



2025 SENATE BILL 163

March 27, 2025 - Introduced by Senators JAMES and NASS, cosponsored by Representatives TUSLER, ARMSTRONG, BEHNKE, BRILL, DITTRICH, KNODL, KREIBICH, O'CONNOR and PIWOWARCZYK. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

1 **AN ACT** *to renumber and amend* 767.58 (1); *to amend* 767.58 (2) and 767.59
2 (3); *to create* 767.58 (1g), 767.58 (1r) (cm), 767.58 (3) and 767.58 (4) of the
3 statutes; **relating to:** income change notifications for child support or
4 maintenance orders.

Analysis by the Legislative Reference Bureau

This bill makes changes to the requirements for notice of a change of employer, address, and ability to pay for parties in child support and maintenance agreements.

Under current law, the requirements for a notice of a change of employer, address, or ability to pay in child support and maintenance agreements apply only to payers of child support or maintenance. The bill extends these requirements to payees. The bill also specifies that the type of income for which a party must notify the other party of a change is defined by rule by the Department of Children and Families. DCF currently defines “gross income” for child support purposes to include a number of income sources, including wages and salaries, investment income, and certain benefits.

The bill establishes that in an order for child support, but not maintenance, neither party is required to disclose income that is not considered gross income under DCF rules and the payee is not required to disclose a change in employer or income if the payer is not a “shared-placement parent,” as defined by DCF.

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The bill also removes references to “family support,” an alternative form of support that combined child support and maintenance into a single obligation. Orders for family support in this state were eliminated by 2021 Wisconsin Act 35.

Finally, the bill allows a party to redact certain personally identifying information from an income change notice to another party, establishes the confidentiality of any information disclosed as part of an income change notice, and establishes that an individual who fails to provide an income change notice required under law may be proceeded against for contempt of court and may be required to provide damages, including reasonable attorney fees.

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

1 **SECTION 1.** 767.58 (1) of the statutes is renumbered 767.58 (1r), and 767.58
2 (1r) (a), (b) and (c), as renumbered, are amended to read:

3 767.58 **(1r)** (a) Each order for child support, ~~family support~~, or maintenance
4 payments shall include an order that the payer and payee notify the county child
5 support agency under s. 59.53 (5) of any change of address within 10 business days
6 of the change.

7 (b) Each order for child support, ~~family support~~, or maintenance payments
8 shall also include an order that the payer and payee notify the county child support
9 agency under s. 59.53 (5) and the payee other party, within 10 business days, of any
10 change of employer and of any substantial change in the amount of his or her gross
11 income, including receipt of bonus compensation as defined by rule by the
12 department, affecting his or her ability to pay, or the amount of, child support,
13 ~~family support~~, or maintenance. The order shall also include a statement that
14 notification of any substantial change in the amount of the payer's party's income
15 will not result in a change of the order unless a revision of the order under s. 767.59
16 or an annual adjustment of the child ~~or family~~ support amount under s. 767.553 is
17 sought.

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1 (c) Each order for family child support or maintenance payments shall include
2 an order requiring the payee to notify the court and the payer within 10 business
3 days of the payee's remarriage.

4 **SECTION 2.** 767.58 (1g) of the statutes is created to read:

5 767.58 (1g) DEFINITION. In this section, "shared-placement parent" means a
6 parent who has a court-ordered period of placement of at least 25 percent and is
7 ordered by the court to assume the child's basic support costs in proportion to the
8 time that the parent has placement of the child.

9 **SECTION 3.** 767.58 (1r) (cm) of the statutes is created to read:

10 767.58 (1r) (cm) If a payer is ordered to provide only child support payments,
11 all of the following apply:

12 1. Neither party is required to disclose income that is not considered gross
13 income by the department.

14 2. The payee is not required to notify the payer of the payee's change in
15 employer or income if the payer is not a shared-placement parent.

16 **SECTION 4.** 767.58 (2) of the statutes is amended to read:

17 767.58 (2) INFORMATION FOR CHILD SUPPORT AGENCY. When an order is
18 entered under sub. ~~(1)~~ (1r), each party shall provide to the county child support
19 agency under s. 59.53 (5) his or her social security number, residential and mailing
20 addresses, telephone number, operator's license number and the name, address and
21 telephone number of his or her employer. A party shall advise the county child
22 support agency under s. 59.53 (5) of any change in the information provided under
23 this subsection within 10 business days after the change.

24 **SECTION 5.** 767.58 (3) of the statutes is created to read:

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1 767.58 (3) REDACTING PERSONALLY IDENTIFYING INFORMATION. A party may
2 redact or remove the following personally identifying information from documents
3 provided under sub. (1r) (b) to another party unless otherwise ordered by the court:

4 (a) The party's home or work address if the party is participating in the
5 program under s. 165.68 or if the party's address is otherwise protected or sealed.

6 (b) The name, date of birth, and address of the party's spouse.

7 (c) The name, date of birth, and other personally identifying information of a
8 minor child not related to the other party.

9 (d) Any social security number.

10 (e) An identification number assigned by an employer.

11 (f) A taxpayer identification number assigned by the department of revenue
12 or federal internal revenue service.

13 (g) Any depository account number, investment account number, or other
14 personally identifying number related to any investment tool.

15 (h) A military identification number.

16 (i) Any other personally identifying information that is intended to be used to
17 access services, funds, or benefits of any kind to which an individual is entitled.

18 (j) Any other personally identifying information that is not required to
19 determine the income or financial status of the party.

20 **SECTION 6.** 767.58 (4) of the statutes is created to read:

21 767.58 (4) CONFIDENTIALITY; FAILURE TO DISCLOSE. Information disclosed
22 under this section is subject to s. 767.127 (3). A party who fails to furnish
23 information required by the court under this section may be proceeded against for
24 contempt of court under ch. 785. If the court finds that a party has failed to furnish

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1 information required under this section, the court may award to the party bringing
2 the action costs and, notwithstanding s. 814.04 (1), reasonable attorney fees.

3 **SECTION 7.** 767.59 (3) of the statutes is amended to read:

4 767.59 (3) REMARRIAGE; VACATING MAINTENANCE ORDER. After a final
5 judgment requiring maintenance payments has been rendered and the payee has
6 remarried, the court shall, on application of the payer with notice to the payee and
7 upon proof of the payee's remarriage, or upon receiving notice from the payee of the
8 payee's remarriage, as required under s. 767.58 (~~1~~) (1r) (c), vacate the order
9 requiring the maintenance payments.

10 (END)