that, if waived, the court may
23 review the petition without a hearing. The district attorney shall inform the victim
24 of the manner in which he or she may provide written statements concerning the
25 petition and, if the victim does not waive the hearing requirement, that he or she may

ASSEMBLY BILL 43**SECTION 3372**

1 appear at the hearing. If the victim waives the hearing requirement, the district
2 attorney may inform the court that there is no objection to waiving the hearing
3 requirement. Notwithstanding the confidentiality of victim address information
4 obtained under s. 302.113 (9g) (g) 3., a district attorney who is required to make a
5 reasonable attempt to notify a victim under this paragraph may obtain from the clerk
6 of the circuit court the victim address information that the victim provided to the
7 clerk under s. 302.113 (9g) (g) 3.

8 **SECTION 3373.** 973.015 (4) of the statutes is created to read:

9 973.015 (4) A record of a crime expunged under this section is not considered
10 a conviction for employment purposes or for purposes of the issuance of a license, as
11 defined in s. 111.32 (10), by a licensing agency, as defined in s. 111.32 (11). This
12 subsection does not apply to the extent that its application conflicts with federal law.

13 **SECTION 3374.** 973.016 of the statutes is created to read:

14 **973.016 Special disposition for marijuana-related crimes. (1)**

15 RESENTENCING PERSONS SERVING A SENTENCE OR PROBATION. (a) A person serving a
16 sentence or on probation may request resentencing or dismissal as provided under
17 par. (b) if all of the following apply:

18 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
19 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

20 2. One of the following applies:

21 a. The person would not have been guilty of a crime had the violation occurred
22 on or after the effective date of this subd. 2. a. [LRB inserts date].

23 b. The person would have been guilty of a lesser crime had the violation
24 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

ASSEMBLY BILL 43**SECTION 3374**

1 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
2 court to request resentencing, adjustment of probation, or dismissal.

3 2. If the court receiving a petition under subd. 1. determines that par. (a)
4 applies, the court shall schedule a hearing to consider the petition. At the hearing,
5 if the court determines that par. (a) 2. b. applies, the court shall resentence the person
6 or adjust the probation and change the record to reflect the lesser crime, and, if the
7 court determines that par. (a) 2. a. applies, the court shall dismiss the conviction and
8 expunge the record. Before resentencing, adjusting probation, or dismissing a
9 conviction under this subdivision, the court shall determine that the action does not
10 present an unreasonable risk of danger to public safety.

11 3. If the court resentsences the person or adjusts probation, the person shall
12 receive credit for time or probation served for the relevant offense.

13 **(2) REDESIGNATING OFFENSE FOR PERSONS WHO COMPLETED A SENTENCE OR**
14 **PROBATION.** (a) A person who has completed his or her sentence or period of probation
15 may request under par. (b) expungement of the conviction because the conviction is
16 legally invalid or redesignation to a lesser crime if all of the following apply:

17 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
18 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

19 2. One of the following applies:

20 a. The person would not have been guilty of a crime had the violation occurred
21 on or after the effective date of this subd. 2. a. [LRB inserts date].

22 b. The person would have been guilty of a lesser crime had the violation
23 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

24 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
25 court to request expungement or redesignation.

ASSEMBLY BILL 43**SECTION 3374**

1 2. If the court receiving a petition under subd. 1. determines that par. (a)
2 applies, the court shall schedule a hearing to consider the petition. At the hearing,
3 if the court determines that par. (a) 2. b. applies, the court shall redesignate the crime
4 to a lesser crime and change the record to reflect the lesser crime, and if the court
5 determines that par. (a) 2. a. applies, the court shall expunge the conviction. Before
6 redesignating or expunging under this subdivision, the court shall determine that
7 the action does not present an unreasonable risk of danger to public safety.

8 **(3) EFFECT OF RESENTENCING, DISMISSAL, REDESIGNATION, OR EXPUNGEMENT.** If the
9 court changes or expunges a record under this section, a conviction that was changed
10 or expunged is not considered a conviction for any purpose under state or federal law,
11 including for purposes of s. 941.29 or 18 USC 921.

12 **SECTION 3375.** 973.15 (5) of the statutes is amended to read:

13 973.15 **(5)** A convicted offender who is made available to another jurisdiction
14 under ch. 976 or in any other lawful manner shall be credited with service of his or
15 her Wisconsin sentence or commitment under the terms of s. ss. 973.155 and 973.156
16 for the duration of custody in the other jurisdiction.

17 **SECTION 3376.** 973.155 (1m) of the statutes is amended to read:

18 973.155 **(1m)** A convicted offender shall be given credit toward the service of
19 his or her sentence for all days spent in custody as part of a ~~substance-abuse~~
20 ~~treatment~~ program that meets the requirements of s. 165.95 (3), as determined by
21 the department of justice under s. 165.95 (9) and (10), for any offense arising out of
22 the course of conduct that led to the person's placement in that program.

23 **SECTION 3377.** 973.156 of the statutes is created to read:

ASSEMBLY BILL 43**SECTION 3377**

1 **973.156 Earned compliance credit. (1)** In this section, “qualifying offense”
2 means a crime other than a violation of ch. 940 or s. 948.02, 948.025, 948.03, 948.05,
3 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095.

4 **(2)** Upon the revocation of extended supervision under s. 302.113 (9) or parole
5 under s. 302.11 (7), a person shall be given earned compliance credit toward the
6 service of his or her sentence for a qualifying offense for each day that the person
7 spent on extended supervision or parole without violating a condition or rule of
8 extended supervision or parole prior to the violation that resulted in the revocation.

9 **(3)** Subsection (2) does not apply to a person who is required to register under
10 s. 301.45.

11 **(4)** If a person is serving more than one sentence, earned compliance credit
12 under sub. (2) is earned only for the time spent on extended supervision or parole for
13 qualifying offenses.

14 **(5)** The amount of the earned compliance credit under sub. (2) shall be
15 calculated and applied by the appropriate reviewing authority under s. 302.11 (7)
16 (am) or 302.113 (9) (am) 1.

17 **SECTION 3378.** 973.176 (1) of the statutes is amended to read:

18 **973.176 (1) FIREARM POSSESSION.** Whenever a court imposes a sentence or
19 places a defendant on probation regarding a felony conviction or regarding a
20 conviction for a misdemeanor under s. 175.33 (2), the court shall inform the
21 defendant of the requirements and penalties applicable to him or her under s. 941.29
22 (1m) or (4m).

23 **SECTION 3379.** 973.25 (1) (a) of the statutes is amended to read:

24 **973.25 (1) (a)** “Certificate of qualification for employment” means a certificate
25 issued by the council on offender employment that provides an offender with relief

ASSEMBLY BILL 43**SECTION 3379**

1 from a collateral sanction, except that it does not provide relief from s. 48.685 (5m),
2 50.065 (4m), or 111.335 (3) ~~(a)~~ (ar), (b), (c), or (e) or (4) (h) or (i).

3 **SECTION 3380.** 973.25 (4) (a) of the statutes is amended to read:

4 973.25 (4) (a) An offender may file an application for a certificate of
5 qualification for employment with the council on offender employment on a form to
6 be provided by the director of state courts ~~along with an application fee of \$20 that~~
7 ~~shall be deposited in the appropriation under s. 20.625 (1) (h). The council may waive~~
8 ~~the fee if the offender submits an affidavit along with the application in which he or~~
9 ~~she swears or affirms that he or she is unable to pay the application fee.~~

10 **SECTION 3381.** 977.08 (4m) (d) of the statutes is amended to read:

11 977.08 (4m) (d) Unless otherwise provided by a rule promulgated under s.
12 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
13 January 1, 2020, and before July 1, 2023, private local attorneys shall be paid \$70
14 per hour for time spent related to a case, excluding travel, and \$25 per hour for time
15 spent in travel related to a case if any portion of the trip is outside the county in which
16 the attorney's principal office is located or if the trip requires traveling a distance of
17 more than 30 miles, one way, from the attorney's principal office.

18 **SECTION 3382.** 977.08 (4m) (e) of the statutes is created to read:

19 977.08 (4m) (e) Unless otherwise provided by a rule promulgated under s.
20 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
21 July 1, 2023, private local attorneys shall be paid \$100 per hour for time spent related
22 to a case, excluding travel, and \$50 per hour for time spent in travel related to a case
23 if any portion of the trip is outside the county in which the attorney's principal office
24 is located or if the trip requires traveling a distance of more than 30 miles, one way,
25 from the attorney's principal office.

ASSEMBLY BILL 43**SECTION 3383**

1 **SECTION 3383.** 977.08 (5) (br) of the statutes is amended to read:

2 977.08 (5) (br) Beginning on July 1, 2000, and until June 30, 2023, the state
3 public defender may exempt up to 10 full-time assistant state public defenders in the
4 subunit responsible for trials from the annual caseload standards under par. (bn)
5 based on their need to perform other assigned duties.

6 **SECTION 3384.** 977.08 (5) (bs) of the statutes is created to read:

7 977.08 (5) (bs) Beginning on July 1, 2023, the state public defender may exempt
8 up to 25 full-time assistant state public defenders in the subunit responsible for
9 trials from the annual caseload standards under par. (bn) based on their need to
10 perform other assigned duties.

11 **SECTION 3385.** 978.03 (1m) of the statutes is amended to read:

12 978.03 (1m) The district attorney of any prosecutorial unit having a population
13 of 200,000 or more but less than 750,000 may appoint ~~3~~ 4 deputy district attorneys
14 and such assistant district attorneys as may be requested by the department of
15 administration and authorized in accordance with s. 16.505. The district attorney
16 shall rank the deputy district attorneys for purposes of carrying out duties under this
17 section. The deputies, according to rank, may perform any duty of the district
18 attorney, under the district attorney's direction. In the absence or disability of the
19 district attorney, the deputies, according to rank, may perform any act required by
20 law to be performed by the district attorney. Any such deputy must have practiced
21 law in this state for at least 2 years prior to appointment under this section.

22 **SECTION 3386.** 978.05 (6) (a) of the statutes is amended to read:

23 978.05 (6) (a) Institute, commence, or appear in all civil actions or special
24 proceedings under and perform the duties set forth for the district attorney under ch.
25 980 and ss. 17.14, 30.03 (2), 48.09 (5), 59.55 (1), 59.64 (1), ~~70.36~~, 89.08, 103.50 (8),

ASSEMBLY BILL 43**SECTION 3386**

1 103.92 (4), 109.09, 343.305 (9) (a), 806.05, 938.09, 938.18, 938.355 (6) (b) and (6g) (a),
2 946.86, 946.87, 961.55 (5), 971.14 and 973.075 to 973.077, perform any duties in
3 connection with court proceedings in a court assigned to exercise jurisdiction under
4 chs. 48 and 938 as the judge may request and perform all appropriate duties and
5 appear if the district attorney is designated in specific statutes, including matters
6 within chs. 782, 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits
7 the authority of the county board to designate, under s. 48.09 (5), that the corporation
8 counsel provide representation as specified in s. 48.09 (5) or to designate, under s.
9 48.09 (6) or 938.09 (6), the district attorney as an appropriate person to represent the
10 interests of the public under s. 48.14 or 938.14.

11 **SECTION 3387.** 990.01 (2) of the statutes is amended to read:

12 990.01 (2) ACQUIRE. “Acquire,” when used in connection with a grant of power
13 to any person, includes the acquisition by purchase, grant, gift or bequest. It includes
14 the power to condemn ~~only~~ in the cases specified in s. 32.02 ~~and subject to the~~
15 ~~limitations under s. 32.015.~~

16 **SECTION 3388.** 990.01 (3) of the statutes is amended to read:

17 990.01 (3) ADULT. “Adult” means a person who has attained the age of 18 years,
18 ~~except that for purposes of investigating or prosecuting a person who is alleged to~~
19 ~~have violated any state or federal criminal law or any civil law or municipal~~
20 ~~ordinance, “adult” means a person who has attained the age of 17 years.~~

21 **SECTION 3389.** 990.01 (20) of the statutes is amended to read:

22 990.01 (20) MINOR. “Minor” means a person who has not attained the age of
23 18 years, ~~except that for purposes of investigating or prosecuting a person who is~~
24 ~~alleged to have violated a state or federal criminal law or any civil law or municipal~~
25 ~~ordinance, “minor” does not include a person who has attained the age of 17 years.~~

ASSEMBLY BILL 43**SECTION 3390**

1 **SECTION 3390.** 990.01 (22h) of the statutes is created to read:

2 **990.01 (22h) NATURAL PARENT.** “Natural parent” means a parent of a child who
3 is not an adoptive parent, whether the parent is biologically related to the child or
4 not.

5 **SECTION 3391.** 990.01 (39) of the statutes is created to read:

6 **990.01 (39) SPOUSES.** “Spouses” means 2 individuals of the same sex or different
7 sexes who are legally married to each other.

8 **SECTION 3392.** 990.01 (40m) of the statutes is created to read:

9 **990.01 (40m) STEPPARENT.** “Stepparent” means a person who is the spouse of
10 a child’s parent and who is not also a parent of the child.

11 **SECTION 3393.** 995.70 of the statutes is created to read:

12 **995.70 Eligibility of certain individuals who are not U.S. citizens to**
13 **receive professional licenses. (1)** In this section, “professional license” means
14 a license, registration, certification, or other approval to perform certain work tasks,
15 whether issued by the state or a local governmental entity.

16 **(2)** Pursuant to 8 USC 1621 (d), an individual who is not a U.S. citizen is not
17 ineligible to receive any professional license issued in this state because of the
18 individual’s citizenship status.

19 **(3)** Nothing in this section affects any requirement or qualification for an
20 individual to obtain a professional license that is not related to the citizenship status
21 of the individual.

22 **SECTION 3394.** 2017 Wisconsin Act 370, section 44 (2) and (3) are repealed.

23 **SECTION 3395.** 2017 Wisconsin Act 370, section 44 (5) is repealed.

24 **SECTION 3396.** 2021 Wisconsin Act 58, section 9125 (1) is repealed.

25 **SECTION 3397.** DCF 56.23 (1) (c) of the administrative code is amended to read:

ASSEMBLY BILL 43**SECTION 3397**

1 DCF 56.23 (1) (c) A placing agency may not make a supplemental or
2 exceptional payment ~~or pay an initial clothing allowance, except for an exceptional~~
3 payment under sub. (3) (a) 2., for a child placed in a Level 1 foster home.

4 **SECTION 3398.** DCF 58.08 (9) (c) and (d) of the administrative code are created
5 to read:

6 DCF 58.08 (9) (c) *Exceptional payments.* A kinship care agency may issue to
7 a relative caregiver who is receiving kinship care payments or long-term kinship
8 care payments an exceptional payment to enable siblings or minor parent and minor
9 children to reside together, subject to a maximum payment amount determined by
10 the department.

11 (d) *Initial clothing allowance.* A kinship care agency may pay an initial
12 clothing allowance to a relative caregiver when the relative caregiver is initially
13 approved by the kinship care agency. The amount of the initial clothing allowance
14 shall be the actual cost of the clothing not to exceed a maximum determined by the
15 department.

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

17 (1) TRANSFER OF HIGH-VOLTAGE TRANSMISSION LINE FEES.

18 (a) *Definition.* In this subsection, “fees” means the annual impact and onetime
19 environmental impact fees required to be paid under the rules promulgated under
20 s. 16.969 (2) (a), 2021 stats., and s. 16.969 (2) (b), 2021 stats.

21 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
22 liabilities of the department of administration primarily relating to the fees, as
23 determined by the secretary of administration, become the assets and liabilities of
24 the public service commission.

ASSEMBLY BILL 43**SECTION 9101**

1 (c) *Employee transfers.* On the effective date of this paragraph, all positions,
2 and the incumbent employees holding those positions, in the department of
3 administration primarily related to the fees, as determined by the secretary of
4 administration, are transferred to the public service commission.

5 (d) *Employee status.* Employees transferred under par. (c) have all the rights
6 and the same status under ch. 230 in the public service commission that they enjoyed
7 in the department of administration immediately before the transfer.
8 Notwithstanding s. 230.28 (4), no employee so transferred who has attained
9 permanent status in class is required to serve a probationary period.

10 (e) *Tangible personal property.* On the effective date of this paragraph, all
11 tangible personal property, including records, of the department of administration
12 primarily relating to the fees, as determined by the secretary of administration, is
13 transferred to the public service commission.

14 (f) *Contracts.* All contracts entered into by the department of administration
15 primarily relating to the fees, as determined by the secretary of administration, in
16 effect on the effective date of this paragraph remain in effect and are transferred to
17 the public service commission. The public service commission shall carry out any
18 obligations under those contracts unless modified or rescinded to the extent allowed
19 under the contract.

20 (g) *Rules and orders.* All rules promulgated by the department of
21 administration in effect on the effective date of this paragraph that are primarily
22 related to the fees remain in effect until their specified expiration dates or until
23 amended or repealed by the public service commission. All orders issued by the
24 department of administration in effect on the effective date of this paragraph that

ASSEMBLY BILL 43**SECTION 9101**

1 are primarily related to the fees remain in effect until their specified expiration dates
2 or until modified or rescinded by the public service commission.

3 (h) *Pending matters.* Any matter pending with the department of
4 administration on the effective date of this paragraph that is primarily related to the
5 fees, as determined by the secretary of administration, is transferred to the public
6 service commission. All materials submitted to or actions taken by the department
7 of administration with respect to the pending matter are considered as having been
8 submitted to or taken by the public service commission.

9 (2) CAPITAL GRANTS PROGRAMS. During the 2023-25 fiscal biennium, the
10 department of administration shall:

11 (a) *Neighborhood capital investment grant program.* From the appropriation
12 under s. 20.505 (1) (fn), allocate \$150,000,000 to the neighborhood capital
13 investment grant program under s. 16.316. The secretary of administration may
14 reallocate moneys from this program to the programs under ss. 16.317 and 16.318.

15 (b) *Health-care infrastructure capital grant program.* From the appropriation
16 under s. 20.505 (1) (fn), allocate \$100,000,000 to the health-care infrastructure
17 capital grant program under s. 16.317. The secretary of administration may
18 reallocate moneys from this program to the programs under ss. 16.316 and 16.318.

19 (c) *Tourism capital investment grant program.* From the appropriation under
20 s. 20.505 (1) (fn), allocate \$50,000,000 to the tourism capital investment grant
21 program under s. 16.318. The secretary of administration may reallocate moneys
22 from this program to the programs under ss. 16.316 and 16.317.

23 (3) PAID FAMILY AND MEDICAL LEAVE. If the paid family and medical leave program
24 under s. 230.12 (9m) is approved by the joint committee on employment relations, it

ASSEMBLY BILL 43**SECTION 9101**

1 shall go into effect immediately upon approval by the joint committee on employment
2 relations.

3 (4) PAY PROGRESSION CAPS; DEPUTY AND ASSISTANT DISTRICT ATTORNEYS, ASSISTANT
4 STATE PUBLIC DEFENDERS, AND ASSISTANT ATTORNEYS GENERAL.

5 (a) *Deputy and assistant district attorneys.* Notwithstanding s. 230.12 (10) (c),
6 during the 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12
7 (10) (c) for a deputy or assistant district attorney may exceed 10 percent of the deputy
8 or assistant district attorney's base pay.

9 (b) *Assistant state public defenders.* Notwithstanding s. 230.12 (11) (c), during
10 the 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12 (11) (c)
11 for an assistant state public defender may exceed 10 percent of the assistant public
12 defender's base pay.

13 (c) *Assistant attorneys general.* Notwithstanding s. 230.12 (12) (c), during the
14 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12 (12) (c) for
15 an assistant attorney general may exceed 10 percent of the assistant attorney
16 general's base pay.

17 **SECTION 9102. Nonstatutory provisions; Agriculture, Trade and**
18 **Consumer Protection.**

19 **SECTION 9103. Nonstatutory provisions; Arts Board.**

20 **SECTION 9104. Nonstatutory provisions; Building Commission.**

21 **SECTION 9105. Nonstatutory provisions; Child Abuse and Neglect**
22 **Prevention Board.**

23 **SECTION 9106. Nonstatutory provisions; Children and Families.**

24 (1) CHILD CARE QUALITY IMPROVEMENT PROGRAM. Using the procedure under s.
25 227.24, the department of children and families may promulgate the rules

ASSEMBLY BILL 43**SECTION 9106**

1 authorized under s. 49.133 (2) as emergency rules. Notwithstanding s. 227.24 (1) (a)
2 and (3), the department of children and families is not required to provide evidence
3 that promulgating a rule under this subsection as an emergency rule is necessary for
4 the preservation of the public peace, health, safety, or welfare and is not required to
5 provide a finding of emergency for a rule promulgated under this subsection.

6 (2) JUVENILE JUSTICE REFORM REVIEW COMMITTEE.

7 (a) There is created in the department of children and families a juvenile justice
8 reform review committee with members appointed by the governor.

9 (b) The juvenile justice reform review committee shall study and, prior to
10 September 16, 2024, provide recommendations to the department of children and
11 families and the department of corrections on how to do all of the following:

12 1. Increase the minimum age of delinquency.

13 2. Eliminate original adult court jurisdiction over juveniles under s. 938.183.

14 3. Modify the waiver procedure for adult court jurisdiction over juveniles and
15 incorporate offenses currently subject to original adult court jurisdiction into the
16 waiver procedure.

17 4. Eliminate the serious juvenile offender program under s. 938.538 and create
18 extended juvenile court jurisdiction with a blended juvenile and adult sentence
19 structure for certain juvenile offenders.

20 5. Prohibit placement of a juvenile in a juvenile detention facility for a status
21 offense and limit sanctions and short-term holds in a juvenile detention facility to
22 cases where there is a public safety risk.

23 6. Sunset long-term post-disposition programs at juvenile detention facilities.

24 7. Create a sentence adjustment procedure for youthful offenders.

ASSEMBLY BILL 43**SECTION 9106**

1 8. Conform with the U.S. Constitution the statutes that mandate imposing
2 sentences of life imprisonment without parole or extended supervision to minors.

3 (c) In submitting information under s. 16.42 (1) for purposes of the 2025-27
4 biennial budget bill, the department of children and families and the department of
5 corrections shall each include a request to implement the juvenile justice reform
6 review committee's recommendations.

7 (d) The juvenile justice reform review committee terminates on September 16,
8 2024.

9 (3) EARLY CHILDHOOD EDUCATION CENTER. From the appropriation account under
10 s. 20.437 (2) (fm) and the allocation under s. 49.175 (1) (qm), the department of
11 children and families shall provide \$1,680,000 in fiscal year 2023-24 to Wellpoint
12 Care Network to establish an early childhood education center in the city of
13 Milwaukee.

14 (4) CHILD SUPPORT DEBT REDUCTION; EMERGENCY RULEMAKING. The department
15 of children and families may promulgate emergency rules under s. 227.24 to
16 implement s. 49.226. Notwithstanding s. 227.24 (1) (a), (2) (b), and (3), the
17 department is not required to provide evidence that promulgating a rule under this
18 subsection as an emergency rule is necessary for the preservation of the public peace,
19 health, safety, or welfare and is not required to provide a finding of emergency for a
20 rule promulgated under this subsection.

21 **SECTION 9107. Nonstatutory provisions; Circuit Courts.**

22 (1) CIRCUIT COURTS DESIGNATED TO BEGIN OPERATION IN 2022. The circuit court
23 branches added in s. 753.06 (4) (dm), (7) (ag), (9) (L), and (10) (g) are the additional
24 branches authorized to be added and allocated by the director of state courts under
25 s. 753.0605 (2) to begin operation on August 1, 2022.

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1 (2) CIRCUIT COURTS DESIGNATED TO BEGIN OPERATION IN 2023. The circuit court
2 branches added in s. 753.06 (4) (c), (7) (ar), (9) (m), and (10) (L) are the additional
3 branches authorized to be added and allocated by the director of state courts under
4 s. 753.0605 (3) to begin operation on August 1, 2023.

5 (3) EXTREME RISK PROTECTION ORDERS; INTENT STATEMENT. The intent of s. 813.124
6 is to implement a state crisis intervention court proceeding in the form of an extreme
7 risk protection order program that is eligible for federal grants under 34 USC 10152
8 (a) (1) (I) (iv).

9 **SECTION 9108. Nonstatutory provisions; Corrections.**

10 (1) TRANSFER OF SECURITY OPERATIONS AT THE WISCONSIN RESOURCE CENTER.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
12 liabilities of the department of corrections that are primarily related to security
13 operations at the Wisconsin Resource Center, as determined by the secretary of
14 administration, become the assets and liabilities of the department of health
15 services.

16 (b) *Positions and employees.* On the effective date of this paragraph, 110.0 FTE
17 GPR positions, and the incumbent employees holding those positions, in the
18 department of corrections responsible for the performance of security operations at
19 the Wisconsin Resource Center under s. 46.056 (2), 2021 stats., as determined by the
20 secretary of administration, are transferred to the department of health services.

21 (c) *Employee status.* Employees transferred under par. (b) have all the rights
22 and the same status under ch. 230 of the statutes in the department of health
23 services that they enjoyed in the department of corrections immediately before the
24 transfer. Notwithstanding s. 230.28 (4), no employee transferred under par. (b) who
25 has attained permanent status in class is required to serve a probationary period.

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1 (d) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the department of corrections that
3 are primarily related to security operations at the Wisconsin Resource Center, as
4 determined by the secretary of administration, is transferred to the department of
5 health services.

6 (e) *Pending matters.* Any matter pending with the department of corrections
7 on the effective date of this paragraph that is primarily related to security operations
8 at the Wisconsin Resource Center, as determined by the secretary of administration,
9 is transferred to the department of health services. All materials submitted to or
10 actions taken by the department of corrections with respect to the pending matter
11 are considered as having been submitted to or taken by the department of health
12 services.

13 (f) *Contracts.* All contracts entered into by the department of corrections
14 primarily related to security operations at the Wisconsin Resource Center, as
15 determined by the secretary of administration, in effect on the effective date of this
16 paragraph remain in effect and are transferred to the department of health services.
17 The department of health services shall carry out any obligations under those
18 contracts unless modified or rescinded to the extent allowed under the contract.

19 (2) **EARNED RELEASE PROGRAM RULES.** The department of corrections shall update
20 its administrative rules to implement earned release for completion of a vocational
21 readiness training program under s. 302.05 (3), including specification of the
22 eligibility criteria for persons sentenced before the effective date of this subsection
23 to participate in the program.

24 (3) **EARNED COMPLIANCE CREDIT.** A person who is serving a sentence for a
25 violation other than a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05,

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1 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095 and who is in
2 custody upon revocation of extended supervision or parole on the effective date of this
3 subsection may petition the department of corrections to be given credit under s.
4 973.156. Upon proper verification of the facts alleged in the petition, credit under
5 s. 973.156 shall be applied retroactively to the person. If the department of
6 corrections is unable to determine whether credit under s. 973.156 should be given,
7 or otherwise refuses to award retroactive credit, the person may petition the
8 sentencing court for relief. This subsection applies regardless of the date the person
9 was sentenced. A person who is required to register under s. 301.45 is not eligible
10 to receive credit under this subsection.

11 **SECTION 9109. Nonstatutory provisions; Court of Appeals.**

12 **SECTION 9110. Nonstatutory provisions; District Attorneys.**

13 **SECTION 9111. Nonstatutory provisions; Educational Communications**
14 **Board.**

15 **SECTION 9112. Nonstatutory provisions; Elections Commission.**

16 (1) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding ss. 85.61
17 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), the department of transportation shall
18 enter into and begin transferring information under a revised agreement with the
19 elections commission administrator pursuant to s. 85.61 (1) no later than the first
20 day of the 9th month beginning after the effective date of this subsection.

21 (2) REPORT ON VOTER REGISTRATION INFORMATION INTEGRATION. No later than July
22 1, 2025, the elections commission shall report to the appropriate standing
23 committees of the legislature, in the manner specified in s. 13.172 (3), and to the
24 governor its progress in initially implementing a system to ensure the complete and
25 continuous registration of all eligible electors in this state, specifically including the

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1 operability and utility of information integration with the department of
2 transportation and the feasibility and desirability of integrating public information
3 maintained by other state agencies and by technical colleges with the commission's
4 registration information to enhance the completeness and accuracy of the
5 information. At a minimum, the report shall contain an assessment of the feasibility
6 and desirability of the integration of registration information with information
7 maintained by the departments of health services, children and families, workforce
8 development, revenue, safety and professional services, and natural resources; the
9 University of Wisconsin System; and the technical college system board, as well as
10 the technical colleges within each technical college district.

SECTION 9113. Nonstatutory provisions; Employee Trust Funds.

11
12 (1) INCUMBENT INTERNAL AUDITOR. The individual holding the position of
13 internal auditor in the department of employee trust funds on the day before the
14 effective date of this subsection shall continue to serve in that position until an
15 internal auditor is appointed under s. 15.165 (5).

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

(3) TRANSFER OF OVERSIGHT OF GROUP DISABILITY BENEFIT INSURANCE PLANS.

20
21 (a) *Tangible personal property.* On the effective date of this paragraph, all
22 tangible personal property, including records, of the group insurance board that is
23 primarily related to the group income continuation insurance plan or long-term
24 disability insurance plan, as determined by the secretary of employee trust funds,
25 is transferred to the employee trust funds board.

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

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

13 (d) *Pending matters.* Any matter pending with the group insurance board on
14 the effective date of this paragraph that is primarily related to the group income
15 continuation insurance plan or long-term disability insurance plan, as determined
16 by the secretary of employee trust funds, is transferred to the employee trust funds
17 board. All materials submitted to or actions taken by the group insurance board with
18 respect to the pending matter are considered as having been submitted to or taken
19 by the employee trust funds board.

20 (4) 2025-27 BIENNIAL BUDGET REQUEST. In submitting information under s. 16.42
21 for purposes of the 2025-27 biennial budget bill, the department of employee trust
22 funds shall include a request for funding for the modernization of the department's
23 pension administration system.

24 (5) ELECTION TO CONTINUE ANNUITY SUSPENSION. No later than 60 days after the
25 effective date of this subsection, if an individual who is employed by a covered

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1 employer under the Wisconsin Retirement System has his or her annuity suspended
2 under s. 40.26 (1m), 2021 stats., on the effective date of this subsection and wants
3 to continue the suspension, the individual shall notify the department of employee
4 trust funds on a form provided by the department. An election to continue the
5 suspension is irrevocable.

6 **SECTION 9114. Nonstatutory provisions; Employment Relations**
7 **Commission.**

8 **SECTION 9115. Nonstatutory provisions; Ethics Commission.**

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

10 (1) SMALL BUSINESS RETIREMENT SAVINGS BOARD; STAGGERED TERMS.
11 Notwithstanding the length of terms specified for the members of the small business
12 retirement savings board under s. 15.185 (6) (b), the members appointed under s.
13 15.185 (6) (a) 2., 4., and 6. shall be appointed for initial terms expiring on May 1, 2025.

14 **SECTION 9117. Nonstatutory provisions; Governor.**

15 **SECTION 9118. Nonstatutory provisions; Health and Educational**
16 **Facilities Authority.**

17 **SECTION 9119. Nonstatutory provisions; Health Services.**

18 (1) CHILDLESS ADULTS DEMONSTRATION PROJECT. The department of health
19 services shall submit any necessary request to the federal department of health and
20 human services for a state plan amendment or waiver of federal Medicaid law or to
21 modify or withdraw from any waiver of federal Medicaid law relating to the childless
22 adults demonstration project under s. 49.45 (23), 2021 stats., to reflect the
23 incorporation of recipients of Medical Assistance under the demonstration project
24 into the BadgerCare Plus program under s. 49.471 and the termination of the
25 demonstration project. The department of health services may submit a request to

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1 the federal department of health and human services to modify or withdraw from the
2 waiver granted under s. 49.45 (23) (g), 2021 stats.

3 (2) COMMUNITY-BASED PSYCHOSOCIAL SERVICES. The department of health
4 services may promulgate rules, including amending rules promulgated under s.
5 49.45 (30e) (b), update Medical Assistance program policies, and request any state
6 plan amendment or waiver of federal Medicaid law from the federal government
7 necessary to provide reimbursement to providers who are not county-based
8 providers for psychosocial services provided to Medical Assistance recipients under
9 s. 49.45 (30e).

10 (3) CHILDLESS ADULTS DEMONSTRATION PROJECT REFORM WAIVER. The department
11 of health services may submit a request to the federal department of health and
12 human services to modify or withdraw the waiver granted under s. 49.45 (23) (g),
13 2021 stats.

14 (4) RULES REGARDING TRAINING OF CERTIFIED PEER SPECIALISTS. The department
15 of health services may promulgate the rules required under s. 49.45 (30j) (bm) 4. as
16 emergency rules under s. 227.24. Notwithstanding s. 227.24 (1) (a) and (3), the
17 department of health services is not required to provide evidence that promulgating
18 a rule under this subsection as an emergency rule is necessary for the preservation
19 of the public peace, health, safety, or welfare and is not required to provide a finding
20 of emergency for a rule promulgated under this subsection. Notwithstanding s.
21 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in
22 effect until January 1, 2025, or the date the permanent rules take effect, whichever
23 is sooner.

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1 (5) EARLY INTERVENTION SERVICES. The department of health services may
2 develop a methodology to allocate moneys under s. 20.435 (7) (bt) across county
3 programs.

4 (6) EMERGENCY RULES ON PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES. The
5 department of health services may promulgate emergency rules under s. 227.24
6 implementing certification of psychiatric residential treatment facilities under s.
7 51.044, including development of a new provider type and a reimbursement model
8 for psychiatric residential treatment facilities under the Medical Assistance
9 program under subch. IV of ch. 49. Notwithstanding s. 227.24 (1) (a) and (3), the
10 department of health services is not required to provide evidence that promulgating
11 a rule under this subsection as an emergency rule is necessary for the preservation
12 of the public peace, health, safety, or welfare and is not required to provide a finding
13 of emergency for a rule promulgated under this subsection. Notwithstanding s.
14 227.24 (1) (c) and (2), emergency rules promulgated under this subsection remain in
15 effect until July 1, 2025, or the date on which permanent rules take effect, whichever
16 is sooner.

17 (7) LOW-VALUE CARE ANALYSIS GRANT. From the appropriation under s. 20.435 (1)
18 (b), in the 2023-24 and 2024-25 fiscal years, the department of health services shall
19 award a grant in an amount not to exceed \$900,000 in each fiscal year to an
20 organization for the purpose of conducting a data analysis of claims under the
21 medical assistance program administered by the department of health services and
22 claims under health care coverage plans offered by the state under s. 40.51 (6) to
23 identify low-value care. The recipient of the grant under this subsection shall report
24 the organization's findings, including any recommendations for providing effective
25 and efficient care, to the department of health services and the department of

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1 employee trust funds. The department of health services and the department of
2 employee trust funds shall distribute the findings reported under this subsection to
3 health care providers that provide services covered by the medical assistance
4 program or a health care coverage plan and to health maintenance organizations and
5 insurance companies that provide health insurance to state employees.

6 (8) **MEDICAL ASSISTANCE HOSPITAL REIMBURSEMENT.** The department of health
7 services shall increase the Medical Assistance rates paid to hospitals by a budgeted
8 sum of \$7,605,400 as the state share of payments, and provide the matching share
9 of payments, in fiscal year 2023-24, and by a budgeted sum of \$15,506,100 as the
10 state share of payments, and provide the matching share of payments, in fiscal year
11 2024-25. The increases under this subsection may apply only if the department has
12 expanded eligibility under section 2001 (a) (1) (C) of the Patient Protection and
13 Affordable Care Act, P.L. 111-148, for the Medical Assistance program under subch.
14 IV of ch. 49. The department shall limit payments to hospitals under this subsection
15 at the upper payment limit as required under 42 CFR 447.272.

16 (9) **PRIMARY CARE REIMBURSEMENT UNDER MEDICAL ASSISTANCE.** The department
17 of health services shall increase the Medical Assistance rates paid for primary care
18 services by a budgeted sum of \$21,110,400 as the state share of payments, and
19 provide the matching federal share of payments, in fiscal year 2023-24, and by a
20 budgeted sum of \$43,040,400 as the state share of payments, and provide the
21 matching federal share of payments, in fiscal year 2024-25. The increases under this
22 subsection may apply only if the department of health services has expanded
23 eligibility under section 2001 (a) (1) (C) of the Patient Protection and Affordable Care
24 Act, P.L. 111-148, for the Medical Assistance program under subch. IV of ch. 49.

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1 (10) SPINAL CORD INJURY COUNCIL; INITIAL APPOINTMENTS. Notwithstanding the
2 length of terms specified for the members of the spinal cord injury council under s.
3 15.197 (20) (a) (intro.), initial appointments to the council shall be made as follows:

4 (a) The members appointed under s. 15.197 (20) (a) 1., 3., 5., and 7., or in lieu
5 of those members under s. 15.197 (20) (b), shall be appointed for terms expiring on
6 July 1, 2025.

7 (b) The members appointed under s. 15.197 (20) (a) 2., 4., 6., and 8., or in lieu
8 of those members under s. 15.197 (20) (b), shall be appointed for terms expiring on
9 July 1, 2026.

10 (11) ELECTROCARDIOGRAM SCREENING PILOT PROGRAM. The department of health
11 services shall develop a pilot program to provide electrocardiogram screenings for
12 participants in middle school and high school athletics programs in Milwaukee and
13 Waukesha Counties. From the appropriation under s. 20.435 (1) (b), in fiscal year
14 2024-25, the department shall award \$4,172,000 in grants to local health
15 departments, as defined under s. 250.01 (4), to implement the pilot program under
16 this subsection. Participation in the pilot program by participants in middle school
17 and high school athletics programs shall be optional.

18 (12) HEALTH CARE WORKFORCE PILOT PROJECT. The department of health services
19 shall distribute \$621,000 in fiscal year 2024-25 to support a pilot project in Dane
20 County relating to the impact of the COVID-19 pandemic on the health care
21 workforce.

22 (13) COMPLEX PATIENT PILOT PROGRAM.

23 (a) In this subsection, "department" means the department of health services.

24 (b) The department shall form an advisory group to assist with development
25 and implementation of a complex patient pilot program. The secretary of health

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1 services, or his or her designee, shall be the chair of the advisory group. Members
2 of the advisory group under this paragraph shall have clinical, financial, or
3 administrative expertise in government programs, acute care, or post-acute care.

4 (c) The department shall use its request-for-proposal procedure to select
5 partnership groups to be designated as participating sites for the complex patient
6 pilot program under this subsection.

7 (d) The advisory group formed under this subsection shall develop a request
8 for proposal for the complex patient pilot program that includes eligibility
9 requirements. For purposes of the pilot program under this subsection, only
10 partnerships of hospitals and post-acute facilities are eligible to submit proposals.
11 An eligible partnership shall include at least one hospital and at least one post-acute
12 facility, but may include more than one hospital or post-acute facility.

13 (e) Each partnership group that applies to the department to be designated as
14 a site for the complex patient pilot program shall specifically address all of the
15 following issues:

- 16 1. The number of beds that would be set aside in the post-acute facility.
- 17 2. The goals of the partnership during the pilot program and after the pilot
18 program.
- 19 3. The types of complex patients for whom care would be provided.
- 20 4. Expertise to successfully implement the proposal, including a discussion of
21 at least all of the following issues:
 - 22 a. Experience of the partners working together.
 - 23 b. Plan for staffing the unit.
 - 24 c. Ability to electronically exchange health information.
 - 25 d. Clinical expertise.

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1 e. Hospital and post-acute facility survey history over the past 3 years.

2 f. Acute care partner readmissions history over the past 3 years.

3 g. Discharge planning and patient intake resources.

4 h. Stability of finances to support the proposal, including matching funds that
5 could be dedicated to the pilot program under this subsection. No applicant is
6 required to provide matching funds or a contribution, but the advisory group and the
7 department of health services may take into consideration the availability of
8 matching funds or a contribution in evaluating an application.

9 5. The per diem rate requested to adequately compensate the hospital or
10 hospitals and the post-acute facility or facilities.

11 6. A post-acute bed reserve rate.

12 7. Anticipated impediments to successful implementation and how the
13 applicant partnership group intends to overcome the anticipated impediments.

14 (f) The advisory group formed under this subsection shall do all of the following:

15 1. Determine and recommend to the department an amount of the funding
16 budgeted for the complex patient pilot program under s. 20.435 (7) (d) to be reserved
17 for reconciliation to ensure that participants in the pilot program are held harmless
18 from unanticipated financial loss.

19 2. Develop a methodology to evaluate the complex patient pilot program,
20 including a recommendation on whether the department should contract with an
21 independent organization to evaluate the complex patient pilot program. The
22 department may contract with an independent organization to complete the
23 evaluation described under this subdivision and, if the department does so, the
24 department may pay the fee of the organization selected from the appropriation
25 under s. 20.435 (7) (d).

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1 3. Make recommendations to the secretary of health services regarding which
2 partnership groups should receive designation as a participating site for the complex
3 patient pilot program.

4 (g) 1. No later than 90 days after the effective date of this subdivision, the
5 advisory group shall complete development of the request for proposal for
6 partnership groups to be designated as participating sites in the complex patient
7 pilot program and provide its recommendations to the secretary of health services.

8 2. No later than 150 days after the effective date of this subdivision, the
9 advisory group shall review all applications submitted in response to the request for
10 proposal and select up to 4 partnership groups to recommend to the secretary of
11 health services for designation as participating sites for the complex patient pilot
12 program under this subsection.

13 3. Between 6 months and 18 months after the effective date of this subdivision,
14 the partnership groups designated by the department as participating sites in the
15 complex patient pilot program shall implement the pilot program and meet quarterly
16 with both the department and the advisory group or any independent organization
17 hired by the department for the purpose of evaluating the pilot program to discuss
18 experiences relating to the pilot program. From the appropriation under s. 20.435
19 (7) (d), the department shall provide payments to partnership groups designated as
20 participating sites for care provided during the course of the pilot program under this
21 subsection.

22 4. No later than June 30, 2025, the advisory group or any independent
23 organization hired by the department for the purpose of evaluating the complex
24 patient pilot program shall complete and submit to the secretary of health services

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1 an evaluation of the complex patient pilot program under this subsection, including
2 a written report and recommendations.

3 **SECTION 9120. Nonstatutory provisions; Higher Educational Aids**
4 **Board.**

5 **SECTION 9121. Nonstatutory provisions; Historical Society.**

6 **SECTION 9122. Nonstatutory provisions; Housing and Economic**
7 **Development Authority.**

8 **SECTION 9123. Nonstatutory provisions; Insurance.**

9 (1) STAGGERED TERMS FOR BOARD. Notwithstanding the length of terms specified
10 for the members of the board under s. 15.735 (1) (b) to (e), 2 of the initial members
11 shall be appointed for terms expiring on May 1, 2025; 2 of the initial members shall
12 be appointed for terms expiring on May 1, 2026; 2 of the initial members shall be
13 appointed for terms expiring on May 1, 2027; and 2 of the initial members shall be
14 appointed for terms expiring on May 1, 2028.

15 (2) PRESCRIPTION DRUG IMPORTATION PROGRAM. The commissioner of insurance
16 shall submit the first report required under s. 601.575 (5) by the next January 1 or
17 July 1, whichever is earliest, that is at least 180 days after the date the prescription
18 drug importation program is fully operational under s. 601.575 (4). The
19 commissioner of insurance shall include in the first 3 reports submitted under s.
20 601.575 (5) information on the implementation of the audit functions under s.
21 601.575 (1) (n).

22 (3) PUBLIC OPTION HEALTH INSURANCE PLAN. The office of the commissioner of
23 insurance may expend from the appropriation under s. 20.145 (1) (a) in fiscal year
24 2023-24 not more than \$1,000,000 for the development of a public option health
25 insurance plan.

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1 (4) PRESCRIPTION DRUG PURCHASING ENTITY. During the 2023-25 fiscal biennium,
2 the office of the commissioner of insurance shall conduct a study on the viability of
3 creating or implementing a state prescription drug purchasing entity.

4 **SECTION 9124. Nonstatutory provisions; Investment Board.**

5 **SECTION 9125. Nonstatutory provisions; Joint Committee on Finance.**

6 **SECTION 9126. Nonstatutory provisions; Judicial Commission.**

7 **SECTION 9127. Nonstatutory provisions; Justice.**

8 **SECTION 9128. Nonstatutory provisions; Legislature.**

9 (1) JOINT LEGISLATIVE COUNCIL STUDY. The joint legislative council shall study
10 the implementation of the marijuana tax and regulation provided under subch. IV
11 of ch. 139 and identify uses for the revenues generated by the tax. The joint
12 legislative council shall report its findings, conclusions, and recommendations to the
13 joint committee on finance no later than 2 years after the effective date of this
14 subsection.

15 **SECTION 9129. Nonstatutory provisions; Lieutenant Governor.**

16 **SECTION 9130. Nonstatutory provisions; Local Government.**

17 (1) LEVY LIMIT EXCEPTION FOR REGIONAL PLANNING COMMISSION CHARGES. For the
18 purposes of a levy imposed by a city, village, town, or county in December 2023, the
19 base amount to which s. 66.0602 (2) applies does not include any amount that the city,
20 village, town, or county levied in the immediately preceding year to pay for the city's,
21 village's, town's, or county's share of a regional planning commission's budget as
22 charged by the commission under s. 66.0309 (14) (a) to (c).

23 **SECTION 9131. Nonstatutory provisions; Military Affairs.**

24 (1) PAYMENT TO TOWN OF SILVER CLIFF TO REBUILD PUBLIC SAFETY BUILDING
25 DESTROYED BY A TORNADO. Notwithstanding the requirements under s. 323.31, from

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1 the appropriation under s. 20.465 (3) (b), in the 2023-24 fiscal year, the department
2 of military affairs shall provide a payment of \$1,000,000 to the town of Silver Cliff
3 for the town to rebuild its public safety building that was destroyed by a tornado.

SECTION 9132. Nonstatutory provisions; Natural Resources.

4
5 (1) EMERGENCY RULE-MAKING AUTHORITY; GREAT LAKES EROSION CONTROL
6 REVOLVING LOAN PROGRAM. The department of natural resources may use the
7 procedure under s. 227.24 to promulgate emergency rules under s. 23.1991 for the
8 period before the date on which permanent rules under s. 23.1991 take effect.
9 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
10 subsection remain in effect until the first day of the 25th month beginning after the
11 effective date of the emergency rules, the date on which the permanent rules take
12 effect, or the effective date of the repeal of the emergency rules, whichever is earliest.
13 Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not
14 required to provide evidence that promulgating a rule under this subsection as
15 emergency rules is necessary for the preservation of public peace, health, safety, or
16 welfare and is not required to provide a finding of emergency for a rule promulgated
17 under this subsection.

18 (2) EMERGENCY RULE-MAKING AUTHORITY; MISSISSIPPI RIVER EROSION CONTROL
19 REVOLVING LOAN PROGRAM. The department of natural resources may use the
20 procedure under s. 227.24 to promulgate emergency rules under s. 23.1993 for the
21 period before the date on which permanent rules under s. 23.1993 take effect.
22 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
23 subsection remain in effect until the first day of the 25th month beginning after the
24 effective date of the emergency rules, the date on which the permanent rules take
25 effect, or the effective date of the repeal of the emergency rules, whichever is earliest.

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1 Notwithstanding s. 227.24 (1) (a) and (3), the department of natural resources is not
2 required to provide evidence that promulgating a rule under this subsection as
3 emergency rules is necessary for the preservation of public peace, health, safety, or
4 welfare and is not required to provide a finding of emergency for a rule promulgated
5 under this subsection.

6 (3) EMERGENCY RULES FOR PFAS IN DRINKING WATER, GROUNDWATER, SURFACE
7 WATER, SOLID WASTE, BEDS OF NAVIGABLE WATERS, AND CONTAMINATED SOIL AND SEDIMENT.

8 (a) The department of natural resources shall promulgate emergency rules
9 under s. 227.24 establishing acceptable levels and standards, performance
10 standards, monitoring requirements, and required response actions for any
11 perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances that
12 the department determines may be harmful to human health or the environment in
13 the following:

- 14 1. Drinking water under s. 281.17 (8).
- 15 2. Groundwater under ss. 160.07 (5) and 160.15.
- 16 3. Surface water from point sources under ss. 283.11 (4) and 283.21 and from
17 nonpoint sources under s. 281.16.
- 18 4. Air under s. 285.27 (2) (bm), if the standards are needed to provide adequate
19 protection for public health or welfare.
- 20 5. Solid waste and solid waste facilities under chs. 289 and 291.
- 21 6. Beds of navigable waters under s. 30.20.
- 22 7. Soil and sediment under chs. 289 and 292.

23 (b) The department of natural resources shall promulgate emergency rules
24 under s. 227.24 to do all of the following:

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1 1. Add any perfluoroalkyl or polyfluoroalkyl substance or group or class of such
2 substances that the department determines may be harmful to human health or the
3 environment to the list of toxic pollutants under s. 283.21 (1) (a) for purposes of
4 setting toxic effluent standards or prohibitions under s. 283.11 (4).

5 2. Add to the list of hazardous constituents under s. 291.05 (4) any
6 perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances for
7 which the department determines that the listing is necessary to protect public
8 health, safety, or welfare.

9 3. Administer and enforce ch. 292 in relation to remedial actions involving
10 perfluoroalkyl or polyfluoroalkyl substances or a group or class of such substances.

11 (c) Notwithstanding any finding required under par. (a) or (b), emergency rules
12 promulgated under pars. (a) and (b) shall include, at a minimum, perfluorooctane
13 sulfonic acid, perfluorooctanoic acid, perfluorohexane sulfonic acid,
14 perfluorononanoic acid, and perfluorobutane sulfonic acid and shall include
15 provisions for enforcing these standards, including requiring sampling, monitoring,
16 testing, and response actions.

17 (d) Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated
18 under pars. (a) and (b) remain in effect until July 1, 2024, or the date on which
19 permanent rules take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a)
20 and (3), the department of natural resources is not required to provide evidence that
21 promulgating a rule under this subsection as an emergency rule is necessary for the
22 preservation of public peace, health, safety, or welfare and is not required to provide
23 a finding of emergency for a rule promulgated under this subsection.

24 (4) WATER QUALITY STANDARDS FOR PFAS. The department of natural resources
25 shall promulgate, under s. 281.15, water quality standards for perfluorooctane

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1 sulfonic acid, perfluorooctanoic acid, perfluorohexane sulfonic acid,
2 perfluorononanoic acid, and perfluorobutane sulfonic acid and any other
3 perfluoroalkyl or polyfluoroalkyl substance or group or class of such substances that
4 the department determines may be harmful to human health and necessary to
5 protect a water's designated use.

6 (5) LIST OF GROUNDWATER CONTAMINANTS. The department of natural resources
7 shall add to the list of groundwater contaminants under s. 160.05 any perfluoroalkyl
8 and polyfluoroalkyl substance or group or class of such substances that is shown to
9 involve public health concerns and that has a reasonable probability of entering the
10 groundwater and shall categorize and rank those substances according to the
11 provisions of s. 160.05.

12 (6) TESTING LABORATORIES; EMERGENCY RULES.

13 (a) The department of natural resources shall promulgate emergency rules
14 under s. 227.24 establishing criteria for certifying laboratories to test for any
15 perfluoroalkyl or polyfluoroalkyl substances, including the standards and methods
16 for such testing, and shall certify laboratories that meet these criteria.
17 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
18 subsection remain in effect until July 1, 2024, or the date on which permanent rules
19 take effect, whichever is sooner. Notwithstanding s. 227.24 (1) (a) and (3), the
20 department of natural resources is not required to provide evidence that
21 promulgating a rule under this subsection as an emergency rule is necessary for the
22 preservation of public peace, health, safety, or welfare and is not required to provide
23 a finding of emergency for a rule promulgated under this subsection.

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1 (b) Before emergency rules are promulgated under par. (a), the department of
2 natural resources may require testing for a perfluoroalkyl or polyfluoroalkyl
3 substance to be done according to any nationally recognized procedures.

4 (7) EMERGENCY RULES FOR PFAS MUNICIPAL GRANT PROGRAM. The department of
5 natural resources may use the procedure under s. 227.24 to promulgate emergency
6 rules relating to the municipal grant program under s. 292.67. Notwithstanding s.
7 227.24 (1) (a) and (3), the department is not required to provide evidence that
8 promulgating a rule under this subsection as an emergency rule is necessary for the
9 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 Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under
12 this subsection, the department is not required to prepare a statement of scope of the
13 rules or to submit the proposed rules in final draft form to the governor for approval.

14 (8) NOTIFICATION OF U.S. COAST GUARD RULES FOR VESSEL DISCHARGE. When the
15 department of natural resources determines that the secretary of the U.S.
16 department of homeland security has promulgated final, effective, and enforceable
17 rules under 33 USC 1322 (p) (5), the department shall notify the legislative reference
18 bureau. The legislative reference bureau shall publish a notice in the Wisconsin
19 Administrative Register that specifies that date.

20 (9) MUNICIPAL FLOOD CONTROL AID. Notwithstanding eligibility requirements for
21 receiving aid or limitations on the amount and use of aid provided under s. 281.665,
22 from the appropriation under s. 20.370 (6) (dq), the department of natural resources
23 shall award \$1,000,000 in fiscal year 2023-24 and \$1,000,000 in fiscal year 2024-25
24 for the preparation of flood insurance studies and other flood mapping projects.

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1 (10) FORESTRY-INDUSTRY-WIDE STRATEGIC PLAN. From the appropriation under
2 s. 20.370 (2) (jq), the department of natural resources shall develop a
3 forestry-industry-wide strategic plan and road map. The department shall submit
4 the final report on this plan and road map to the council on forestry no later than
5 September 16, 2024.

6 (11) EMERGENCY RULES FOR NOTIFICATION OF WATER PERMIT VIOLATIONS. The
7 department of natural resources may use the procedure under s. 227.24, to
8 promulgate rules under s. 283.90. Notwithstanding s. 227.24 (1) (c) and (2),
9 emergency rules promulgated under this subsection remain in effect until July 1,
10 2025, or the date on which permanent rules take effect, whichever is sooner.
11 Notwithstanding s. 227.24 (1) (a) and (3), the department is not required to provide
12 evidence that promulgating a rule under this subsection as an emergency rule is
13 necessary for the preservation of the public peace, health, safety, or welfare and is
14 not required to provide a finding of emergency for a rule promulgated under this
15 subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., the department is not
16 required to prepare a statement of scope of the rules promulgated under this
17 subsection and is not required to present the rules promulgated under this
18 subsection to the governor for approval.

19 (12) SHEBOYGAN RIVER DAM GRANT. Notwithstanding s. 31.385 (2), the
20 department of natural resources shall award a dam safety grant under s. 31.385 in
21 the amount of \$500,000 to Sheboygan County for the removal and reconstruction of
22 a dam on the Sheboygan River at the Sheboygan Marsh.

23 **SECTION 9133. Nonstatutory provisions; Public Defender Board.**

24 **SECTION 9134. Nonstatutory provisions; Public Instruction.**

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1 **SECTION 9135. Nonstatutory provisions; Public Lands, Board of**
2 **Commissioners of.**

3 **SECTION 9136. Nonstatutory provisions; Public Service Commission.**

4 **SECTION 9137. Nonstatutory provisions; Revenue.**

5 (1) CLOSING HOURS EXCEPTION FOR CERTAIN ALCOHOL BEVERAGE RETAILERS DURING
6 THE REPUBLICAN NATIONAL CONVENTION IN MILWAUKEE.

7 (a) In this subsection:

8 1. "Municipality" has the meaning given in s. 125.02 (11).

9 2. "Southeast Wisconsin municipality" means a municipality any part of which
10 is located within Kenosha, Racine, Walworth, Rock, Milwaukee, Waukesha,
11 Jefferson, Dane, Ozaukee, Washington, Dodge, Columbia, Sheboygan, or Fond du
12 Lac County.

13 (b) 1. Notwithstanding s. 125.32 (3) (a), from July 15 to July 19, 2024, the
14 closing hours for premises operating under a Class "B" license issued by a southeast
15 Wisconsin municipality shall be between 4 a.m. and 6 a.m. if the municipality that
16 issued the license has adopted a resolution allowing extended closing hours within
17 the municipality and has authorized this extended closing hour as provided in subd.
18 2.

19 2. If a southeast Wisconsin municipality has adopted a resolution under subd.
20 1., the municipality shall establish a process to authorize, and may upon application
21 so authorize, the extended closing hour under subd. 1. for any Class "B" licensed
22 premises within the municipality.

23 (c) 1. Notwithstanding s. 125.68 (4) (c) 1. and 3m., from July 15 to July 19, 2024,
24 the closing hours for premises operating under a "Class B" or "Class C" license issued
25 by a southeast Wisconsin municipality shall be between 4 a.m. and 6 a.m. if the

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1 municipality that issued the license has adopted a resolution allowing extended
2 closing hours within the municipality and has authorized this extended closing hour
3 as provided in subd. 2.

4 2. If a southeast Wisconsin municipality has adopted a resolution under subd.
5 1., the municipality shall establish a process to authorize, and may upon application
6 so authorize, the extended closing hour under subd. 1. for any "Class B" or "Class C"
7 licensed premises within the municipality.

8 **SECTION 9138. Nonstatutory provisions; Safety and Professional**
9 **Services.**

10 (1) DENTAL THERAPIST LICENSURE.

11 (a) The dentistry examining board shall send a notice to the legislative
12 reference bureau for publication in the Wisconsin Administrative Register when the
13 board determines that 50 or more individuals are currently licensed as dental
14 therapists in this state under s. 447.04 (1m).

15 (b) 1. The dentistry examining board shall promulgate emergency rules under
16 s. 227.24 that are necessary to implement this act. Notwithstanding s. 227.24 (1) (c)
17 and (2), emergency rules promulgated under this subdivision remain in effect for 2
18 years, or until the date on which permanent rules take effect, whichever is sooner.
19 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide
20 evidence that promulgating a rule under this subdivision as an emergency rule is
21 necessary for the preservation of the public peace, health, safety, or welfare and is
22 not required to provide a finding of emergency for a rule promulgated under this
23 subdivision.

24 2. The dentistry examining board shall present a statement of scope for
25 permanent and emergency rules required to implement this act to the department

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1 of administration under s. 227.135 (2) no later than the 30th day after the effective
2 date of this subdivision. Notwithstanding s. 227.135 (2), if the governor does not
3 disapprove the statement of scope by the 30th day after the statement is presented
4 to the department of administration, the statement is considered to be approved by
5 the governor.

6 3. The dentistry examining board shall submit a proposed emergency rule
7 required to implement this act to the governor for approval under s. 227.24 (1) (e) 1g.
8 no later than the 150th day after the effective date of this subdivision.
9 Notwithstanding s. 227.24 (1) (e) 1g., if the governor does not reject the proposed
10 emergency rule by the 14th day after the rule is submitted to the governor in final
11 draft form, the rule is considered to be approved by the governor.

12 4. The dentistry examining board shall submit a proposed permanent rule
13 required to implement this act to the governor for approval under s. 227.185 no later
14 than the 365th day after the effective date of this subdivision. Notwithstanding s.
15 227.185, if the governor does not reject that proposed permanent rule by the 30th day
16 after the rule is submitted to the governor in final draft form, the rule is considered
17 to be approved by the governor.

18 (2) **DSPS CREDENTIAL INVESTIGATIONS; EMERGENCY RULES.** Using the procedure
19 under s. 227.24, the department of safety and professional services and any
20 credentialing board, as defined in s. 440.01 (2) (bm), may promulgate rules that are
21 necessary to implement s. 440.03 (13) (br). Notwithstanding s. 227.24 (1) (a) and (3),
22 the department or credentialing board is not required to provide evidence that
23 promulgating a rule under this subsection as an emergency rule is necessary for the
24 preservation of the public peace, health, safety, or welfare and is not required to
25 provide a finding of emergency for a rule promulgated under this subsection.

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1 Notwithstanding s. 227.24 (1) (c) and (2), emergency rules promulgated under this
2 subsection remain in effect until July 1, 2025, or the date on which permanent rules
3 take effect, whichever is sooner, and the effective period may not be further extended
4 under s. 227.24 (2).

5 (3) EMERGENCY RULE-MAKING; LICENSURE OF ADVANCED PRACTICE REGISTERED
6 NURSES.

7 (a) Using the procedure under s. 227.24, the board of nursing may promulgate
8 rules under ch. 441 that are necessary to implement the changes to the licensure of
9 advanced practice registered nurses. Notwithstanding s. 227.24 (1) (a) and (3), the
10 board is not required to provide evidence that promulgating a rule under this
11 paragraph as an emergency rule is necessary for the preservation of the public peace,
12 health, safety, or welfare and is not required to provide a finding of emergency for a
13 rule promulgated under this paragraph. A rule under this paragraph may take effect
14 no later than the date specified in SECTION 9438 (3) of this act. Notwithstanding s.
15 227.24 (1) (c) and (2), a rule promulgated under this paragraph is effective for 2 years
16 after its promulgation, or until permanent rules take effect, whichever is sooner, and
17 the effective period of a rule promulgated under this paragraph may not be further
18 extended under s. 227.24 (2).

19 (b) 1. In this paragraph, the definitions under s. 441.001 apply.

20 2. Notwithstanding s. 441.09 (3), an individual who, on January 1, 2024, is
21 licensed as a registered nurse in this state and is practicing in a recognized role may
22 continue to practice advanced practice registered nursing and the corresponding
23 recognized role in which he or she is practicing and may continue to use the titles
24 corresponding to the recognized roles in which he or she is practicing during the
25 period before which the board takes final action on the person's application under s.

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1 441.09. This subdivision does not apply after the first day of the 13th month
2 beginning after the effective date of this subdivision.

3 **SECTION 9139. Nonstatutory provisions; Secretary of State.**

4 **SECTION 9140. Nonstatutory provisions; State Fair Park Board.**

5 **SECTION 9141. Nonstatutory provisions; Supreme Court.**

6 **SECTION 9142. Nonstatutory provisions; Technical College System.**

7 (1) VOTER IDENTIFICATION. No later than August 1, 2023, each technical college
8 in this state that is a member of and governed by the technical college system under
9 ch. 38 shall issue student identification cards that qualify as identification under s.
10 5.02 (6m) (f).

11 (2) GRANT FOR SUPPLIES AND TRAINING AT A TECHNICAL COLLEGE SYSTEM REGIONAL
12 EMERGENCY MEDICAL TECHNICIAN TRAINING CENTER. From the appropriation under s.
13 20.292 (1) (f), in the 2023-24 fiscal year, the technical college system board shall
14 award a \$2,500,000 grant to Madison Area Technical College for equipment,
15 supplies, and emergency medical technician, advanced emergency medical
16 technician, and paramedic personnel training at an emergency medical technician
17 regional training center located in Baraboo, Wisconsin.

18 **SECTION 9143. Nonstatutory provisions; Tourism.**

19 (1) TRANSFER OF AMERICAN INDIAN TOURISM MARKETING CONTRACT. The contract
20 between the department of tourism and the Great Lakes inter-tribal council in effect
21 on the effective date of this subsection that is primarily related to the promotion of
22 tourism featuring American Indian heritage and culture, as determined by the
23 secretary of administration, is transferred to the department of administration. The
24 department of administration shall carry out any obligations under such a contract

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1 until the contract is modified or rescinded by the department of administration to the
2 extent allowed under the contract.

3 **SECTION 9144. Nonstatutory provisions; Transportation.**

4 (1) MISSISSIPPI RIVER PARKWAY COMMISSION POSITION AUTHORITY. The authorized
5 FTE positions for the Mississippi River parkway commission, funded from the
6 appropriation under s. 20.395 (4) (aq), are increased by 1.0 SEG position for the
7 purpose of providing administrative support to the commission.

8 (2) RAY NITSCHKE MEMORIAL BRIDGE. Notwithstanding eligibility requirements
9 for receiving aid or limitations on the amount and use of aid provided under s. 84.18,
10 in the 2023-24 fiscal year, from the appropriation under s. 20.395 (2) (eq), the
11 department of transportation shall set aside \$1,200,000 for repairs to the Ray
12 Nitschke Memorial Bridge in Brown County.

13 (3) TRANSIT AUTHORITIES.

14 (a) *Initial terms of southeast regional transit authority.* Notwithstanding the
15 length of terms specified for members of the board of directors of the southeast
16 regional transit authority under s. 66.1039 (3) (a), the initial terms for the following
17 members of the board of directors shall be 2 years:

18 1. One member appointed under s. 66.1039 (3) (b) 4.

19 2. If Kenosha County adopts a resolution under s. 66.1039 (2) (a) 1. or 2., the
20 member appointed under s. 66.1039 (3) (b) 1. from the city of Kenosha.

21 3. If Milwaukee County adopts a resolution under s. 66.1039 (2) (a) 1. or 2., the
22 member appointed under s. 66.1039 (3) (b) 2. from the city of Milwaukee.

23 (b) *Initial terms of Dane County regional transit authority.* Notwithstanding
24 the length of terms specified for members of the board of directors of the Dane County

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1 transit authority under s. 66.1039 (3) (a), the initial terms for the members appointed
2 under s. 66.1039 (3) (c) 1. and 4. shall be 2 years.

3 (c) *Initial terms of Fox Cities regional transit authority.* Notwithstanding the
4 length of terms specified for members of the board of directors of the Fox Cities
5 regional transit authority under s. 66.1039 (3) (a), the initial members of the board
6 of directors, except the members appointed as provided in s. 66.1039 (3) (d) 5. and 6.,
7 shall be appointed for the following terms:

8 1. The members appointed under s. 66.1039 (3) (d) 1. shall be appointed for
9 terms expiring on June 30, 2025.

10 2. The members appointed under s. 66.1039 (3) (d) 2. to 4. shall be appointed
11 for terms expiring on June 30, 2027.

12 **SECTION 9145. Nonstatutory provisions; Treasurer.**

13 **SECTION 9146. Nonstatutory provisions; University of Wisconsin**
14 **Hospitals and Clinics Authority; Medical College of Wisconsin.**

15 **SECTION 9147. Nonstatutory provisions; University of Wisconsin**
16 **System.**

17 (1) RISK MANAGEMENT POSITION TRANSFER.

18 (a) *Employee transfer.* On the effective date of this paragraph, 5.0 full-time
19 equivalent positions and the incumbent employees holding those positions in the
20 University of Wisconsin System who perform duties in the University of Wisconsin
21 office of risk management, as determined by the secretary of administration, are
22 transferred to the department of administration.

23 (b) *Employee status.* To the extent the personnel systems under s. 36.115 afford
24 rights and status similar to that under ch. 230, all of the following apply:

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1 1. The employees transferred under par. (a) have all the rights and the same
2 status under ch. 230 in the department of administration that they enjoyed in the
3 University of Wisconsin System immediately before the transfer.

4 2. Notwithstanding s. 230.28 (4) and any similar provision of the personnel
5 systems under s. 36.115, no employee transferred under par. (a) who has attained
6 permanent status in class is required to serve a probationary period.

7 (2) VOTER IDENTIFICATION. No later than August 1, 2023, each University of
8 Wisconsin System institution shall issue student identification cards that qualify as
9 identification under s. 5.02 (6m) (f).

10 (3) PAID SICK LEAVE FOR TEMPORARY EMPLOYEES. The Board of Regents of the
11 University of Wisconsin System shall submit to the administrator of the division of
12 personnel management in the department of administration, with its
13 recommendations for adjustments to compensation and employee benefits for
14 employees of the system under s. 230.12 (3) (e) 1. for the 2023-25 fiscal biennium,
15 a plan to provide paid sick leave benefits to temporary employees of the system. The
16 plan shall provide sick leave benefits at the same rate such benefits are provided to
17 permanent and project employees of the system.

18 (4) JUNETEENTH HOLIDAY. The administrator of the division of personnel
19 management in the department of administration shall include June 19 as a paid
20 holiday in the proposal for adjusting compensation and employee benefits for
21 University of Wisconsin System employees for the 2023-24 and 2024-25 fiscal years
22 that it submits to the joint committee on employee relations under s. 230.12 (3) (e)

23 1. The recommendation shall specify that the first June 19 paid holiday is the June
24 19 that occurs after the 2023-25 compensation plan is adopted by the joint committee
25 on employee relations.

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1 (5) PAID FAMILY AND MEDICAL LEAVE.

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

3 1. "Family leave" means leave from employment for a reason specified in s.
4 103.10 (3) (b) 1. to 3.

5 2. "Medical leave" means leave from employment when an employee has a
6 serious health condition that makes the employee unable to perform his or her
7 employment duties, or makes the employee unable to perform the duties of any
8 suitable employment.

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

10 (b) *Program plan.* The Board of Regents of the University of Wisconsin System
11 shall submit to the administrator of the division of personnel management in the
12 department of administration, with its recommendations for adjustments to
13 compensation and employee benefits for employees of the system under s. 230.12 (3)
14 (e) 1. for 2023-25, a plan for a program to provide paid family and medical leave for
15 12 weeks annually to employees of the system.

16 (6) DIRECT ADMISSION PROGRAM. The Board of Regents of the University of
17 Wisconsin System shall work with a consultant to develop the direct admission
18 program under s. 36.11 (3) (am) and, in developing the program, shall also consult
19 with the department of public instruction, the technical college system board, and
20 other interested stakeholders. The Board of Regents shall implement the direct
21 admission program under s. 36.11 (3) (am) no later than the beginning of the
22 admissions cycle for the 2025-26 academic year.

23 (7) FUNDING FOR THE UNIVERSITY OF WISCONSIN MISSING-IN-ACTION RECOVERY
24 AND IDENTIFICATION PROJECT.

25 (a) In this subsection:

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1 1. “Board” means the Board of Regents of the University of Wisconsin System.

2 2. “MIA Recovery Project” means the University of Wisconsin
3 Missing-in-Action Recovery and Identification Project.

4 (b) From the appropriation under s. 20.285 (1) (bt), the board shall provide
5 funding for the MIA Recovery Project to perform a mission for the recovery and
6 identification of Wisconsin veterans who are missing in action.

7 (c) The MIA Recovery Project, acting through its representative, shall submit
8 at the conclusion of the mission for which the funds were expended, to the board, the
9 joint committee on finance, the standing committees of each house of the legislature
10 dealing with veterans matters, the governor, the department of veterans affairs, and
11 the department of military affairs, a report on the mission’s findings and an
12 accounting of expenditures for the mission.

13 **SECTION 9148. Nonstatutory provisions; Veterans Affairs.**

14 (1) STUDY FOR A MASTER PLAN FOR THE WISCONSIN VETERANS HOME AT KING. From
15 the appropriation under s. 20.485 (2) (u), during the 2023-25 fiscal biennium the
16 department shall contract with a vendor to study the campus of the Wisconsin
17 Veterans Home at King. The study shall provide a framework to guide decision
18 making for future operations and development on the campus of the Wisconsin
19 Veterans Home at King. The study shall be completed before June 1, 2025.

20 **SECTION 9149. Nonstatutory provisions; Wisconsin Economic**
21 **Development Corporation.**

22 (1) ENTERPRISE ZONE DESIGNATION LIMIT. The treatment of s. 238.399 (3) (a) may
23 not be construed to require that the Wisconsin Economic Development Corporation
24 revoke a certification for tax benefits under s. 238.399 that is in effect on the effective
25 date of this subsection.

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1 (2) COOPERATIVE DEVELOPMENT FUNDING. From the appropriation under s.
2 20.192 (1) (a) or (r), the Wisconsin Economic Development Corporation shall allocate
3 at least \$500,000 in the 2023-24 fiscal year for the purpose of assisting cooperative
4 development activities in this state, including the performance of feasibility studies
5 and other technical assistance and implementation efforts.

SECTION 9150. Nonstatutory provisions; Workforce Development.

6 (1) WORKFORCE INNOVATION GRANT PROGRAM; HEALTH CARE-RELATED REGIONAL
7 ORGANIZATIONS. In fiscal year 2023-24, of the moneys appropriated under s. 20.445
8 (1) (bw), the department of workforce development shall allocate \$100,000,000 for
9 grants to health care-related regional organizations to design and implement plans
10 to address their region's workforce challenges that arose during or were exacerbated
11 by the COVID-19 pandemic.

12 (2) MINIMUM WAGE STUDY COMMITTEE.

13 (a) The secretary of workforce development shall establish a minimum wage
14 study committee under s. 15.04 (1) (c). The committee shall consist of the following:
15

- 16 1. Five members appointed by the governor.
- 17 2. One member appointed by the speaker of the assembly.
- 18 3. One member appointed by the minority leader of the assembly.
- 19 4. One member appointed by the majority leader of the senate.
- 20 5. One member appointed by the minority leader of the senate.

21 (b) The committee created under par. (a) shall study options to achieve a \$15
22 per hour minimum wage and other options to increase compensation for workers in
23 this state.

24 (c) No later than October 1, 2024, the committee created under par. (a) shall
25 submit to the governor and the appropriate standing committees of the legislature

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1 in the manner provided under s. 13.172 (3) a report that includes recommendations
2 regarding the options for achieving a \$15 per hour minimum wage and other means
3 of increasing worker compensation in this state.

4 (d) The minimum wage study committee terminates upon submission of the
5 report under par. (c).

6 (3) WORKER'S COMPENSATION INSURANCE; RATE APPROVAL; NOTICE. The
7 commissioner of insurance shall submit to the legislative reference bureau for
8 publication in the Wisconsin Administrative Register a notice of the effective date
9 of new rates for worker's compensation insurance first approved by the
10 commissioner under s. 626.13 after the effective date of this subsection.

11 (4) PROPOSED PERMANENT RULES. The department of workforce development
12 shall submit in proposed form the rules required under s. 103.105 (8) (c) and (cm),
13 (9) (a) and (b) 3., and (12) (c) to the legislative council staff under s. 227.15 (1) no later
14 than the first day of the 4th month beginning after the effective date of this
15 subsection.

16 (5) RULE-MAKING EXCEPTIONS FOR PERMANENT RULES.

17 (a) Notwithstanding s. 227.135 (2), the department of workforce development
18 is not required to present the statement of the scope of the rules required under s.
19 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and (12) (c) to the department of
20 administration for review by the department of administration and approval by the
21 governor.

22 (b) Notwithstanding s. 227.185, the department of workforce development is
23 not required to present the rules required under s. 103.105 (8) (c) and (cm), (9) (a) and
24 (b) 3., and (12) (c) in final draft form to the governor for approval.

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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 (6) EMERGENCY RULES. Using the procedure under s. 227.24, the department of
10 workforce development shall promulgate the rules required under s. 103.105 (8) (c)
11 and (cm), (9) (a) and (b) 3., and (12) (c) for the period before the effective date of the
12 permanent rules promulgated under s. 103.105 (8) (c) and (cm), (9) (a) and (b) 3., and
13 (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.

SECTION 9151. Nonstatutory provisions; Other.

21 (1) LEGISLATIVE INTENT. The legislature intends the repeal of ss. 49.141 (1) (j)
22 2., 102.51 (1) (a) 2., 115.76 (12) (a) 2. and 3., and 769.401 (2) (g), the renumbering and
23 amendment of ss. 891.40 (1) and 891.41 (1) (b), the amendment of ss. 29.219 (4),
24 29.228 (5) and (6), 29.229 (2) (i), 29.2295 (2) (i), 29.563 (3) (a) 3., 29.607 (3), 45.01 (6)
25

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1 (c), 45.51 (3) (c) 2. and (5) (a) 1. b. and c., 45.55, 46.10 (2), 48.02 (13), 48.025 (title),
2 (2) (b), and (3) (c), 48.27 (3) (b) 1. a. and b. and (5), 48.299 (6) (intro.) and (e) 1., 2., 3.,
3 and 4. and (7), 48.355 (4g) (a) 1., 48.396 (2) (dm), 48.42 (1g) (a) 4., (b), and (c) and (2)
4 (b) 1. and 2. and (bm) 1., 48.422 (6) (a) and (7) (bm) and (br), 48.423 (2) (d), 48.432
5 (1) (am) 2. b., 48.63 (3) (b) 4. and 5., 48.82 (1) (a), 48.837 (1r) (d) and (e) and (6) (b)
6 and (br), 48.913 (1) (a), (b), and (h), (2) (intro.), (b), and (c) (intro.), (3), (4), and (7),
7 48.9795 (1) (a) 1. c. and (b), 49.141 (1) (j) 1., 49.155 (1m) (c) 1g. and 1h., 49.163 (2) (am)
8 2., 49.19 (1) (a) 2. a. and (4) (d) (intro.), 1., 2., 3., 4., and 5., 49.345 (2), 49.43 (12),
9 49.471 (1) (b) 2., 49.90 (4), 54.01 (36) (a), 54.960 (1), 69.03 (15), 69.11 (4) (b), 69.12 (5),
10 69.13 (2) (b) 4., 69.14 (1) (c) 4., (e) (title) and 1., (f) 1., and (g) and (2) (b) 2. d., 69.15
11 (1), (3) (title), (a) (intro.), 1., 2., and 3., (b) 1., 2., 3., and 4. (intro.), a., and b., and (d),
12 and (3m) (title), (a) (intro.) and 3., and (b), 71.03 (2) (d) (title), 1., 2., and 3., (g), and
13 (m) 2. and (4) (a), 71.05 (22) (a) (title), 71.07 (5m) (a) 3. and (9e) (b), 71.09 (13) (a) 2.,
14 71.52 (4), 71.83 (1) (a) 8. and (b) 5., 77.25 (8m), 77.54 (7) (b) 1., 101.91 (5m), 102.07
15 (5) (b) and (c), 102.51 (1) (a) 1., 103.10 (1) (h), 103.165 (3) (a) 3., 111.32 (12), 115.76
16 (12) (a) 1. and (13), 146.34 (1) (f), 157.05, 182.004 (6), 250.04 (3) (a), 301.50 (1), 700.19
17 (2), 705.01 (4) and (4m), 706.09 (1) (e), 765.001 (2), 765.01, 765.03 (1), 765.16 (1m)
18 (intro.) and (c), 765.23, 765.24, 765.30 (3) (a), 766.587 (7) (form) 9., 766.588 (9) (form)
19 13., 766.589 (10) (form) 14., 767.215 (2) (b) and (5) (a) 2., 767.323, 767.80 (1) (intro.)
20 and (c) and (2), 767.803, 767.804 (1) (a) 4., 767.805 (title), (1), (1m), (2) (a) and (b), (3)
21 (title) and (a), (4) (intro.) and (d), (5) (a) and (b), and (6) (a) (intro.), 767.855, 767.863
22 (1m), 767.87 (1m) (intro.), (8), and (9), 767.883 (1), 769.316 (9), 769.401 (2) (a), 815.20
23 (1), 822.40 (4), 851.30 (2) (a), 852.01 (1) (f) 1., 2., and 3., 854.03 (3), 891.39 (title), (1)
24 (a) and (b), and (3), 891.40 (2), 891.405, 891.407, 891.41 (title), (1) (intro.) and (a), and
25 (2), 905.05 (title), 938.02 (13), 938.396 (2g) (g), 943.20 (2) (c), 943.201 (1) (b) 8., and

ASSEMBLY BILL 43**SECTION 9151**

1 943.205 (2) (b), and the creation of ss. 69.15 (3) (b) 3m., 765.02 (3), 891.40 (1) (b) and
2 (3), 891.41 (3), and 990.01 (22h), (39), and (40m) to harmonize the language of the
3 Wisconsin statutes relating to marriage and the determination of parentage with the
4 provision of s. 990.001 (2), which specifies that words importing one gender extend
5 and may be applied to any gender. The legislature intends that by amending the
6 statutes relating to marriage and the determination of parentage with respect to
7 married couples to use gender neutral language where appropriate so as to clarify
8 that the same statutory rights and responsibilities apply between married persons
9 of the same sex as between married persons of different sexes and to extend some of
10 the presumptions of paternity to either parent, the Wisconsin statutes will be better
11 aligned with the holding of the U.S. Supreme Court in Obergefell v. Hodges, 135 S.
12 Ct. 2584, 192 L. Ed. 2d 609 (2015), which recognizes that same-sex couples have a
13 fundamental constitutional right to marriage.

SECTION 9201. Fiscal changes; Administration.

14
15 (1) TRANSFER TO THE BUDGET STABILIZATION FUND. There is transferred from the
16 general fund to the budget stabilization fund \$500,000,000 in fiscal year 2023-24.

**SECTION 9202. Fiscal changes; Agriculture, Trade and Consumer
17 Protection.****SECTION 9203. Fiscal changes; Arts Board.**

18
19 (1) TRANSFER TO THE ARTISTIC ENDOWMENT FUND. There is transferred from the
20 general fund to the artistic endowment fund \$100,000,000 during the 2023-25 fiscal
21 biennium.
22

SECTION 9204. Fiscal changes; Building Commission.
23

ASSEMBLY BILL 43**SECTION 9204**

1 (1) TRANSFER TO STATE BUILDING TRUST FUND. There is transferred from the
2 appropriation account under s. 20.505 (1) (kc) to the state building trust fund under
3 s. 25.30 \$18,000,000 in fiscal year 2023-24.

4 **SECTION 9205. Fiscal changes; Child Abuse and Neglect Prevention**
5 **Board.**

6 **SECTION 9206. Fiscal changes; Children and Families.**

7 **SECTION 9207. Fiscal changes; Circuit Courts.**

8 (1) CERTIFICATES OF QUALIFICATION FOR EMPLOYMENT APPROPRIATION. The
9 unencumbered balance in s. 20.625 (1) (h), 2021 stats., is transferred to s. 20.625 (1)
10 (g).

11 **SECTION 9208. Fiscal changes; Corrections.**

12 **SECTION 9209. Fiscal changes; Court of Appeals.**

13 **SECTION 9210. Fiscal changes; District Attorneys.**

14 **SECTION 9211. Fiscal changes; Educational Communications Board.**

15 **SECTION 9212. Fiscal changes; Elections Commission.**

16 **SECTION 9213. Fiscal changes; Employee Trust Funds.**

17 **SECTION 9214. Fiscal changes; Employment Relations Commission.**

18 **SECTION 9215. Fiscal changes; Ethics Commission.**

19 **SECTION 9216. Fiscal changes; Financial Institutions.**

20 **SECTION 9217. Fiscal changes; Governor.**

21 **SECTION 9218. Fiscal changes; Health and Educational Facilities**
22 **Authority.**

23 **SECTION 9219. Fiscal changes; Health Services.**

24 **SECTION 9220. Fiscal changes; Higher Educational Aids Board.**

25 **SECTION 9221. Fiscal changes; Historical Society.**

ASSEMBLY BILL 43**SECTION 9222**

1 **SECTION 9222. Fiscal changes; Housing and Economic Development**
2 **Authority.**

3 **SECTION 9223. Fiscal changes; Insurance.**

4 **SECTION 9224. Fiscal changes; Investment Board.**

5 **SECTION 9225. Fiscal changes; Joint Committee on Finance.**

6 **SECTION 9226. Fiscal changes; Judicial Commission.**

7 **SECTION 9227. Fiscal changes; Justice.**

8 (1) TRANSFER OF MONEYS FOR GRANTS FOR ALTERNATIVES TO PROSECUTION AND
9 INCARCERATION. There is transferred the unencumbered balance in the appropriation
10 account under s. 20.455 (2) (kr), 2021 stats., to the appropriation account under s.
11 20.455 (2) (jd) on the effective date of this subsection.

12 **SECTION 9228. Fiscal changes; Legislature.**

13 **SECTION 9229. Fiscal changes; Lieutenant Governor.**

14 **SECTION 9230. Fiscal changes; Local Government.**

15 **SECTION 9231. Fiscal changes; Military Affairs.**

16 **SECTION 9232. Fiscal changes; Natural Resources.**

17 (1) DRY CLEANER ENVIRONMENTAL RESPONSE FUND TRANSFER. The unencumbered
18 balance in the dry cleaner environmental response fund under s. 25.48, 2021 stats.,
19 is transferred to the environmental fund under s. 25.46.

20 (2) WATER RESOURCES ACCOUNT LAPSE. Notwithstanding s. 20.001 (3) (c), from the
21 appropriation account to the department of natural resources under s. 20.370 (7)
22 (fw), there is lapsed to the conservation fund \$350,000 in fiscal year 2023-24.

23 **SECTION 9233. Fiscal changes; Public Defender Board.**

24 **SECTION 9234. Fiscal changes; Public Instruction.**

ASSEMBLY BILL 43**SECTION 9235**

1 **SECTION 9235. Fiscal changes; Public Lands, Board of Commissioners**
2 **of.**

3 **SECTION 9236. Fiscal changes; Public Service Commission.**

4 **SECTION 9237. Fiscal changes; Revenue.**

5 **SECTION 9238. Fiscal changes; Safety and Professional Services.**

6 **SECTION 9239. Fiscal changes; Secretary of State.**

7 **SECTION 9240. Fiscal changes; State Fair Park Board.**

8 **SECTION 9241. Fiscal changes; Supreme Court.**

9 **SECTION 9242. Fiscal changes; Technical College System.**

10 **SECTION 9243. Fiscal changes; Tourism.**

11 **SECTION 9244. Fiscal changes; Transportation.**

12 (1) TRANSPORTATION FACILITIES REVENUE OBLIGATION REPAYMENT FUND. There is
13 transferred from the general fund to the trust fund created under s. 84.59 (2) (c)
14 \$379,369,800 during the 2023-25 fiscal biennium.

15 **SECTION 9245. Fiscal changes; Treasurer.**

16 **SECTION 9246. Fiscal changes; University of Wisconsin Hospitals and**
17 **Clinics Authority; Medical College of Wisconsin.**

18 **SECTION 9247. Fiscal changes; University of Wisconsin System.**

19 **SECTION 9248. Fiscal changes; Veterans Affairs.**

20 (1) VETERANS HOMES INSTITUTIONAL OPERATIONS. There is transferred from the
21 general fund to the appropriation account under s. 20.485 (1) (gk) \$10,000,000 in
22 fiscal year 2023-24.

23 **SECTION 9249. Fiscal changes; Wisconsin Economic Development**
24 **Corporation.**

ASSEMBLY BILL 43**SECTION 9249**

1 (1) GPR APPROPRIATION OF THE WISCONSIN ECONOMIC DEVELOPMENT
2 CORPORATION. Notwithstanding the cap on expenditures specified in s. 20.192 (1) (a),
3 in fiscal year 2023-24, the amount the Wisconsin Economic Development
4 Corporation may expend from the appropriation under s. 20.192 (1) (a) for the
5 purposes for which the appropriation is made is equal to the lesser of the following:

6 (a) The amount calculated under s. 20.192 (1) (a) plus \$40,000,000.

7 (b) \$66,512,500.

SECTION 9250. Fiscal changes; Workforce Development.

8
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.

SECTION 9251. Fiscal changes; Other.

17
18 (1) TRANSFER TO THE CAPITAL IMPROVEMENT FUND. There is transferred from the
19 general fund to the capital improvement fund \$1,955,000,000 during the 2023-25
20 fiscal biennium, to be used to fund building projects authorized in the 2023-25
21 Authorized State Building Program.

SECTION 9301. Initial applicability; Administration.

22
23 (1) ANNUAL LEAVE HOURS; STATE EMPLOYEES. The treatment of s. 230.35 (1) (a) 1.
24 and 1m. and (c) and (1m) (bt) 1. and 1m. first applies to a state employee's
25 anniversary of service that occurs on the effective date of this subsection.

ASSEMBLY BILL 43**SECTION 9302**

1 **SECTION 9302. Initial applicability; Agriculture, Trade and Consumer**
2 **Protection.**

3 (1) SUBSCRIBERS TERMINATING BROADBAND CONTRACTS. The treatment of s.
4 100.2092 (1) (L) first applies to a contract that is entered into, renewed, or modified
5 on the effective date of this subsection.

6 (2) MINIMUM AGE FOR CIGARETTES, NICOTINE PRODUCTS, TOBACCO PRODUCTS, AND
7 VAPOR PRODUCTS. The treatment of ss. 134.66 (title), (1) (jm), (2) (a), (am), (b), and (cm)
8 1m., (2m) (a), and (3), 139.345 (3) (a) (intro.) and (b) 2. and (7) (a), 254.911 (11),
9 254.916 (2) (intro.) and (d), (3) (a), (b), (c), (d), and (f) 2., and (11), and 254.92 (title),
10 (1), (2), (2m) (intro.), and (3) and subch. IX (title) of ch. 254 first applies to purchases,
11 attempts to purchase, possession, and false representations of age for the purpose of
12 receiving any cigarette, nicotine product, tobacco product, or vapor product by
13 persons under 21 years of age on the effective date of this subsection and to sales or
14 the provision of cigarettes, nicotine products, tobacco products, or vapor products to
15 persons under 21 years of age on the effective date of this subsection.

16 **SECTION 9303. Initial applicability; Arts Board.**

17 **SECTION 9304. Initial applicability; Building Commission.**

18 **SECTION 9305. Initial applicability; Child Abuse and Neglect**
19 **Prevention Board.**

20 **SECTION 9306. Initial applicability; Children and Families.**

21 **SECTION 9307. Initial applicability; Circuit Courts.**

22 (1) CERTIFICATES OF QUALIFICATION FOR EMPLOYMENT. The treatment of s. 973.25
23 (4) (a) first applies to an application submitted on the effective date of this subsection.

24 **SECTION 9308. Initial applicability; Corrections.**

ASSEMBLY BILL 43**SECTION 9308**

1 (1) AGE OF ADULT JURISDICTION. The treatment of ss. 48.02 (1d) and (2), 48.44,
2 48.45 (1) (a) and (am) and (3), 118.163 (4), 125.07 (4) (d) and (e) 1., 125.085 (3) (bt),
3 165.83 (1) (c) 1. and 2., 301.12 (2m) and (14) (a), 302.31 (7), 938.02 (1) and (10m),
4 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.34 (8), 938.343 (2), 938.344
5 (3), 938.35 (1m), 938.355 (4) (b) and (4m) (a), 938.39, 938.44, 938.45 (1) (a) and (3),
6 938.48 (4m) (title), (a), and (b) and (14), 938.57 (3) (title), (a) (intro.), 1., and 3., and
7 (b), 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d),
8 948.61 (4), 961.455 (title), (1), and (2), 961.46, 961.573 (2), 961.574 (2), 961.575 (1),
9 (2), and (3), and 990.01 (3) and (20), subch. IX (title) of ch. 48, and subch. IX (title)
10 of ch. 938 first applies to a violation of a criminal law, civil law, or municipal
11 ordinance allegedly committed on the effective date of this subsection.

12 **SECTION 9309. Initial applicability; Court of Appeals.**

13 **SECTION 9310. Initial applicability; District Attorneys.**

14 **SECTION 9311. Initial applicability; Educational Communications**
15 **Board.**

16 **SECTION 9312. Initial applicability; Elections Commission.**

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

18 (1) INCOME CONTINUATION INSURANCE PREMIUMS. The treatment of ss. 13.121 (4),
19 40.05 (5) (intro.), (a), and (b), and 757.02 (5) first applies to premiums paid on the
20 effective date of this subsection.

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

ASSEMBLY BILL 43**SECTION 9313**

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

4 (4) EMPLOYER CONTRIBUTION FOR HEALTH INSURANCE PREMIUMS. The treatment of
5 s. 40.05 (4) (a) 2. first applies to state employees hired on the effective date of this
6 subsection.

7 **SECTION 9314. Initial applicability; Employment Relations**
8 **Commission.**

9 **SECTION 9315. Initial applicability; Ethics Commission.**

10 **SECTION 9316. Initial applicability; Financial Institutions.**

11 **SECTION 9317. Initial applicability; Governor.**

12 **SECTION 9318. Initial applicability; Health and Educational Facilities**
13 **Authority.**

14 **SECTION 9319. Initial applicability; Health Services.**

15 (1) DETERMINATION OF MEDICAL ASSISTANCE ELIGIBILITY BY INDICATING INTEREST
16 ON AN INDIVIDUAL INCOME TAX RETURN. The treatment of ss. 71.03 (9) and 71.78 (4) (v)
17 first applies to taxable years beginning after December 31, 2023.

18 **SECTION 9320. Initial applicability; Higher Educational Aids Board.**

19 (1) WISCONSIN GRANT CALCULATION FOR PRIVATE NONPROFIT COLLEGES. The
20 treatment of s. 39.30 (3) first applies to grants awarded for the semester or session
21 beginning after the effective date of this subsection.

22 **SECTION 9321. Initial applicability; Historical Society.**

23 **SECTION 9322. Initial applicability; Housing and Economic**
24 **Development Authority.**

25 **SECTION 9323. Initial applicability; Insurance.**

ASSEMBLY BILL 43**SECTION 9323**

1 (1) TELEHEALTH PARITY.

2 (a) For policies and plans containing provisions inconsistent with the
3 treatment of s. 632.871, the treatment of s. 632.871 first applies to policy or plan
4 years beginning on January 1 of the year following the year in which this paragraph
5 takes effect, except as provided in par. (b).

6 (b) For policies and plans that are affected by a collective bargaining agreement
7 containing provisions inconsistent with the treatment of s. 632.871, the treatment
8 of s. 632.871 first applies to policy or plan years beginning on the effective date of this
9 paragraph or on the day on which the collective bargaining agreement is newly
10 established, extended, modified, or renewed, whichever is later.

11 (2) SUBSTANCE ABUSE COUNSELOR COVERAGE.

12 (a) For policies and plans containing provisions inconsistent with the
13 treatment of s. 632.87 (8), the treatment of s. 632.87 (8) first applies to policy or plan
14 years beginning on January 1 of the year following the year in which this paragraph
15 takes effect, except as provided in par. (b).

16 (b) For policies and plans that are affected by a collective bargaining agreement
17 containing provisions inconsistent with the treatment of s. 632.87 (8), the treatment
18 of s. 632.87 (8) first applies to policy or plan years beginning on the effective date of
19 this paragraph or on the day on which the collective bargaining agreement is newly
20 established, extended, modified, or renewed, whichever is later.

21 (3) COVERAGE OF INDIVIDUALS WITH PREEXISTING CONDITIONS, ESSENTIAL HEALTH
22 BENEFITS, AND PREVENTIVE SERVICES.

23 (a) For policies and plans containing provisions inconsistent with these
24 sections, the treatment of ss. 632.728, 632.746 (1) (a) and (b), (2) (a), (c), (d), and (e),
25 (3) (a) and (d) 1., 2., and 3., (5), and (8) (a) (intro.), 632.748 (2), 632.76 (2) (a) and (ac)

ASSEMBLY BILL 43**SECTION 9323**

1 1. and 2., 632.795 (4) (a), 632.895 (8) (d), (13m), (14) (a) 1. i., j., and k. to o., (b), (c),
2 and (d) 3., (14m), (16m) (b), and (17) (b) 2. and (c), and 632.897 (11) (a) first applies
3 to policy or plan years beginning on January 1 of the year following the year in which
4 this paragraph takes effect, except as provided in par. (b).

5 (b) For policies and plans that are affected by a collective bargaining agreement
6 containing provisions inconsistent with these sections, the treatment of ss. 632.728,
7 632.746 (1) (a) and (b), (2) (a), (c), (d), and (e), (3) (a) and (d) 1., 2., and 3., (5), and (8)
8 (a) (intro.), 632.748 (2), 632.76 (2) (a) and (ac) 1. and 2., 632.795 (4) (a), 632.895 (8)
9 (d), (13m), (14) (a) 1. i., j., and k. to o., (b), (c), and (d) 3., (14m), (16m) (b), and (17)
10 (b) 2. and (c), and 632.897 (11) (a) first applies to policy or plan years beginning on
11 the effective date of this paragraph or on the day on which the collective bargaining
12 agreement is entered into, extended, modified, or renewed, whichever is later.

13 (4) **QUALIFIED TREATMENT TRAINEE COVERAGE.**

14 (a) For policies and plans containing provisions inconsistent with the
15 treatment of s. 632.87 (7), the treatment of s. 632.87 (7) first applies to policy or plan
16 years beginning on January 1 of the year following the year in which this paragraph
17 takes effect, except as provided in par. (b).

18 (b) For policies and plans that are affected by a collective bargaining agreement
19 containing provisions inconsistent with the treatment of s. 632.87 (7), the treatment
20 of s. 632.87 (7) first applies to policy or plan years beginning on the effective date of
21 this paragraph or on the day on which the collective bargaining agreement is entered
22 into, extended, modified, or renewed, whichever is later.

23 (5) **APPLICATION OF MANUFACTURER DISCOUNTS.**

24 (a) For policies and plans containing provisions inconsistent with the
25 treatment of s. 632.862, the treatment of s. 632.862 first applies to policy or plan

ASSEMBLY BILL 43**SECTION 9323**

1 years beginning on January 1 of the year following the year in which this paragraph
2 takes effect, except as provided in par. (b).

3 (b) For policies or plans that are affected by a collective bargaining agreement
4 containing provisions inconsistent with the treatment of s. 632.862, the treatment
5 of s. 632.862 first applies to policy or plan years beginning on the effective date of this
6 paragraph or on the day on which the collective bargaining agreement is newly
7 established, extended, modified, or renewed, whichever is later.

8 (6) COVERAGE OF INFERTILITY SERVICES.

9 (a) For policies and plans containing provisions inconsistent with the
10 treatment of ss. 609.74 and 632.895 (15m), the treatment of ss. 609.74 and 632.895
11 (15m) first applies to policy or plan years beginning on January 1 of the year
12 following the year in which this paragraph takes effect, except as provided in pars.
13 (b) and (c).

14 (b) For policies and plans that have a term greater than one year and contain
15 provisions inconsistent with the treatment of ss. 609.74 and 632.895 (15m), the
16 treatment of ss. 609.74 and 632.895 (15m) first applies to policy or plan years
17 beginning on January 1 of the year following the year in which the policy or plan is
18 extended, modified, or renewed, whichever is later.

19 (c) For policies and plans that are affected by a collective bargaining agreement
20 containing provisions inconsistent with the treatment of ss. 609.74 and 632.895
21 (15m), the treatment of ss. 609.74 and 632.895 (15m) first applies to policy or plan
22 years beginning on the effective date of this paragraph or on the day on which the
23 collective bargaining agreement is entered into, extended, modified, or renewed,
24 whichever is later.

25 **SECTION 9324. Initial applicability; Investment Board.**

ASSEMBLY BILL 43**SECTION 9325**

1 **SECTION 9325. Initial applicability; Joint Committee on Finance.**

2 **SECTION 9326. Initial applicability; Judicial Commission.**

3 **SECTION 9327. Initial applicability; Justice.**

4 (1) TREATMENT ALTERNATIVES AND DIVERSIONS. The treatment of s. 165.95 (1) (ac),
5 (2), (2r), (3) (a), (ag), (b), (bd), (cm) 2., (d), (e), (g), (h), (i), (j), and (k), (5) (a) and (b),
6 (5m), (6), (7), and (7m) first applies to grants awarded under s. 165.95 (2) on the
7 effective date of this subsection.

8 (2) TRANSFERS OF FIREARMS. The treatment of ss. 175.33 and 175.35 (1) (at) (with
9 respect to background checks for transfers of firearms that are not handguns) and
10 (br) and (2) (intro.), (a), (b), (bm), (c), (cm) (intro.), and (d), the renumbering of s.
11 175.35 (2j), and the creation of s. 175.35 (2j) (b) first apply to transfers that occur on
12 the effective date of this subsection.

13 **SECTION 9328. Initial applicability; Legislature.**

14 **SECTION 9329. Initial applicability; Lieutenant Governor.**

15 **SECTION 9330. Initial applicability; Local Government.**

16 (1) LEVY LIMIT EXCEPTION FOR REGIONAL PLANNING COMMISSION CHARGES. The
17 treatment of s. 66.0602 (3) (e) 10. first applies to a levy that is imposed in December
18 2023.

19 (2) LEVY LIMIT SERVICE TRANSFERS. The treatment of s. 66.0602 (3) (a) first
20 applies to a levy that is imposed in December 2023.

21 (3) LEVY LIMITS; ALTERNATIVE MINIMUM GROWTH FACTOR INCREASE. The treatment
22 of s. 66.0602 (1) (d) first applies to a levy that is imposed in December 2023.

23 **SECTION 9331. Initial applicability; Military Affairs.**

24 (1) REPORT ON SUBSTANTIVE CHANGES TO THE UNIFORM CODE OF MILITARY JUSTICE.
25 The reporting requirement under s. 321.03 (1) (f) 2. first applies to a substantive

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1 change to the Uniform Code of Military Justice that is made on or after October 1,
2 2023.

3 (2) REPORTING OF SEXUAL ASSAULT AND SEXUAL HARASSMENT WITHIN THE WISCONSIN
4 NATIONAL GUARD. The reporting requirement under s. 321.04 (1) (s) first applies to a
5 reported incident of sexual assault or sexual harassment that is made on or after
6 October 1, 2023.

7 **SECTION 9332. Initial applicability; Natural Resources.**

8 **SECTION 9333. Initial applicability; Public Defender Board.**

9 **SECTION 9334. Initial applicability; Public Instruction.**

10 (1) PARENTAL CHOICE PROGRAMS; PROGRAM CAPS. The treatment of ss. 118.60 (3)
11 (am) and (ar) (intro.) and 5. and 119.23 (3) (ar), the renumbering and amendment of
12 s. 118.60 (3) (ar) 3. and 4., and the creation of s. 118.60 (3) (ar) 3. a. and b. and 4. a.
13 and b. first apply to an application to attend a private school under s. 118.60 or 119.23
14 in the 2024-25 school year.

15 (2) SPECIAL NEEDS SCHOLARSHIP PROGRAM; PROGRAM CAP. The treatment of s.
16 115.7915 (2) (f) and (g) and (3) (a), (am), (b), (bm), (c), (d), (e), (f), and (g) first applies
17 to an application for a scholarship to attend an eligible school under s. 115.7915 in
18 the 2024-25 school year.

19 (3) PARENTAL CHOICE PROGRAMS; TRANSFERRING APPLICANTS BETWEEN PROGRAMS.
20 The treatment of ss. 118.60 (4v) (b), (c), and (d) and 119.23 (4v) (b), (c), (d), and (e) first
21 applies to counting pupils for the pupil participation limits under s. 118.60 (2) (be)
22 and the program caps under ss. 118.60 (2) (bh) 2. a. and b. and 119.23 (2) (b) for the
23 2024-25 school year.

24 (4) REVENUE CEILING; REFERENDA RESTRICTIONS. The treatment of s. 121.905 (1)
25 (b) 1. to 3. first applies to the revenue ceiling for the 2023-24 school year.

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1 (5) REVENUE LIMIT; HIGH POVERTY AID. The treatment of s. 121.90 (2) (am) 1. and
2 (bm) 3. first applies to the calculation of revenue limits for the 2023-24 school year.

3 (6) COUNTING PUPILS IN FOUR-YEAR-OLD KINDERGARTEN. The treatment of s.
4 121.004 (7) (c) 1. a. and 2. and (cm) first applies to the distribution of school aid in,
5 and the calculation of revenue limits for, the 2024-25 school year.

6 (7) SPARSITY AID; STOP GAP PAYMENTS. The renumbering and amendment of s.
7 115.436 (3) (am) and the creation of 115.436 (3) (am) 2. first apply to payments made
8 under s. 115.436 in the 2023-24 school year.

9 (8) COMPUTER SCIENCE COURSE REQUIREMENT.

10 (a) *Independent charter school contracts.* The treatment of s. 118.40 (2r) (b) 2.
11 m. and (2x) (b) 2. m. first applies to a contract that is entered into, renewed, or
12 modified on the effective date of this paragraph.

13 (b) *Private schools participating in a parental choice program.* The treatment
14 of ss. 118.60 (2) (a) 10. and 119.23 (2) (a) 10. first applies to an application to attend
15 a private school under a parental choice program in the 2024-25 school year.

16 **SECTION 9335. Initial applicability; Public Lands, Board of**
17 **Commissioners of.**

18 **SECTION 9336. Initial applicability; Public Service Commission.**

19 (1) BROADBAND EXPANSION GRANT PROGRAM. The treatment of ss. 13.48 (30) (a)
20 (intro.), 1., and 2. and (b), 24.40 (3), 86.16 (6), and 196.504 (1) (b) and (c) 2. and 3.,
21 (2) (a) and (d), (2t), and (3) (intro.), the renumbering and amendment of s. 196.504
22 (2) (c), and the creation of s. 196.504 (2) (c) 1. b. and h. and 2. d. and e. first apply to
23 an application for a broadband expansion grant submitted pursuant to s. 196.504
24 during the grant application period that begins after the effective date of this
25 subsection.

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1 (2) SOCIAL COST OF CARBON. The treatment of s. 196.025 (1h) (d) first applies to
2 applications for certificates that are received on December 31, 2023.

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

4 (1) WHEDA HEADQUARTERS. The treatment of s. 70.11 (38v) first applies to the
5 property tax assessments as of January 1, 2023.

6 (2) HOMESTEAD TAX CREDIT. The treatment of s. 71.54 (1) (h) first applies to
7 claims filed for taxable years beginning after December 31, 2022.

8 (3) 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 (4) VETERANS PROPERTY TAX CREDIT EXPANSION. The treatment of s. 71.07 (6e) (a)
12 2. b. and 3. d. and (c) 4. first applies to taxable years beginning after December 31,
13 2022.

14 (5) NET OPERATING LOSSES. The treatment of ss. 71.05 (8) (a), (b) 1. and 2., and
15 (c) and 71.80 (25) (a) and (b) first applies to taxable years beginning after December
16 31, 2022.

17 (6) FIRST-TIME HOME BUYER SAVINGS ACCOUNT. The treatment of ss. 71.05 (6) (a)
18 30. and (b) 57., 71.10 (4) (k) and (10), and 71.83 (1) (ch) first applies to taxable years
19 beginning on January 1, 2023.

20 (7) DIVIDENDS RECEIVED DEDUCTION. The treatment of ss. 71.26 (3) (j) and (4) (a)
21 and 71.45 (4) (a) first applies to taxable years beginning after December 31, 2022.

22 (8) EXPENDITURE RESTRAINT PROGRAM. The treatment of s. 79.05 (2) (c) first
23 applies to the distributions in 2024.

24 (9) ENERGY STORAGE FACILITY. The treatment of ss. 79.005 (1j) and 79.04 (8) first
25 applies to distributions made after January 1, 2025.

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1 (10) ELECTRIC VEHICLE CHARGING. The treatment of ss. 79.005 (3m) and 79.04
2 (9) first applies to distributions made after January 1, 2025.

3 (11) REAL ESTATE TRANSFER FEE. The treatment of s. 77.25 (15), (15m), and (15s)
4 first applies to a real estate transfer return filed on the effective date of this
5 subsection.

6 (12) CRANBERRY RESEARCH AND EDUCATION STATION. The treatment of s. 70.11 (47)
7 first applies to the property tax assessments as of January 1, 2024.

8 (13) LEASED PROPERTY AND COMPARABLE SALES. The treatment of ss. 70.03 (1) and
9 70.32 (1), (1b), and (1d) first applies to the property tax assessments as of January
10 1, 2023.

11 (14) BASEBALL PARK DEVELOPMENT. The treatment of s. 70.11 (36) (a) first applies
12 to the property tax assessments as of January 1, 2024.

13 **SECTION 9338. Initial applicability; Safety and Professional Services.**

14 **SECTION 9339. Initial applicability; Secretary of State.**

15 **SECTION 9340. Initial applicability; State Fair Park Board.**

16 **SECTION 9341. Initial applicability; Supreme Court.**

17 **SECTION 9342. Initial applicability; Technical College System.**

18 (1) NONRESIDENT TUITION EXEMPTION FOR CERTAIN UNDOCUMENTED INDIVIDUALS.
19 The treatment of s. 38.22 (6) (e) first applies to persons who enroll for the semester
20 or session following the effective date of this subsection.

21 (2) REVENUE LIMITS. The treatment of s. 38.16 (3) (a) 4. first applies to the
22 calculation of a technical college district board's revenue limit for the 2023-24 school
23 year.

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1 (3) NONRESIDENT TUITION EXEMPTION FOR CERTAIN TRIBAL MEMBERS. The
2 treatment of s. 38.22 (6) (g) first applies to persons who enroll for the semester or
3 session following the effective date of this subsection.

SECTION 9343. Initial applicability; Tourism.**SECTION 9344. Initial applicability; Transportation.**

6 (1) DRIVER'S CARDS. The treatment of ss. 343.03 (3m) and (3r), 343.14 (2j),
7 343.165 (1) (c) and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17
8 (3) (a) 16., 343.20 (1) (f), (1m), and (2) (a), and 343.50 (3) (a) and (b), (5) (b), (bm), and
9 (c), (6), (8) (c) 6., and (10) (c), the renumbering and amendment of s. 343.14 (2) (br)
10 and (es), and the creation of s. 343.14 (2) (br) 2. and (es) 2m. first apply to applications
11 received by the department of transportation on the effective date of this subsection.

12 (2) IGNITION INTERLOCK DEVICE REQUIREMENT EXPANSION. The treatment of s.
13 343.301 (1g) (a) 2. a. first applies to violations committed on the effective date of this
14 subsection.

SECTION 9345. Initial applicability; Treasurer.

16 **SECTION 9346. Initial applicability; University of Wisconsin Hospitals
17 and Clinics Authority; Medical College of Wisconsin.**

SECTION 9347. Initial applicability; University of Wisconsin System.

19 (1) NONRESIDENT TUITION EXEMPTION FOR CERTAIN UNDOCUMENTED INDIVIDUALS.
20 The treatment of s. 36.27 (2) (cr) first applies to persons who enroll for the semester
21 or session following the effective date of this subsection.

22 (2) NONRESIDENT TUITION EXEMPTION FOR CERTAIN TRIBAL MEMBERS. The
23 treatment of s. 36.27 (2) (ar) first applies to students who enroll for the semester or
24 session following the effective date of this subsection.

SECTION 9348. Initial applicability; Veterans Affairs.

ASSEMBLY BILL 43**SECTION 9349**

1 **SECTION 9349. Initial applicability; Wisconsin Economic Development**
2 **Corporation.**

3 (1) ENERGY EFFICIENCY AND RENEWABLE ENERGY PROJECT EXPENDITURES FOR
4 BUSINESS DEVELOPMENT TAX CREDIT. The treatment of s. 238.308 (4) (a) 6. first applies
5 to credits awarded under s. 238.308 on January 1, 2024.

6 **SECTION 9350. Initial applicability; Workforce Development.**

7 (1) EMPLOYMENT DISCRIMINATION; CONSIDERATION OF CONVICTION RECORD. The
8 treatment of s. 111.335 (3) (ag) first applies to an application for employment
9 submitted to an employer on the effective date of this subsection.

10 (2) UNEMPLOYMENT INSURANCE; SSDI PAYMENTS. The treatment of ss. 108.04 (2)
11 (h) and (12) (f) 1m., 2m., 3., and 4. and 108.05 (7m) (title), (c), and (d), (9), and (10)
12 (intro.) first applies to determinations issued under s. 108.09 on the effective date of
13 this subsection.

14 (3) DISCRIMINATION. The treatment of ss. 66.0903 (10) (d), 111.322 (2m) (c), and
15 229.8275 first applies to acts of discrimination that occur on the effective date of this
16 subsection.

17 (4) EMPLOYMENT DISCRIMINATION DAMAGES. The treatment of ss. 111.39 (4) (d)
18 and (5) (b) and (d), 111.397, 814.04 (intro.) (by SECTION 3202), and 893.995 first
19 applies to acts of employment discrimination, unfair honesty testing, or unfair
20 genetic testing committed on the effective date of this subsection.

21 (5) FIRST RESPONDER PTSD COVERAGE. The treatment of s. 102.17 (9) (a) 1., 1c.,
22 1e., 1g., and 1p. and (b) (intro.) first applies to injuries reported on the effective date
23 of rate changes for worker's compensation insurance approved by the commissioner
24 of insurance under s. 626.13 after the effective date of this subsection.

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1 (6) COLLECTIVE BARGAINING AGREEMENT. The treatment of ss. 103.135, 103.36,
2 106.54 (11), 111.322 (2m) (a) (by SECTION 1930) and (b) (by SECTION 1932), and 814.04
3 (intro.) (by SECTION 3203) first applies to an employee who is affected by a collective
4 bargaining agreement that contains provisions inconsistent with the treatment of ss.
5 103.135, 103.36, 106.54 (11), 111.322 (2m) (a) (by SECTION 1930) and (b) (by SECTION
6 1932), and 814.04 (intro.) (by SECTION 3203) on the day on which the collective
7 bargaining agreement expires or is extended, modified, or renewed, whichever
8 occurs first.

9 (7) FAMILY AND MEDICAL LEAVE. The treatment of s. 103.10 (12) (b) first applies
10 to a violation that occurs, or that an employee should reasonably have known
11 occurred, on the effective date of this subsection.

12 (8) PAID FAMILY AND MEDICAL LEAVE INSURANCE BENEFITS.

13 (a) *Family and medical leave benefits insurance trust fund contributions.*
14 Except as provided in par. (c), the treatment of s. 103.105 (8) first applies to wages
15 earned on January 1, 2025.

16 (b) *Family or medical leave insurance benefits eligibility.* Except as provided
17 in par. (c), the treatment of s. 103.105 (3) first applies to a period of family leave, as
18 defined in s. 103.105 (1) (f), or a period of medical leave, as defined in s. 103.105 (1)
19 (h), commencing on January 1, 2025.

20 (c) *Collective bargaining agreements.* The treatment of ss. 20.445 (6), 25.17 (1)
21 (er), 25.52, 103.105, and 111.322 (2m) (a) (by SECTION 1929, with respect to rights to
22 family and medical leave insurance benefits) and (b) (by SECTION 1931, with respect
23 to rights to family and medical leave insurance benefits) and SECTION 9150 (4), (5),
24 and (6) of this act first apply to an employee who is affected by a collective bargaining
25 agreement that contains provisions inconsistent with the treatment of ss. 20.445 (6),

ASSEMBLY BILL 43**SECTION 9350**

1 25.17 (1) (er), 25.52, 103.105, and 111.322 (2m) (a) (by SECTION 1929, with respect to
2 rights to family and medical leave insurance benefits) and (b) (by SECTION 1931, with
3 respect to rights to family and medical leave insurance benefits) and SECTION 9150
4 (4), (5), and (6) of this act on the day on which the collective bargaining agreement
5 expires or is extended, modified, or renewed.

6 (9) PREVAILING WAGE. The treatment of ss. 19.36 (12), 66.0129 (5), 66.0903 (1)
7 (a), (am), (b), (c), (cm), (dr), (em), (f), (g), (hm), (im), and (j), (1m) (b), and (2) to (12),
8 84.41 (3), 84.54, 86.51, 103.005 (12) (a), 103.49, 103.50, 103.503 (1) (a), (e), and (g),
9 (2), and (3) (a) 2., 104.001 (4), 106.04, 109.09 (1), 111.322 (2m) (a) (by SECTION 1929,
10 with respect to rights to prevailing wages and hours of labor), (b) (by SECTION 1931,
11 with respect to rights to prevailing wages and hours of labor), and (c), 227.01 (13) (t),
12 229.682 (2), 229.8275, 946.15, and 978.05 (6) (a) first apply, with respect to a project
13 of public works that is subject to bidding, to a project for which the request for bids
14 is issued on the effective date of this subsection and, with respect to a project of public
15 works that is not subject to bidding, to a project the contract for which is entered into
16 on the effective date of this subsection.

17 **SECTION 9351. Initial applicability; Other.**

18 (1) EXPUNGEMENT. The treatment of s. 973.015 (1m) (a) 3. a., c., cg., cr., and d.
19 and 4., (b), and (c), the renumbering and amendment of s. 973.015 (1m) (a) 1., and
20 the creation of s. 973.015 (1m) (a) 1. a. and b. first apply to any conviction for which
21 sentencing has occurred but for which the record has not been ordered expunged on
22 the effective date of this subsection.

23 (2) PUBLIC RECORDS LOCATION FEE. The treatment of s. 19.35 (3) (c) first applies
24 to a public records request received on the effective date of this subsection.

ASSEMBLY BILL 43**SECTION 9351**

1 (3) 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 (4) LEGISLATION REFERRED TO THE JOINT REVIEW COMMITTEE ON CRIMINAL
18 PENALTIES. The treatment of s. 13.525 (5) (a), (b) (intro.), and (d) first applies to bills
19 introduced on the effective date of this subsection.

20 (5) CONDEMNATION AUTHORITY FOR NONMOTORIZED PATHS. The treatment of ss.
21 23.09 (2) (d) (intro.), 27.01 (2) (a), 27.019 (10), 27.05 (3), 27.065 (1) (a), 27.08 (2) (b)
22 and (c), 32.015, 32.51 (1) (intro.), 59.52 (6) (a), 60.782 (2) (d), 61.34 (3) (a) and (b),
23 62.22 (1) (a) and (b), 62.23 (17) (a) (intro.) and (am), 85.09 (2) (a), and 990.01 (2) first
24 applies to condemnation proceedings in which title to the subject property has not
25 vested in the condemnor on the effective date of this subsection.

ASSEMBLY BILL 43**SECTION 9400**

1 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
2 SECTIONS 9401 to 9451 of this act, this act takes effect on July 1, 2023, or on the day
3 after publication, whichever is later.

4 **SECTION 9401. Effective dates; Administration.**

5 (1) STATE HOLIDAYS; JUNETEENTH AND VETERANS DAY. The treatment of s. 230.35
6 (4) (a) 3m., 5m., and 10., (c), and (d) (intro.) takes effect on the January 1 after
7 publication.

8 **SECTION 9402. Effective dates; Agriculture, Trade and Consumer**
9 **Protection.**

10 **SECTION 9403. Effective dates; Arts Board.**

11 **SECTION 9404. Effective dates; Building Commission.**

12 **SECTION 9405. Effective dates; Child Abuse and Neglect Prevention**
13 **Board.**

14 **SECTION 9406. Effective dates; Children and Families.**

15 (1) FOSTER CARE AND KINSHIP CARE RATES. The treatment of ss. 48.57 (3m) (am)
16 (intro.) (by SECTION 920) and (3n) (am) (intro.) (by SECTION 944) and 48.62 (4) takes
17 effect on January 1, 2024, or on the day after publication, whichever is later.

18 (2) EARLY CHILDHOOD EDUCATION CENTER. The repeal of s. 20.437 (2) (fm) takes
19 effect on July 1, 2025.

20 (3) CHILD SUPPORT DEBT REDUCTION. The treatment of s. 49.226 takes effect on
21 the first day of the 7th month beginning after publication.

22 (4) OFFENDER REENTRY DEMONSTRATION PROJECT. The repeal of s. 49.37 takes
23 effect on July 1, 2024.

24 **SECTION 9407. Effective dates; Circuit Courts.**

ASSEMBLY BILL 43**SECTION 9407**

1 (1) CIRCUIT COURT BRANCHES. The treatment of s. 753.06 (4) (c), (7) (ar), (9) (m),
2 and (10) (L) and SECTION 9107 (2) of this act take effect on August 1, 2023.

SECTION 9408. Effective dates; Corrections.

4 (1) AGE OF ADULT JURISDICTION. The treatment of ss. 48.02 (1d) and (2), 48.44,
5 48.45 (1) (a) and (am) and (3), 118.163 (4), 125.07 (4) (d) and (e) 1., 125.085 (3) (bt),
6 165.83 (1) (c) 1. and 2., 301.12 (2m) and (14) (a), 302.31 (7), 938.02 (1) and (10m),
7 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.34 (8), 938.343 (2), 938.344
8 (3), 938.35 (1m), 938.355 (4) (b) and (4m) (a), 938.39, 938.44, 938.45 (1) (a) and (3),
9 938.48 (4m) (title), (a), and (b) and (14), 938.57 (3) (title), (a) (intro.), 1., and 3., and
10 (b), 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d),
11 948.61 (4), 961.455 (title), (1), and (2), 961.46, 961.573 (2), 961.574 (2), 961.575 (1),
12 (2), and (3), and 990.01 (3) and (20), subch. IX (title) of ch. 48, and subch. IX (title)
13 of ch. 938 and SECTION 9308 (1) of this act take effect on January 1, 2024.

SECTION 9409. Effective dates; Court of Appeals.**SECTION 9410. Effective dates; District Attorneys.****SECTION 9411. Effective dates; Educational Communications Board.****SECTION 9412. Effective dates; Elections Commission.****SECTION 9413. Effective dates; Employee Trust Funds.**

19 (1) INCOME CONTINUATION INSURANCE PREMIUMS; ELECTION OF INCOME
20 CONTINUATION INSURANCE COVERAGE; ELIGIBILITY FOR INCOME CONTINUATION INSURANCE
21 BENEFITS. The treatment of ss. 13.121 (4), 40.05 (5) (intro.), (a), and (b), 40.61 (2) (by
22 SECTION 734), 40.62 (1m) and (2), and 757.02 (5), the renumbering and amendment
23 of s. 40.62 (1), and SECTION 9313 (1) of this act take effect on January 1, 2025.

SECTION 9414. Effective dates; Employment Relations Commission.**SECTION 9415. Effective dates; Ethics Commission.**

ASSEMBLY BILL 43**SECTION 9416**

1 **SECTION 9416. Effective dates; Financial Institutions.**

2 **SECTION 9417. Effective dates; Governor.**

3 **SECTION 9418. Effective dates; Health and Educational Facilities**
4 **Authority.**

5 **SECTION 9419. Effective dates; Health Services.**

6 (1) MEDICAID EXPANSION. The treatment of ss. 20.435 (4) (jw), 49.45 (23) and
7 (23b), 49.471 (1) (cr), (4) (a) 4. b. and 8., and (4g), and 49.686 (3) (d) and 2017
8 Wisconsin Act 370, section 44 (2) and (3) and SECTION 9119 (1) of this act take effect
9 on July 1, 2023.

10 (2) CERTIFICATION OF EMERGENCY MEDICAL RESPONDERS. The treatment of ss.
11 256.08 (4) (L) and 256.15 (4) (g) and (8) (b) (intro.), (bg), and (br) takes effect on July
12 1, 2024.

13 (3) COMPLEX PATIENT PILOT PROGRAM. The repeal of s. 20.435 (7) (d) takes effect
14 on July 1, 2025.

15 **SECTION 9420. Effective dates; Higher Educational Aids Board.**

16 **SECTION 9421. Effective dates; Historical Society.**

17 **SECTION 9422. Effective dates; Housing and Economic Development**
18 **Authority.**

19 **SECTION 9423. Effective dates; Insurance.**

20 (1) PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD. The treatment of ss. 15.07
21 (3) (bm) 7., 15.735, 601.78, 601.785, and 601.79 and subch. VI (title) of ch. 601 and
22 SECTION 9123 (1) of this act take effect on the first day of the 7th month beginning
23 after publication.

ASSEMBLY BILL 43**SECTION 9423**

1 (2) SUBSTANCE ABUSE COUNSELOR COVERAGE. The treatment of s. 632.87 (8) and
2 SECTION 9323 (2) of this act take effect on the first day of the 4th month beginning
3 after publication.

4 (3) COST-SHARING CAP ON INSULIN. The treatment of s. 632.895 (6) (title), the
5 renumbering and amendment of s. 632.895 (6), and the creation of s. 632.895 (6) (b)
6 take effect on the first day of the 4th month beginning after publication.

7 (4) COVERAGE OF INDIVIDUALS WITH PREEXISTING CONDITIONS, ESSENTIAL HEALTH
8 BENEFITS, AND PREVENTIVE SERVICES. The treatment of ss. 632.728, 632.746 (1) (a) and
9 (b), (2) (a), (c), (d), and (e), (3) (a) and (d) 1., 2., and 3., (5), and (8) (a) (intro.), 632.748
10 (2), 632.76 (2) (a) and (ac) 1. and 2., 632.795 (4) (a), 632.895 (8) (d), (13m), (14) (a) 1.
11 i., j., and k. to o., (b), (c), and (d) 3., (14m), (16m) (b), and (17) (b) 2. and (c), and 632.897
12 (11) (a) and SECTION 9323 (3) of this act take effect on the first day of the 4th month
13 beginning after publication.

14 (5) QUALIFIED TREATMENT TRAINEE COVERAGE. The treatment of s. 632.87 (7) and
15 SECTION 9323 (4) of this act take effect on the first day of the 4th month beginning
16 after publication.

17 (6) COVERAGE OF INFERTILITY SERVICES. The treatment of ss. 609.74 and 632.895
18 (15m) and SECTION 9323 (6) of this act take effect on the first day of the 4th month
19 beginning after publication.

20 **SECTION 9424. Effective dates; Investment Board.**

21 **SECTION 9425. Effective dates; Joint Committee on Finance.**

22 **SECTION 9426. Effective dates; Judicial Commission.**

23 **SECTION 9427. Effective dates; Justice.**

24 (1) TRANSFERS OF FIREARMS. The treatment of ss. 20.455 (2) (gr), 175.33, 175.35
25 (title), (1) (at) (by SECTION 2374), (b), and (br), (2) (intro.), (a), (b), (bm), (c), (cm)

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1 (intro.), and (d), (2g) (a) and (b) 1. and 2., (2k) (ar) 2., (c) 2. a. and b., (g), and (h), (2L),
2 (2t) (a), (b), and (c), (3) (b) 2., (7) (d), and (15) (b) 4. b., 938.208 (1) (b), 938.34 (4m) (b)
3 2., 938.341, 941.237 (1) (d), 941.29 (1m) (dm), (dn), and (do), 941.296 (1) (b), 968.20
4 (3) (b), 971.17 (1g), and 973.176 (1), the renumbering of s. 175.35 (2j), the
5 renumbering and amendment of s. 175.35 (2i), and the creation of s. 175.35 (2i) (b)
6 2. and (2j) (b) and SECTION 9327 (2) of this act take effect on the first day of the 7th
7 month beginning after publication.

8 **SECTION 9428. Effective dates; Legislature.**

9 **SECTION 9429. Effective dates; Lieutenant Governor.**

10 **SECTION 9430. Effective dates; Local Government.**

11 (1) PREMIER RESORT AREA EXCEPTIONS. The treatment of s. 66.1113 (2) (a), (b), (k),
12 and (L) takes effect on the first day of the first calendar quarter beginning at least
13 120 days after publication.

14 (2) WORKFORCE HOUSING INITIATIVES. The treatment of s. 66.10012 takes effect
15 on January 1, 2024.

16 **SECTION 9431. Effective dates; Military Affairs.**

17 **SECTION 9432. Effective dates; Natural Resources.**

18 (1) DAM LICENSING FEES. The treatment of s. 31.39 (2) (a) (intro.) and (am) takes
19 effect on the first day of the 9th month beginning after publication.

20 (2) INTERIM MAXIMUM CONTAMINANT LEVELS FOR PFAS. The treatment of s. 281.17
21 (8) (c) takes effect on the first day of the 7th month beginning after publication.

22 (3) COMMERCIAL VESSELS SUBJECT TO FEDERAL VESSEL INCIDENTAL DISCHARGE ACT.
23 The treatment of ss. 20.370 (4) (aj), 283.35 (1m), and 299.65, the renumbering of s.
24 299.66, and the creation of s. 299.66 (2) take effect on the date specified in the notice

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1 published in the Wisconsin Administrative Register under SECTION 9132 (8) of this
2 act.

3 (4) ANNUAL 4TH GRADE PASS. The treatment of s. 27.01 (9) (bg) takes effect on
4 January 1, 2024.

5 (5) INLAND WATERS TROUT STAMP FEE. The treatment of s. 29.563 (3) (c) 1. takes
6 effect on April 1, 2024.

7 (6) NONRESIDENT DEER HUNTING LICENSE FEE. The treatment of s. 29.563 (2) (b)
8 3. takes effect on April 1, 2024.

9 (7) NOTIFICATION OF WATER PERMIT VIOLATIONS. The treatment of s. 283.90 takes
10 effect on the first day of the 7th month beginning after publication.

11 **SECTION 9433. Effective dates; Public Defender Board.**

12 **SECTION 9434. Effective dates; Public Instruction.**

13 (1) TEACHER LICENSURE IN CERTAIN PRIVATE SCHOOLS. The treatment of s. 118.19
14 (1), (1b), (1c) (b) (intro.), and (3) (b) takes effect on July 1, 2026.

15 **SECTION 9435. Effective dates; Public Lands, Board of Commissioners**
16 **of.**

17 **SECTION 9436. Effective dates; Public Service Commission.**

18 (1) INTERNET SERVICE PROVIDER REGISTRATION REQUIREMENT. The treatment of s.
19 196.5048 takes effect on January 1, 2024.

20 **SECTION 9437. Effective dates; Revenue.**

21 (1) ENERGY SYSTEMS. The treatment of s. 77.54 (56) (a), (ad), and (b) takes effect
22 on the first day of the 3rd month beginning after publication.

23 (2) PRAIRIE AND WETLAND COUNSELING SERVICES. The treatment of ss. 77.51 (11d)
24 and (17g) and 77.52 (2) (a) 20. and (2m) (a) and (c) takes effect on the first day of the
25 3rd month beginning after publication.

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1 (3) LITTLE CIGARS. The treatment of ss. 139.44 (4), 139.75 (1m), (4t), and (12),
2 139.76 (1) (by SECTION 2284) and (1b), and 139.78 (1) (by SECTION 2289) and (1b), the
3 renumbering of s. 139.83, and the creation of s. 139.83 (2) take effect on the first day
4 of the 3rd month beginning after publication.

5 (4) VAPOR PRODUCTS. The treatment of subch. III (title) of ch. 139 and ss. 139.76
6 (1m), 139.77 (1), and 139.78 (1m), the renumbering and amendment of s. 139.75 (14),
7 and the creation of s. 139.75 (14) (b) and (c) take effect on the first day of the 3rd
8 month beginning after publication.

9 (5) DIAPERS AND FEMININE HYGIENE PRODUCTS; GUN SAFETY ITEMS; AND
10 BREASTFEEDING PRODUCTS. The treatment of ss. 77.51 (3h), (3pq), and (4f), 77.52 (13),
11 77.53 (10), and 77.54 (70), (72), and (73) takes effect on the first day of the 3rd month
12 beginning after publication.

13 (6) SALES AND USE TAX EXEMPTION FOR FARM-RAISED DEER. The treatment of s.
14 77.54 (62) takes effect on the first day of the 3rd month beginning after publication.

15 (7) PREWRITTEN COMPUTER SOFTWARE. The treatment of s. 77.52 (2) (a) 21. takes
16 effect on the first day of the 6th month beginning after publication.

17 (8) LOCAL PROFESSIONAL BASEBALL PARK DISTRICT.

18 (a) The treatment of ss. 20.566 (1) (gd), 20.835 (4) (gb), 77.705, 77.71 (intro.) (by
19 SECTION 1617), (1) (by SECTION 1619), (2) (by SECTION 1621), (3) (by SECTION 1623), (4)
20 (by SECTION 1625), and (5) (by SECTION 1627), 77.76 (4) (by SECTION 1638) and (6),
21 229.68 (15), and 229.76 and the amendment of s. 77.707 (1) take effect on April 30,
22 2024.

23 (b) The treatment of s. 77.707 (2) and the repeal of s. 77.707 (1) take effect on
24 January 1, 2025.

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1 (9) DATE OF COMPUTER AID PAYMENTS. The treatment of s. 79.095 (4) (c) takes
2 effect on January 1, 2024.

3 **SECTION 9438. Effective dates; Safety and Professional Services.**

4 (1) DENTAL THERAPIST LICENSURE. The treatment of s. 15.405 (6) (b) takes effect
5 on the date the notice under s. 447.02 (6) is published in the Wisconsin
6 Administrative Register or on the first day of the 6th year beginning after
7 publication, whichever occurs first.

8 (2) RENEWAL DATES. The treatment of ss. 20.165 (1) (jm), 106.30 (2), 227.01 (13)
9 (zxm), 440.01 (1) (dL) and (dm), 440.03 (14) (c) and (15), 440.032 (5), 440.08 (2) (title),
10 (a) (intro.), 1n., 2n., 1. to 37., 37m., 38. to 72., (ar), (b), (c), (d), and (e), (2m) (title) and
11 (b), and (4) (a), 440.09 (3) (a), 440.26 (3) and (5m) (b), 440.313 (1), 440.415 (2) (a),
12 440.71 (3), 440.88 (4), 440.905 (2), 440.91 (1) (c), (1m) (c), and (4), 440.92 (1) (c),
13 440.972 (2), 440.974 (2), 440.98 (6), 440.983 (1), 440.992 (6), 440.9935, 441.01 (7) (a)
14 (intro.) and 1. (by SECTION 2854) and (b), 441.06 (3) (by SECTION 2859), 441.10 (6),
15 441.15 (3) (b) (by SECTION 2873), 442.083 (1) and (2) (a), 443.015 (1e), 443.07 (6),
16 443.08 (3) (b), 443.10 (2) (e) and (5), 445.06 (1), 445.07 (1) and (2), 445.095 (1) (c),
17 445.105 (3), 446.02 (1) (b) and (4), 446.025 (3) (b), 446.026 (3) (b), 447.05 (1) (a),
18 447.055 (1) (a) and (b) 1. and 2. and (3), 447.056 (1) (intro.), (2), and (3), 447.057 (1)
19 (a) and (b) 1. and 2. (by SECTION 2927) and (3) (by SECTION 2928), 447.058 (2) (b),
20 448.07 (1) (a), 448.13 (title), (1) (a) 1. and 2., and (1m), 448.40 (1) and (2) (e), 448.55
21 (2), 448.65 (2) (intro.), 448.665, 448.86 (2), 448.9545 (1) (a) and (b) (intro.), 448.955
22 (1), (2) (a), and (3) (a), 448.956 (1) (c), 448.967 (2), 448.9703 (3) (a), 448.9706 (2),
23 448.974 (2) (a), 449.06 (1) and (2m), 450.08 (1) and (2) (a) and (b), 450.085 (1), 451.04
24 (4), 452.10 (2), 452.12 (1) and (5) (a), 452.132 (2) (c), 454.06 (8), 454.08 (9), 454.23 (5),
25 454.25 (9), 455.06 (1) (a) and (b), 455.065 (7), 456.07 (title), (1), (2), (3), and (5), 457.20

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1 (2), 457.22 (2), 458.085 (3), 458.09 (3), 458.11, 458.13, 458.33 (5), 459.09 (1) (intro.)
2 and (b), 459.095 (1), 459.24 (5) (intro.) and (b) and (5m) (a) 1., 460.07 (2) (intro.),
3 460.10 (1) (a), 462.05 (1), 466.04 (3) (a) (intro.), 470.045 (3) (b), 470.07, and 480.08 (5),
4 the renumbering and amendment of ss. 445.07 (3), 446.025 (3) (a), and 446.026 (3)
5 (a), and the creation of ss. 445.07 (3) (b), 446.025 (3) (a) 2., and 446.026 (3) (a) 2. take
6 effect on the first day of the 7th month beginning after publication.

7 (3) LICENSURE OF ADVANCED PRACTICE REGISTERED NURSES. The treatment of ss.
8 29.193 (1m) (a) 2. (intro.), (2) (b) 2., (c) 3., (cd) 2. b. and c., and (e)., and (3) (a), 46.03
9 (44), 50.01 (1b), 50.08 (2), 50.09 (1) (a) (intro.), (f) 1., (h), and (k), 50.36 (3s), 50.49 (1)
10 (b) (intro.), 51.41 (1d) (b) 4., 70.47 (8) (intro.), 77.54 (14) (f) 3. and 4., 97.59, 102.13
11 (1) (a), (b) (intro.), 1., 3., and 4., and (d) 1., 2., 3., and 4. and (2) (a) and (b), 102.17 (1)
12 (d) 1. and 2., 102.29 (3), 102.42 (2) (a), 106.30 (1), 118.15 (3) (a), 118.25 (1) (a), 118.29
13 (1) (e), 118.2925 (1) (b), (3), (4) (c), and (5), 146.615 (1) (a), 146.82 (3) (a), 146.89 (1)
14 (r) 1. (by SECTION 2307), 3., and 8. and (6), 154.01 (1g), 155.01 (1g) (b), 251.01 (1c),
15 252.01 (1c), 252.07 (8) (a) 2. and (9) (c), 252.10 (7), 252.11 (2), (4), (5), (7), and (10),
16 252.15 (3m) (d) 11. b. and 13., (5g) (c), (5m) (d) 2. and (e) 2. and 3., and (7m) (intro.)
17 and (b), 252.16 (3) (c) (intro.), 252.17 (3) (c) (intro.), 253.07 (4) (d), 253.115 (1) (f), (4),
18 and (7) (a) (intro.), 253.15 (1) (em) and (2), 255.06 (1) (d) and (f) 2. and (2) (d), 255.07
19 (1) (d), 257.01 (5) (a) (by SECTION 2640) and (b) (by SECTION 2642), 341.14 (1a), (1e)
20 (a), (1m), and (1q), 343.16 (5) (a), 343.51 (1), 343.62 (4) (a) 4., 440.03 (13) (b) 3., 39m.,
21 and 42., 440.077 (1) (a) and (2) (c), 440.094 (1) (c) 1. and (2) (a) (intro.), 440.981 (1),
22 440.982 (1), 440.987 (2), 441.001 (1c), (3c), (3g), (3n), (3r), (3w), and (5), 441.01 (3),
23 (4), and (7) (a) (intro.) (by SECTION 2855) and (c), 441.06 (title), (3) (by SECTION 2860),
24 (4), and (7), 441.07 (1g) (intro.), (a), (c), and (e), 441.09, 441.092, 441.10 (7), 441.11
25 (title), (1), (2), and (3), 441.16, 441.18 (2) (a) (intro.) and (b) and (3), 441.19, 448.03

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1 (2) (a) (by SECTION 2945) and (3m), 448.035 (1) (a) and (2) to (4), 448.56 (1) and (1m)
2 (b), 448.62 (2m), 448.67 (2), 448.956 (1m), 450.01 (1m) and (16) (h) 2. and (hr) 2.,
3 450.03 (1) (e) (by SECTION 2981), 450.11 (1g) (b), (1i) (a) 1. and (b) 2. b., (7) (b), and (8)
4 (e), 450.13 (5) (b), 450.135 (7) (b), 462.04 (by SECTION 3028), 655.001 (7t), (8b), and
5 (9), 655.002 (1) (a), (b), (c), (d), (e), and (em) and (2) (a) and (b), 655.003 (1) and (3),
6 655.005 (2) (a) and (b), 655.23 (5m), 655.27 (3) (a) 4. and (b) 2m., 655.275 (2) and (5)
7 (b) 2., 961.01 (19) (a), and 961.395, the renumbering and amendment of s. 253.13 (1),
8 the creation of s. 253.13 (1) (a), and the repeal of s. 441.15 take effect on the first day
9 of the 13th month beginning after publication.

SECTION 9439. Effective dates; Secretary of State.**SECTION 9440. Effective dates; State Fair Park Board.****SECTION 9441. Effective dates; Supreme Court.****SECTION 9442. Effective dates; Technical College System.****SECTION 9443. Effective dates; Tourism.****SECTION 9444. Effective dates; Transportation.**

16 (1) DRIVER'S CARDS. The treatment of ss. 343.03 (3m) and (3r), 343.14 (2j),
17 343.165 (1) (c) and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17
18 (3) (a) 16., 343.20 (1) (f), (1m), and (2) (a), and 343.50 (3) (a) and (b), (5) (b), (bm), and
19 (c), (6), (8) (c) 6., and (10) (c), the renumbering and amendment of s. 343.14 (2) (br)
20 and (es), the creation of s. 343.14 (2) (br) 2. and (es) 2m., and SECTION 9344 (1) of this
21 act take effect on the first day of the 4th month beginning after publication.

SECTION 9445. Effective dates; Treasurer.

23 **SECTION 9446. Effective dates; University of Wisconsin Hospitals and**
24 **Clinics Authority; Medical College of Wisconsin.**

SECTION 9447. Effective dates; University of Wisconsin System.

