

Significant enactments of the 2019 Legislature

Agriculture

Act 9 (AB-56) does the following:

1. Allows DATCP to request a supplemental appropriation to fund mental health assistance for farmers and farm families.
2. Authorizes \$7,000,000 in bonding for cost-sharing grants under the soil and water resource management program.

Act 68 (SB-188) makes changes to the state hemp program so that it is consistent with the 2018 federal farm bill, including removing hemp from the list of Schedule I controlled substances; prohibiting a person convicted of a drug-related felony from producing hemp for ten years, with exceptions; and addressing negligent violations of the hemp program through enforcement of a compliance plan. The act also makes other changes, including changing the amount of THC in a driver's blood for OWI purposes from "any detectable amount" to one or more nanograms per milliliter; protecting a person from prosecution if he or she purchases a hemp product that is not more than 0.7 percent over the permissible THC limit for hemp; and prohibiting a person from mislabeling, making false claims, or knowingly selling a mislabeled hemp product.

Beverages

Act 6 (SB-83) removes the four-liter limit on distilled spirits sold for off-premises consumption by "Class B" licensed retailers (typically bars and restaurants) in municipalities that, by ordinance, allow "Class B" retailers to sell distilled spirits for off-premises consumption.

Children

Act 8 (AB-188) does all of the following:

1. Delays the closure of Lincoln Hills and Copper Lakes Schools and the opening of new state juvenile correctional facilities and county-run secured residential care centers for children and youth from January 1, 2021, to July 1, 2021.
2. Allows DOC to transfer juveniles between facilities until the new facilities are open.

Act 9 (AB-56) does the following:

1. Allows foster care payments to be made on behalf of a child who is placed in a qualifying residential family-based treatment facility with a parent.
2. Modifies the per-person daily rates that are assessed on counties for state-provided juvenile correctional services.
3. Increases the maximum reimbursement rate that DCF may set for Level I or Level II certified family child care providers from no more than 75 percent of the rate set for licensed child care to no more than 90 percent of that rate.
4. Authorizes DCF to award child care-related grants that target a geographic area with high-poverty levels in Milwaukee.
5. Beginning on January 1, 2020, increases by 4 percent the monthly age-related basic maintenance rates paid to foster parents and the monthly kinship care payments made to relatives who provide care for children.

Act 22 (AB-52) provides that a minor who is 17 and is an unaccompanied youth is presumed to be competent to contract for admission to a temporary place of lodging for individuals or families (shelter facility) or transitional living program under certain circumstances, and exempts this type of contract from the defense of infancy.

Act 109 (AB-47) creates a procedure and standards for the appointment of a guardian of a minor person. Under the act, any interested party, including a child age 12 or older, may file an action to establish a private guardianship of a child. The act creates four distinct types of guardianships:

1. A full guardianship, requiring a finding that the child's parents are unfit, unwilling, or unable to provide for the care, custody, and control of the child or other compelling facts and circumstances demonstrate that a full guardianship is necessary.
2. A limited guardianship, requiring a finding that the child's parents need assistance in providing for the care, custody, and control of the child.
3. A temporary guardianship, requiring a finding that the child's situation, including the inability of the child's parents to provide for the care, custody, and control of the child for a temporary period, requires the appointment of a temporary guardian.
4. An emergency guardianship, requiring a finding that the child's welfare requires the immediate appointment of an emergency guardian.

Temporary and emergency guardianships are time-limited. In each type of guardianship appointment, the parent retains all rights and duties that are not specifically assigned to the guardian.

Corrections

Act 123 (AB-30) creates the Council on Offender Employment, which may issue a certificate of qualification for employment to a person who has served a sentence for a nonviolent crime. A certificate of qualification for employment is a certificate that provides the person with relief from certain penalties, ineligibility, disability, or disadvantage that is related to employment or occupational licensing or certification that is a result of the person's criminal record.

Courts and civil actions

Act 30 (AB-59) allows certain pleadings and other papers to be served by e-mail to a designated e-mail address if an attorney or a party has consented in writing to accept service by e-mail. The act requires that the e-mail information provided to the court be kept current and provides that e-mail service is complete upon transmission unless the sender receives an indication that the message was not delivered.

Act 184 (AB-470) creates 12 additional circuit court branches that may be allocated by the director of state courts over the course of three years.

COVID-19 pandemic

Act 185 (AB-1038) is the response to the public health emergency related to the COVID-19 pandemic that was declared on March 12, 2020, by Executive Order 72. The following summaries for Act 185 use the term "COVID-19 public health emergency" to refer to that public health emergency and are organized by subheadings.

AGRICULTURE

The act suspends the requirement that an agricultural society, board, or association hold a fair each year to remain eligible in the next year for local fair aid from DATCP if the local fair is not held in 2020 because of the COVID-19 public health emergency.

CAMPAIGN FINANCE

The act allows state or local officeholders who are candidates for national, state, or local office to use public funds to pay for an unlimited number of communications related to the COVID-19 public health emergency during the public

health emergency and for 30 days afterwards. Currently, such officeholders may not use public funds to pay for more than 49 pieces of substantially identical material during campaign season.

CHILDREN

The act credits federal Child Care and Development Fund block grant funds received by the state under the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 to federal block grant appropriations and subjects the expenditure of those funds to passive review by JCF.

CORRECTIONS

The act provides that, for the duration of the COVID-19 public health emergency, if an inmate of a correctional facility who has been diagnosed with COVID-19 dies, the coroner or medical examiner may perform a limited examination of the deceased inmate instead of a full autopsy, which may include an external examination of the body, a review of the inmate’s medical records, or a review of the inmate’s radiographs.

COURTS AND PROCEDURE

The act establishes immunity from civil liability for the death of or injury to an individual caused by emergency medical supplies for a manufacturer, distributor, or seller of emergency medical supplies who donates or sells the supplies to a charitable organization or governmental unit to respond to the COVID-19 public health emergency. A charitable organization that distributes these emergency medical supplies is also immune. The act defines “emergency medical supplies” to mean any medical equipment or supplies necessary to limit the spread of, or provide treatment for, a disease associated with the COVID-19 public health emergency.

ECONOMIC DEVELOPMENT

The act requires WEDC to submit to the governor and the legislature a plan for providing support to major industries in Wisconsin that have been adversely affected by the COVID-19 public health emergency.

EMPLOYMENT

The act does the following related to employment law:

1. Suspends the one-week waiting period that applies when receiving unemployment insurance benefits. The suspension applies to UI public benefit years beginning after March 12, 2020, and before February 7, 2021.

2. Provides that, for the purposes of worker's compensation, there is a rebuttable presumption that an injury caused to certain first responders by a COVID-19 diagnosis or positive test between the declaration of the COVID-19 public health emergency on March 12, 2020, and 30 days after its termination is caused by the individual's employment.
3. Provides that UI benefits for weeks occurring after March 12, 2020, and before December 31, 2020, will not be charged to individual employers but instead to certain other accounts. The act also requires the secretary of workforce development to seek advances (loans) to the state's UI trust fund from the federal government in order to keep UI contribution (tax) rates at their current levels.
4. Makes changes to the laws governing work-share plans, which are arrangements for reduced hours for a group of employees in lieu of layoffs while the employees receive partial UI benefits to compensate them for the reduction. The changes eliminate or reduce certain requirements governing work-share plans until December 31, 2020; allow plans during that time to go into effect more quickly; and require DWD to accept on-line plan applications and assist employers in submitting applications and developing plans.
5. During the COVID-19 public health emergency, eliminates the requirements that an employer provide an employee's personnel record within seven working days after receiving a request, that the inspection of the employee's records occur at a location near the employee's place of employment, and that the inspection occur during normal working hours.

The act does all the following related to public employment law:

1. Provides that, during the COVID-19 public health emergency, a state employee does not waive his or her right to appeal an adverse employment decision if the employee does not timely file the complaint.
2. Provides that, during the COVID-19 public health emergency, an appointing authority is not required to hold an in-person meeting with a state employee who has filed an employment grievance.
3. Allows a state employee to use annual leave during the COVID-19 public health emergency, even if the employee has not completed the first six months of the employee's probationary period. However, if the employee terminates employment before earning the leave used, the act allows the employer to deduct from the employee's final pay the cost of that leave.
4. Allows the director of the Bureau of Merit Recruitment and Selection in the Division of Personnel Management in DOA to adjust the number of hours a state employee in a limited term appointment may work during the COVID-19 public health emergency.
5. Allows an individual receiving an annuity from the WRS who is hired to a

critical position during the COVID-19 public health emergency by a public employer to not suspend his or her annuity for the duration of the public health emergency. The act also allows an individual receiving an annuity from the WRS to return to work for a public employer if at least 15 days, rather than the 75 days otherwise required, have elapsed since the individual retired from public employment.

6. For the purposes of group health insurance offered by the Group Insurance Board, an employee who returns from a leave of absence and who has not resumed active duty for at least 30 consecutive calendar days as of March 12, 2020, is deemed to have ended or interrupted the leave of absence on that date and may receive the employer contribution towards the premium for the insurance.

HEALTH

The act makes the following changes to health law:

1. Creates an exception to the law regarding cremation permits, providing that for the duration of the COVID-19 public health emergency, if a physician, coroner, or medical examiner signs a death certificate and lists COVID-19 as the cause of death, a coroner or medical examiner must (a) issue a cremation permit without viewing the corpse as otherwise would be required and (b) issue the permit within 48 hours after the death.
2. Prohibits DHS from requiring an instructional program for nurse aides to exceed the federal required minimum total training hours or minimum hours of supervised practical training.
3. During the COVID-19 public health emergency declared by the governor or the federal government, requires the entity that is under contract to collect and disseminate hospital data to prepare and publish a public health emergency dashboard.
4. Provides immunity from civil liability for certain health care professionals and providers for actions and omissions during the COVID-19 public health emergency, and the 60 days following its termination, if those actions and omissions do not involve reckless or wanton conduct or intentional misconduct and are for services provided in good faith or are substantially consistent with guidance from governmental officials or agencies.
5. During the COVID-19 public health emergency, and the 60 days following its termination, suspends credential renewal requirements for ambulance service providers, emergency medical services providers, and emergency medical responders.
6. Requires DHS to include coverage through the SeniorCare program of

vaccinations recommended for adults. The act requires DHS to provide payments to health care providers that administer the vaccinations. DHS must deduct amounts available from other sources from the amount DHS provides.

HOUSING

The act allows households to submit to DOA applications for heating assistance any time in 2020 instead of only before May 16 and after September 30.

INSURANCE

The act makes the following changes to insurance law:

1. During the COVID-19 public health emergency, and the 60 days after its termination, limits the amount an insured pays out-of-pocket for a service or supply provided by a provider that is out of the insured's health insurance network to the amount that the insured would pay if it was provided by a provider in the network; requires a certain amount of reimbursement of the out-of-network provider by the insurance plan; and requires an out-of-network provider to accept a certain amount as payment in full.
2. Prohibits certain insurance coverage discrimination based on a COVID-19 diagnosis, such as establishing eligibility rules, canceling coverage, setting rates, or refusing to honor premium grace periods.
3. Requires, before March 13, 2021, health insurance policies and self-insured governmental health plans to cover COVID-19 testing without copayment or coinsurance.
4. Prohibits health insurance policies, self-insured governmental health plans, and pharmacy benefit managers from requiring prior authorization for early prescription refills and imposing a limit on prescription drug quantities that are no more than 90-day supplies during the COVID public health emergency.
5. Specifies that during the COVID-19 public health emergency a physician or nurse anesthetist who is temporarily authorized to practice in Wisconsin may fulfill the financial responsibility requirement by filing a certificate of insurance for a policy from a certain jurisdiction and may elect to be covered by Wisconsin's health care liability laws.

LEGISLATURE

The act does the following relating to the legislature:

1. Permits JCF to transfer from sum-sufficient appropriations an amount up to \$75,000,000 to other appropriations for expenditures related to the COVID-19 public health emergency.

2. Requires the Legislative Audit Bureau to review programs affected by Act 185 and expenditures authorized by Act 185 and to quarterly report the results of the review to the legislature and the Joint Legislative Audit Committee.

LOCAL GOVERNMENT

The act allows a municipal board of review to adjourn until a later date, without convening first, to consider property tax objections and allows a town to postpone its annual meeting so that it does not occur during the COVID-19 public health emergency.

MEDICAL ASSISTANCE

The act makes the following changes to the Medical Assistance program during the COVID-19 public health emergency:

1. Allows DHS to suspend compliance with current premium and health risk assessment requirements for childless adults, delay implementation of a community engagement requirement, and maintain continuous enrollment in order to qualify for an enhanced federal medical assistance percentage under federal law.
2. Suspends certain legislative oversight over the submission of requests for a waiver of federal law submitted by DHS during the COVID-19 public health emergency declared by the federal secretary of health and human services if the waiver request is any of the items specified in Act 185.
3. Requires DHS to develop a pay-for-performance system in the Medical Assistance program to incentivize participation in health information data sharing.

OCCUPATIONAL REGULATION

The act does all of the following during the COVID-19 public health emergency:

1. Authorizes certain health care providers holding valid, unexpired licenses or certificates granted by other states to practice within the scope of their credentials.
2. Authorizes persons who previously held a health care provider credential to practice within the scope of the person's previously held credential.
3. Creates a special provision governing a pharmacist's authority to extend prescription orders during the COVID-19 public health emergency and the 30 days after its conclusion. The provision exempts extensions during that period from certain requirements that otherwise apply to emergency extensions, and allows a pharmacist to dispense up to a 30-day supply using that authority during that period.

4. Authorizes DSPS to waive fees for applications for an initial credential and renewal of a credential for physicians, physician assistants, nurses, dentists, pharmacists, psychologists, and certain behavioral health providers.
5. Exempts certain health care workers from licensure renewal requirements during the period beginning March 12, 2020, and ending 60 days after the conclusion of the COVID-19 public health emergency.

PRIMARY AND SECONDARY EDUCATION

The act does all of the following relating to primary and secondary education:

1. In the 2019–20 school year, eliminates requirements to administer the Wisconsin Student Assessment System examinations to pupils in the fourth, eighth, ninth, tenth, and eleventh grades. These examinations include the Forward Exam, ACT ASPIRE, the ACT, and Dynamic Learning Maps.
2. In the 2019–20 school year, eliminates requirements to administer a third grade standardized reading test.
3. In the 2019–20 school year, prohibits the use of pupil performance on statewide assessments in the educator effectiveness system.
4. In the 2020–21 school year, prohibits DPI from publishing a school and school district accountability report for the 2019–20 school year.
5. During the period beginning on the first day of the COVID-19 public health emergency and ending on October 31, 2020, gives DPI the authority to do all of the following:
 - a. Waive education statutes and administrative rules related to a parental choice program or the SNSP; private schools participating in a parental choice program or the SNSP; or independent charter schools.
 - b. Establish alternate deadlines in education statutes or administrative rules if the original deadline occurs during, or is related to a date during, that same period of time.
6. Authorizes DPI to grant a request from a private school to waive required hours of instruction in the 2019–20 school year.
7. Extends application deadlines to attend a private school in the Wisconsin Parental Choice Program in the 2020–21 school year.
8. Extends application deadlines to attend a public school in a nonresident school district under the full-time open enrollment program in the 2020–21 school year.
9. Requires school boards to report to DPI information related to school closures during the public health emergency, including information related to virtual instruction, expenditure reductions, and staff layoffs. The act requires DPI to submit this information to the legislature.

10. Requires DPI to post best practices for transitioning back to in-person instruction on DPI's Internet site by June 30, 2020.

PUBLIC UTILITIES

The act authorizes the Board of Commissioners of Public Lands to make loans to municipal public utilities to ensure that those utilities can maintain liquidity during the COVID-19 public health emergency.

STATE GOVERNMENT

The act does the following relating to state government:

1. Allows a state entity to waive a requirement that an individual appear in person during the COVID-19 public health emergency if the state entity finds that the waiver assists in the state's response to the public health emergency or that enforcing the requirement may increase the public health risk.
2. Authorizes state agencies, local governments, the legislature, and the courts to suspend certain deadlines and training requirements during the COVID-19 public health emergency.
3. Authorizes an additional \$725,000,000 in public debt to refund tax-supported or self-amortizing state general obligation debt. The current level of such authorized debt is \$6,785,000,000; the new amount will be \$7,510,000,000.
4. Authorizes the secretary of administration to transfer employees from one executive branch agency to another executive branch agency to provide service during the COVID-19 public health emergency. The transfers remain in effect until rescinded by the secretary or 90 days after the public health emergency terminates, whichever is earlier.

TAXATION

The act changes laws related to taxation as follows:

1. Allows counties and municipalities to provide, upon a finding of hardship, that any installment payment of property taxes due after April 1, 2020, that is received after its due date will not accrue interest or penalties if the total amount due is received on or before October 1, 2020. The act also allows taxpayers to retain their options under current law to contest their property taxes if payments received after the due date are received by October 1, 2020.
2. Authorizes DOR to waive, on a case-by-case basis, interest and penalties that accrue during the COVID-19 public health emergency for persons who fail to remit a variety of taxes during that period due to the pandemic's effects.
3. Adopts federal tax law changes made in response to the COVID-19 public

health emergency, including changes related to distributions from certain retirement accounts, deductions for charitable contributions, the treatment of paycheck protection loans to businesses and employees under the small business administration's loan guarantee program, and an exclusion from income certain student loan principal and interest payments made by an employer on behalf of an employee.

TRADE AND CONSUMER PROTECTION

The act prohibits retailers from accepting certain returns of food products, personal care products, cleaning products, and paper products during the COVID-19 public health emergency.

VITAL RECORDS

The act requires that, during the COVID-19 public health emergency, if the underlying cause of a death is determined to be COVID-19, the person signing the death certificate must provide an electronic signature on the certificate within 48 hours after the death.

Crime and law enforcement

Act 31 (AB-17) creates a mandatory minimum sentence of five years in prison for a person who is convicted of homicide by intoxicated use of a vehicle.

Act 108 (SB-50) requires law enforcement agencies that use body cameras to have a written policy on the use and storage of the cameras and the data recorded by the cameras. The act requires the law enforcement agencies to retain the data for at least 120 days and specifies circumstances in which the data must be retained longer. The act also specifies that the data are subject to the open records laws with exceptions to protect privacy and the identity of victims and minors.

Act 112 (AB-804) increases the penalty from a Class A misdemeanor to a Class G felony for intimidating a victim of a crime, or intimidating a witness to a crime, if the crime is domestic abuse.

Act 132 (AB-454) creates the crime of swatting. Under the act, it is a crime for a person to knowingly and intentionally convey false information that an emergency exists if the information elicits or could elicit a response from a specialized tactical (SWAT) team.

Act 144 (AB-734) creates the crime of mail theft, which is taking a letter, postcard, or package from a residence or other building without the owner's consent.

Act 161 (SB-368) creates the crime of money laundering. Under the act, it is a crime to engage in, supervise, or facilitate a transaction with illegally obtained property or items of value; to make property or items of value available to another with the intent to perpetuate illegal activity; or to engage in a transaction that is designed to conceal or disguise the nature, location, source, ownership, or control of property or items of value or to avoid a financial transaction reporting requirement under federal law.

Domestic relations

Act 95 (SB-158) does all of the following relating to paternity:

1. Creates a new presumption of paternity and a new way to conclusively determine paternity under the law using genetic testing.
2. Requires the court in a paternity action to order genetic testing.
3. Allows a court that determines that a judicial determination of whether a man is the father of the child is not in the best interest of the child to dismiss a paternity action with respect to that man, regardless of whether genetic tests have already been performed or what the results of those genetic tests were.

Education

HIGHER EDUCATION

Act 9 (AB-56) prohibits the Board of Regents from charging resident undergraduate academic fees in the 2019–20 and 2020–21 academic years that exceed those charged in the 2018–19 academic year.

Act 46 (AB-189) requires the Board of Regents and the WTCS board to enter into two agreements. The first agreement must promote and support agreements that articulate how the completion of requirements for specified programs of study transfer between institutions. The second agreement must identify at least 72 credits of core general education courses that are transferable between institutions beginning in the 2022–23 academic year. Former law required a similar agreement that was limited to at least 30 credits of core general education courses. As under former law, tribally controlled and private, nonprofit colleges in the state are allowed to participate in both of the agreements.

Act 149 (SB-537) requires HEAB to award tuition grants, not exceeding \$2,000 per semester, to certain veterans or their dependents enrolled in private, nonprofit colleges. The grants are made for students who would have qualified for tuition remission under the Wisconsin GI Bill if they had attended a UW

System school or technical college. The grant amount must be matched by the college in which the student is enrolled.

PRIMARY AND SECONDARY EDUCATION

Act 9 (AB-56) does the following:

1. Provides a per pupil adjustment under school district revenue limits of \$175 in the 2019–20 school year, \$179 in the 2020–21 school year, and \$0 in the 2021–22 school year and each school year thereafter.
2. Sets the low revenue adjustment under school district revenue limits at \$9,700 per pupil in the 2019–20 school year and \$10,000 per pupil in 2020–21 school year and each school year thereafter.
3. Beginning in the 2019–20 school year, increases the per pupil amount under the per pupil categorical aid program to \$742 per pupil.
4. Creates the supplemental per pupil aid program.
5. Eliminates supplemental special education aid on July 1, 2020. Under prior law, DPI provided supplemental special education aid to a school district that in the previous year had revenue limit authority per pupil that was below the statewide average, that had expenditures for special education that were more than 16 percent of the school district's total expenditures, and that had a membership that was less than 2,000 pupils.
6. Eliminates school performance improvement grants effective July 1, 2020. Under prior law, beginning in the 2018–19 school year, DPI awarded a school performance improvement grant to an eligible school located in a first class city school district (currently only Milwaukee Public Schools) or in a school district that was in the lowest category on the school and school district accountability report (report card) if the eligible school developed a written school improvement plan to improve pupil performance and received a higher score on the report card than it did in the previous school year.
7. Makes changes to the Technology for Educational Achievement program, including the following: (a) continues the information technology block program for rural school districts through fiscal year 2021; (b) eliminates educational technology training grants for teachers; and (c) eliminates grants to school districts for technology-enhanced high school curriculum.

Act 43 (AB-195) creates an alternative method for meeting one requirement for obtaining a provisional teaching license based on the applicant having an out-of-state license, commonly known as a license based on reciprocity. Under the act, an applicant may satisfy the requirement by teaching under the out-of-state license for two semesters or by teaching in a public or private school in this

state for two semesters while holding a DPI-issued teaching license, usually a tier 1 license with stipulations.

Act 83 (AB-528) creates a peer-to-peer suicide prevention grant program. Under the act, DPI provides grants to private, public, and tribal high schools to support existing or establish new peer-to-peer suicide prevention programs.

Act 176 (SB-437) creates an exception to the revenue ceiling freeze for a school district that had a failed operating referendum in the 2018–19 school year if the failed operating referendum was for the costs of operating a new school building and a capital referendum to build the new school building failed at the same election.

Employment

PUBLIC EMPLOYMENT

Act 9 (AB-56) does the following:

1. Authorizes DWD to enter into contracts under the Project SEARCH program to provide employment skills services to individuals with developmental disabilities. The act also requires DWD to allocate \$250,000 in each year of the 2019–21 fiscal biennium to the program.
2. Requires DWD to allocate grants to DOC to create and operate job training centers at minimum and medium security prisons and to create and operate mobile classrooms.
3. Requires DWD to award grants of \$75,000 per year of the 2019–21 fiscal biennium under its workforce training program, commonly referred to as the Fast Forward Program, for workforce training in county jail facilities. The grants are awarded without any matching-funds requirement and notwithstanding any otherwise applicable eligibility criteria.

Act 120 (AB-646) provides that a state employee is not subject to removal, suspension without pay, a reduction in base pay, or demotion without prior progressive discipline if the employee is under the influence of, or in possession of, a controlled substance or a controlled substance analog while on duty and the employee is using the controlled substance or analog as dispensed, prescribed, or recommended as part of medication-assisted treatment. Under former law, the employee would be subject to discipline without prior progressive discipline.

Environment

Act 9 (AB-56) does all of the following:

1. Requires the full \$345 amount, rather than \$95, of the annual concentrated animal feeding operation fee to be deposited into a new program revenue account for purposes of administering the concentrated animal feeding operation (CAFO) program.
2. Provides an additional \$4,000,000 in bonding authority for dam safety grants.
3. Provides an additional \$6,500,000 in bonding authority for rural nonpoint source water pollution abatement grants.
4. Provides an additional \$4,000,000 in bonding authority for urban nonpoint source and storm water management and municipal flood control and riparian restoration programs.
5. Increases from \$32,000,000 to \$36,000,000 the amount of public debt the state may contract to fund removal of contaminated sediment.

Act 101 (SB-310) prohibits the use of fire fighting foams that contain intentionally added PFAS (perfluoroalkyl and polyfluoroalkyl substances), with exceptions provided for use during emergency fire fighting or fire prevention operations.

Act 151 (SB-91) creates a system for buying and selling water pollution credits through a central clearinghouse.

Financial institutions

Act 125 (AB-293) adopts, with modifications, the Revised Uniform Law on Notarial Acts, which allows a notary public, using technology, to notarize documents for persons not physically present with the notary public. The act also creates a remote notary council to adopt standards for performing notarial acts for remotely located individuals and requires DFI to maintain a database of notaries public who perform these remote notarizations.

Health and human services

HEALTH

Act 9 (AB-56) makes changes to health laws, including the following:

1. Combines funding for grants to assist rural hospitals in procuring infrastructure and increasing case volume to develop accredited graduate medical training programs with funding for grants to support existing graduate medical training programs and expands eligibility for both types of grants to all specialties rather than certain prescribed specialties.
2. Requires DHS to distribute grants to support “treatment programs.” Recipients of the grants must use awards for supervision, training, and resources, including salaries, benefits, and other related costs. This provision was affected by a

partial veto, which changed a grant program from a qualified treatment trainee program to a “treatment program.” The qualified treatment program would have provided opportunities for trainees to complete clinically supervised practice requirements to be credentialed and obtain specialized training in mental and behavioral health in children, youth, and families.

3. Requires DHS to award grants for residential lead hazard abatement.

Act 90 (AB-287) does the following:

1. Allows, unless a health care power of attorney instrument specifies otherwise, one physician and one qualified physician assistant or nurse practitioner to personally examine a principal and make a finding of incapacity upon which a health care power of attorney becomes effective.
2. Allows one physician and one qualified physician assistant or nurse practitioner to determine that a person is incapacitated for purposes of admission to a hospice.

Act 154 (SB-217) requires DHS to consult with DETF to develop and implement a plan to reduce the incidence of diabetes in Wisconsin, improve diabetes care, and control complications associated with diabetes. DHS may consult with DPI and DOC in developing the plan and must submit a biennial report to the legislature.

Medical assistance

Act 9 (AB-56) makes changes to the Medical Assistance program, including all of the following:

1. Increasing reimbursement rates for nursing homes, direct care, and personal care and payments under the rural critical care access supplement.
2. Expanding the definition of “telehealth services” for purposes of reimbursement under the Medical Assistance program and requiring DHS to develop a reimbursement method for providers.
3. Continuing the Medical Assistance reimbursement for the mental health clinical consultation program by eliminating the termination date.
4. Making changes to long-term care programs to reflect the statewide expansion of Family Care, elimination of the Community Options Program, and expansion of aging and disability resource center services to other programs such as IRIS.
5. For fiscal years 2019–20 and 2020–21, requiring DHS to pay hospitals that serve low-income patients an additional amount as the state share of Medical Assistance payments, and the matching federal share of payments. For fiscal

years 2019–20 and 2020–21, provided there is no conflict with federal rules, the act also increases from \$4,600,000 to \$9,600,000 the maximum payment that DHS may pay a single hospital that serves a disproportionate share of low-income patients.

Act 56 (SB-380) requires DHS to provide reimbursement for Medical Assistance benefits that are provided through interactive telehealth and requires DHS to include as a benefit and provide Medical Assistance reimbursement for additional forms of telehealth. Act 56 also prohibits DHS from setting certain additional requirements or limitations on services provided through telehealth or providers providing telehealth services.

Act 122 (AB-650) requires DHS to provide reimbursement under the Medical Assistance program for services provided by a peer recovery coach if the services meet the criteria established in the act. The act also requires DHS to include services provided by a peer recovery coach as a benefit under the Medical Assistance program.

Mental health and developmental disabilities

Act 9 (AB-56) makes changes to mental health laws, including all of the following:

1. Developing a comprehensive mental health consultation program.
2. Allowing opioid and methamphetamine treatment programs to offer methadone treatment.

Act 119 (AB-645) provides immunity for jailers, keepers of a jail, or persons designated with custodial authority by a jailer or keeper that administer naloxone or another opioid antagonist to a person believed to be undergoing an opioid overdose and that have the applicable training. The act also requires DHS, after consulting with DOC, to study the availability of medication-assisted treatment for opioid use disorder in each prison and county jail.

Act 120 (AB-646) requires recovery residences that promote recovery from a substance use disorder and that seek referrals or funding from DHS to register with DHS.

Act 122 (AB-650) requires DHS to establish and maintain a program related to referral and treatment services following a substance use overdose that includes that, among other requirements, overdose treatment providers coordinate and continue care and treatment after an overdose. The act requires DHS to seek any funding available from the federal government for the program.

Local government

Act 9 (AB-56) does the following:

1. Makes changes to the Technology for Educational Achievement program, including the following: (a) continues the information technology block program for rural public libraries through fiscal year 2021; and (b) eliminates educational technology training grants for librarians.
2. Requires cities, villages, and towns to reduce the quarterly fees they charge to video service providers by 0.5 percent beginning on January 1, 2020, and by an additional 1 percent beginning on January 1, 2021.

Act 14 (SB-239) creates a regulatory framework for what are commonly called 5G networks. The act imposes requirements on cities, villages, towns, counties, and the state regarding (a) permits for deploying wireless equipment and facilities; (b) placement of those items in rights-of-way; (c) access to certain governmental structures by wireless providers; and (d) resolution of disputes over the act's requirements. The act also allows cities, villages, towns, and counties to impose setback requirements for certain mobile service support structures.

Act 19 (SB-266) requires a city, village, town, or county, the state, the Board of Regents of the UW System, and Marquette University to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer or emergency medical services practitioner who dies in the line of duty if the entity paid such premiums for the officer or practitioner while he or she was employed by the entity.

Act 126 (AB-310) allows a city, village, town, or county that uses a referendum to exceed the local levy limit to base the referendum question on either actual data or its best estimate, and requires that the question include the percentage increase for each fiscal year. The act also authorizes a city, village, town, or county to hold such a referendum in an odd-numbered year either by a special referendum or on the same schedule as certain school board referendums.

Natural resources

CONSERVATION

Act 9 (AB-56) reauthorizes the Warren Knowles-Gaylord Nelson Stewardship Program for two additional years, until June 30, 2022, at existing program bonding levels; authorizes the state to contract additional public debt in an amount up to \$42,600,000 for that stewardship program; and authorizes DNR

in fiscal year 2020–21 to obligate up to \$33,250,000 in unobligated amounts from prior fiscal years.

Navigable waters and wetlands

Act 9 (AB-56) authorizes the state to contract an additional public debt in an amount up to \$4,000,000 for financial assistance to counties, cities, villages, towns, and public inland lake protection and rehabilitation districts for dam safety projects.

Act 59 (SB-169) makes changes to requirements for wetland mitigation banks, including establishing geographic limits on a mitigation bank from which credits may be purchased, establishing financial assurance requirements for projects by mitigation banks, and allowing a mitigation bank to sell estimated credits before a project is completed.

Act 93 (SB-125) requires DNR to obligate up to \$5,200,000 in unobligated monies under the Warren Knowles-Gaylord Nelson Stewardship 2000 Program to fund critical health- and safety-related water infrastructure projects and high-priority water infrastructure projects in state parks, prioritizing projects in those state parks with the highest demand.

Parks, forestry, and recreation

Act 141 (AB-692) increases from \$2,475,400 to \$5,475,400 aid to counties for snowmobile trails and areas, to cover costs such as purchasing land for trails, enforcing laws on trails, developing and maintaining trails, and improving bridges on trails.

Occupational regulation

Act 17 (AB-250) makes the following changes to the laws regulating sign language interpreters:

1. Replaces the former program for sign language interpreter licenses with four categories of licenses: sign language interpreter—intermediate hearing, sign language interpreter—advanced hearing, sign language interpreter—intermediate deaf, and sign language interpreter—advanced deaf.
2. Requires DSPS to promulgate rules defining the scope of practice of each category of sign language interpreter license.

Act 24 (AB-137) allows pharmacists to administer vaccines to children under age six if the vaccine is administered pursuant to a prescription order and

the pharmacist completes a course that includes administering vaccines to children under age six. The act also generally allows pharmacists and pharmacy students to administer without a prescription order the vaccines listed in the immunization schedules published by the federal Centers for Disease Control and Prevention.

Act 100 (SB-390) enters Wisconsin into the Physical Therapy Licensure Compact, which allows physical therapists and physical therapist assistants that are licensed in one state that is a party to the compact to practice in other member states. The compact provides for the creation of the Physical Therapy Compact Commission, which is charged with administering the compact and includes delegates from each member state’s licensing board. The act also contains provisions relating to implementation of the compact in Wisconsin.

Act 180 (SB-117) adopts, with some modifications, the Revised Uniform Athlete Agents Act, which makes changes to DSPS’s registration program for athlete agents, including the following:

1. Prohibiting athlete agents from encouraging another person to engage in conduct the athlete agent is prohibited from doing.
2. Prohibiting a person from engaging in certain activities involving a student athlete, such as directly or indirectly attempting to influence a student athlete to choose an athlete agent or enter into an agency contract with an athlete agent, unless the person registers with DSPS as an athlete agent.
3. Requiring an agency contract to be accompanied by an acknowledgement by the student athlete that signing the contract may make the student ineligible to participate in athletics at an educational institution.

Real estate

Act 72 (SB-247) specifies that an owner of real estate may, with certain exceptions, use a surveillance device to observe or record an individual who is present for a private showing, open house, or other viewing of the real estate in connection with the owner’s attempt to sell the real estate. The bill specifies that such use of a surveillance device is not an invasion of the individual’s privacy under current state law recognizing the right of privacy.

Shared revenue

Act 9 (AB-56) provides state aid to municipalities to compensate for a reduction in video service provider fees.

State government

STATE BUILDING PROGRAM

Act 9 (AB-56) does all of the following:

1. Authorizes an additional \$40,000,000 in general fund supported borrowing for grants to counties for the establishment of county-run, secured residential care centers for children and youth, bringing the total bonding authorization for that purpose to \$80,000,000.
2. Authorizes \$25,000,000 in general fund supported borrowing for construction projects having a public purpose, including \$3,000,000 for a grant to the Incurage Community Foundation, Inc., to assist with constructing an economic and community hub.
3. Authorizes \$15,000,000 in general fund supported borrowing for a “center.” This provision was affected by a partial veto, which changed a center financed under the State Building Program from a northern Wisconsin regional crisis center to a “center.”
4. Authorizes \$10,000,000 in general fund supported borrowing to assist the Medical College of Wisconsin, Inc., in the construction of a cancer research facility.

STATE FINANCE

Act 9 (AB-56) transfers \$25,000,000 from WEDC to the general fund.

GENERAL STATE GOVERNMENT

Act 9 (AB-56) requires DOA to award grants for alternative fuels from the Volkswagen settlement funds.

Taxation

Act 7 (AB-10) disallows any income tax deduction for moving expenses paid by a taxpayer to move the taxpayer’s Wisconsin business operations, in whole or in part, to a location outside the state or to move the taxpayer’s business operations outside the United States.

Act 9 (AB-56) changes laws related to taxation as follows:

1. Reduces from 5.84 percent to 5.21 percent the marginal individual income tax rate that applies to income that falls within the second income tax bracket.
2. Provides an exclusion from income for individuals and corporations for interest received on bonds or notes issued by the Wisconsin Health and Educational Facilities Authority if the bonds or notes are issued in an amount totaling \$35,000,000 or less, to the extent such interest is not otherwise exempt.

3. Imposes an excise tax on vapor products, which are defined as noncombustible products that produce vapor or aerosol for inhalation from the application of a heating element, regardless of whether the liquid or other substance contains nicotine, at a rate of 5 cents per milliliter of the liquid or other substance.

Act 10 (AB-251) requires marketplace providers to collect and remit sales tax from third parties and reduces individual income tax rates based on the collection of sales and use tax from out-of-state retailers and marketplace providers. The act defines a “marketplace provider” as any person who facilitates the retail sales of a seller’s products or services and who, by agreements with third parties, collects payment from the purchaser and transmits that payment to the seller.

Act 28 (AB-73) generally prohibits retailers and DOR from collecting sales and use taxes related to a local professional baseball park district (American Family Field) after August 31, 2020, or after the date on which the district board certifies that the district has paid off its bonds and established a special maintenance and capital improvements fund, whichever occurs earlier. The act also imposes legislative oversight of the district.

Act 136 (AB-532) reduces the amount of capital gains subject to income and franchise taxation for taxpayers who invest in Wisconsin opportunity zones.

Trade and consumer protection

Act 60 (SB-170) allows a minor to operate a temporary stand without a food license from DATCP if certain conditions are met and prohibits cities, villages, towns, and counties from enacting an ordinance that prohibits minors from operating such a stand.

Transportation

HIGHWAYS AND LOCAL ASSISTANCE

Act 9 (AB-56) does all of the following:

1. Adds major highway projects on I 43 and I 41 to the list of enumerated projects approved for construction.
2. Increases by \$95,000,000 the authority to contract state debt for the reconstruction of the Zoo Interchange.
3. Increases by \$27,000,000 the authority to contract state debt for major interstate bridge projects.
4. Decreases by \$10,000,000 the authority to contract state debt for high-cost state highway bridge projects.

Act 69 (SB-447) modifies the supplemental general transportation aids program to require DOT to make supplemental general transportation aid payments to towns for which other general transportation aid payments are based on the number of miles of highway in the town and that have had their other general transportation aid payments limited by the requirement that a municipality not be paid an amount greater than 85 percent of its three-year average highway costs.

IMPAIRED DRIVING

Act 31 (AB-17) creates a mandatory minimum sentence of five years in prison for a person who is convicted of homicide by intoxicated use of a vehicle.

Act 106 (SB-6) imposes a mandatory minimum 18-month period of confinement in prison for fifth and sixth offenses of operating a motor vehicle while intoxicated.

MOTOR VEHICLES

Act 9 (AB-56) increases the registration fee for certain vehicles for which the fee is based on the vehicle's weight.

Act 163 (SB-523) expands an exception from the commercial driver license requirement for certain uses of commercial motor vehicles by farmers.

GENERAL TRANSPORTATION

Act 9 (AB-56) does all of the following:

1. Requires that a portion of petroleum inspection fees be deposited into the transportation fund.
2. Increases the amount of state aid payments for mass transit systems.
3. Appropriates an amount to DOT for "local grant." This provision was affected by a partial veto, which changed a local roads improvement discretionary supplemental grant program to a "local grant."
4. Allows DOT to make grants for intermodal freight facilities.
5. Requires that DOT expend in the 2019–21 fiscal biennium up to \$9,080,000 from proceeds of transportation revenue bonds for administrative facility projects.

Act 11 (SB-152) authorizes the use of electric scooters on highways and requires operators of electric scooters to adhere to the rules of the road. The act also provides, with certain exceptions, that a local unit of government may regulate the rental and operation of electric scooters in the same way that it regulates bicycles.

Act 34 (AB-132) regulates the operation of electric bicycles.

Veterans and military affairs

Act 9 (AB-56) eliminates the veterans housing loan program and creates a veterans outreach and recovery program to provide outreach, mental health services, and support to Wisconsin veterans, national guard members, and members of the reserves who may have a mental health condition or substance use disorder.

Act 26 (AB-471) requires DMA to award grants to Wisconsin public safety answering points to purchase, upgrade, and maintain 911 equipment.

Constitutional amendments

Enrolled Joint Resolution 3 (SJR-2), proposed by the 2019 legislature on second consideration, expands the rights of crime victims under the Wisconsin Constitution. The amendment was ratified by the voters on April 7, 2020.