



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2452/2
JTK&MED:cjs:rs

2013 ASSEMBLY BILL 219

May 24, 2013 – Introduced by Representative KNODL, cosponsored by Senator LASEE. Referred to Committee on Labor.

1 **AN ACT** *to repeal* 108.02 (4m) (g), 108.02 (13) (kL), 108.04 (1) (i), 108.05 (1) (n)
2 to (p), 108.06 (7) and 108.07 (8); *to renumber* 50.498 (4) and 108.02 (10e) (a)
3 and (b); *to renumber and amend* 108.02 (10e) (intro.) and 440.12; *to*
4 *consolidate, renumber and amend* 16.48 (1) (intro.) and (a) (intro.); *to*
5 *amend* 13.63 (1) (b), 13.63 (1) (c), 16.48 (1) (b), 16.48 (3), 19.55 (2) (d), 29.024
6 (2r) (title), 29.024 (2r) (c), 29.024 (2r) (d) 1., 48.66 (2m) (c), 48.715 (7), 50.498
7 (title), 50.498 (2), 50.498 (5), 51.032 (title), 51.032 (2), 51.032 (4), 51.032 (5),
8 71.78 (4) (o), 73.0301 (2) (c) 2., 73.0302 (title), 73.09 (6m), 101.02 (20) (b), 101.02
9 (20) (c), 101.02 (20) (d), 102.17 (1) (c), 103.005 (10), 103.275 (2) (b) (intro.),
10 103.275 (7) (b), 103.275 (7) (c), 103.34 (3) (c), 103.34 (10) (title), 103.92 (3),
11 104.07 (1) and (2), 105.13 (1), 108.02 (4m) (a), 108.02 (13) (a), 108.04 (1) (f),
12 108.04 (1) (g) (intro.), 108.04 (1) (hm), 108.04 (2) (a) 3. c., 108.04 (8) (a) and (c),
13 108.05 (1) (q) (intro.), 108.05 (2) (c), 108.05 (3) (a), 108.06 (1), 108.06 (2) (c),
14 108.06 (2) (cm), 108.06 (3), 108.06 (6) (intro.), 108.10 (intro.), 108.14 (8n) (e),

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1 108.14 (19), 108.141 (7) (a), 108.16 (2) (g) and (h), 108.16 (6m) (a), 108.16 (8) (b)
2 4., 108.205 (1), 108.21 (1), 108.22 (1) (a), 108.22 (8) (c) 1. a., 108.225 (1) (b),
3 115.31 (6m), 118.19 (1m) (a), 118.19 (1m) (b), 138.09 (1m) (b) 2. a., 138.09 (3)
4 (am) 2., 138.09 (4) (c), 138.12 (3) (d) 2. a., 138.12 (5) (am) 1. b., 138.12 (5) (am)
5 3., 138.14 (4) (a) 2. a., 138.14 (9) (d), 146.40 (4d) (b), 146.40 (4d) (d), 146.40 (4d)
6 (e), 169.35 (title), 169.35 (2), 169.35 (3), 170.12 (3m) (b) 1., 217.05 (1m) (b) 1.,
7 217.09 (4), 217.09 (6), 218.0114 (21e) (a), 218.0114 (21g) (b) 1., 218.0116 (1g) (b),
8 218.02 (2) (a) 2. a., 218.04 (3) (a) 2. a., 218.04 (5) (b), 218.05 (3) (am) 2. a., 218.05
9 (12) (b), 218.05 (12) (e), 218.11 (2) (am) 3., 218.12 (2) (am) 2., 218.21 (2m) (b),
10 218.31 (1m) (b), 218.41 (2) (am) 2., 218.51 (3) (am) 2., 224.72 (2) (c) 2. a., 224.725
11 (2) (b) 1. a., 224.927 (1), 227.53 (1) (a) 3., 252.241 (title), 252.241 (2), 254.115
12 (title), 254.115 (2), 254.176 (5), 254.20 (7), 256.18 (title), 256.18 (2), 256.18 (5),
13 299.07 (title), 299.07 (1) (b) 1., 299.08 (1) (b) 2., 341.51 (4g) (b), 342.06 (1) (eg),
14 343.14 (1), 343.14 (2j), 343.305 (6) (e) 3. b., 343.61 (2) (b), 343.62 (2) (b), 343.69
15 (1), 440.03 (11m) (c), 452.18, 551.412 (4g) (a) 1., 551.605 (2), 562.05 (8m) (a),
16 562.05 (8m) (b), 563.285 (title), 563.285 (2) (a), 563.285 (2) (b), 628.095 (4) (b),
17 628.097 (title), 628.097 (2m), 628.10 (2) (cm), 632.69 (2) (c), 632.69 (2) (d) 2.,
18 632.69 (4) (d), 633.14 (2c) (b), 633.14 (2m) (b), 633.15 (2) (d), 751.155 (title),
19 751.155 (1), 751.155 (2) and 751.155 (3); **to repeal and recreate** 108.05 (1) (q)
20 (intro.), 108.05 (1) (r) (intro.) and 108.05 (3) (a); and **to create** 20.445 (1) (gm),
21 50.498 (4) (b), 73.0302 (5), 73.0302 (6), 73.09 (8), 102.17 (1) (ct), 103.275 (2) (bt),
22 103.34 (10) (d), 103.91 (4) (d), 103.92 (8), 104.07 (7), 105.13 (4), 108.02 (10e)
23 (bm), 108.02 (15) (kt), 108.04 (2) (a) 4., 108.04 (2) (g), 108.04 (2) (h), 108.04 (12)
24 (f), 108.04 (15), 108.05 (1) (r), 108.14 (20), 108.14 (21), 108.14 (22), 108.14 (23),
25 108.14 (24), 108.14 (25), 108.14 (26), 108.16 (3) (c), 108.16 (6) (o), 108.16 (6m)

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1 (h), 108.22 (1) (cm), 108.22 (8e), 108.223, 108.227, 108.245, 138.12 (4) (a) 1m.,
2 138.12 (4) (b) 5m., 138.14 (5) (b) 2m., 138.14 (9) (cm), 170.12 (8) (b) 1. bm., 170.12
3 (8) (b) 4., 217.06 (5m), 217.09 (1t), 218.0116 (1m) (a) 2m., 218.0116 (1m) (d),
4 218.02 (3) (dm), 218.02 (6) (d), 218.02 (9) (a) 1m., 218.04 (4) (am) 2m., 218.04
5 (5) (at), 218.05 (4) (c) 2m., 218.05 (11) (bm), 218.05 (12) (at), 218.11 (6m) (c),
6 218.12 (3m) (c), 218.22 (3m) (c), 218.32 (3m) (c), 218.41 (3m) (b) 3., 218.51 (4m)
7 (b) 3., 224.44, 224.72 (7m) (bm), 224.725 (6) (bm), 224.77 (2m) (e), 224.95 (1)
8 (bm), 252.241 (5), 254.115 (5), 256.18 (4m), 299.07 (3), 341.51 (4m) (c), 343.305
9 (6) (e) 6., 343.66 (3m), 440.12 (2), 551.406 (6) (a) 1m., 551.412 (4g) (a) 2m.,
10 551.412 (4g) (d), 562.05 (5) (a) 11., 562.05 (8) (f) and 563.285 (1m) of the statutes;
11 **relating to:** various changes in the unemployment insurance law; license
12 revocations based on delinquency in payment of unemployment insurance
13 contributions; granting rule-making authority; providing a penalty; and
14 making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the unemployment insurance (UI) law. Significant changes include:

BENEFIT AMOUNTS

Currently, weekly UI benefit rates for total unemployment range from \$54 for an employee who earns wages (or certain other amounts treated as wages) of at least \$1,350 during at least one quarter of the employee's base period (period preceding a claim during which benefit rights accrue) to \$363 for an employee who earns wages (or certain other amounts treated as wages) of at least \$9,075 during any such quarter. This bill adjusts weekly benefit rates for weeks of unemployment beginning on or after January 5, 2014, to rates ranging from \$54 for an employee who earns wages (or certain other amounts treated as wages) of at least \$1,350 during at least one quarter of the employee's base period to \$370 for an employee who earns wages (or certain other amounts treated as wages) of at least \$9,250 during any such quarter. The bill does not affect the benefit rate of any employee who earns wages (or certain other amounts treated as wages) of at least \$1,350 during at least one quarter of the employee's base period or any employee who earns wages (or certain

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other amounts treated as wages) of at least \$9,075 during at least one quarter of the employee's base period.

OTHER BENEFIT CHANGES***Registration and search for work***

Currently, with limited exceptions, in order to become and remain eligible to receive UI benefits for any week, a claimant is required, among other things, to register for work and to conduct a reasonable search for suitable work within that week, which must include at least two actions that constitute a reasonable search as prescribed by rule by the Department of Workforce Development (DWD).

This bill requires a claimant, subject to the same exceptions, to provide information or job application materials and to participate in a public employment office workshop or training program or in similar reemployment services that do not require a participation fee, if either is required by DWD for a given week other than the claimant's first week of benefits. The bill allows DWD to use the information or job application materials provided by a claimant to assess the claimant's efforts, skills, and ability to find or obtain work and to develop a list of potential opportunities for a claimant to obtain suitable work. However, the bill provides that a claimant who is subject to the work search requirement need not apply for a specific position on that list in order to satisfy that requirement.

Prohibiting concurrent receipt of UI and SSDI benefits

The bill disqualifies a claimant from receiving UI benefits during any week in which the claimant is actually receiving social security disability insurance (SSDI) benefits and requires a claimant, when the claimant first files for UI benefits and during each subsequent week the claimant files for UI benefits, to inform DWD whether he or she is receiving SSDI benefits.

Failure to accept suitable work or recall to former employer

Currently, with certain exceptions, if an employee fails, without good cause, to accept suitable work when offered or to return to work with a former employer that recalls the employee within 52 weeks after the employee last worked for the employer, the employee is ineligible to receive benefits until four weeks have elapsed since the end of the week in which the failure occurs and the employee earns wages, or certain other amounts treated as wages, equal to at least four times the employee's weekly benefit rate in employment covered by the unemployment insurance law of any state or the federal government.

Subject to all of the same exceptions and qualifications, the bill changes the amount of wages an employee must earn to requalify under these provisions to at least *six* times the employee's weekly benefit rate. The bill eliminates the requirement that, in order to requalify under these provisions, four weeks must have elapsed since the end of the week in which the failure occurs.

Extended training benefits

Currently, benefits may not be denied to an otherwise eligible claimant because the claimant is enrolled in a vocational training course or a basic education course that is a prerequisite to such training ("approved training") under certain conditions. Currently, a claimant may also qualify to receive benefits while participating in an

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extended training program under certain conditions, under such a program, if a claimant 1) has exhausted all other rights to benefits, 2) is currently enrolled in an approved training program and was so enrolled prior to the end of the claimant's benefit year (period during which benefits are payable) that qualified the claimant for benefits, 3) if not in a current benefit year, has a benefit year that ended no earlier than 52 weeks prior to the week for which the claimant first claims extended training benefits, and 4) is not receiving any similar stipends or other training allowances for nontraining costs, is entitled to extended training benefits of up to 26 times the same benefit rate that applied to the claimant during his or her most recent benefit year if the claimant is being trained for entry into a high-demand occupation. In addition, if the benefit year of such a claimant expires in a week in which extended or other additional federal or state benefits are payable generally, the claimant is also eligible for extended training benefits while enrolled in a training program if the claimant first enrolled in the program within 52 weeks after the end of the claimant's benefit year that qualified the claimant for benefits. This bill deletes extended training benefits.

Treatment of cafeteria plan amounts in benefit calculations

Currently, employers must report wages to DWD and these reports are used to determine the UI benefit eligibility and amounts of benefits payable to UI claimants. The wages reported do not include salary reduction amounts withheld from employees for cafeteria plan benefits (fringe benefits the value of which is excluded from gross income under the federal Internal Revenue Code). However, these amounts are included in the formula that is used to determine the benefit eligibility and amounts payable to claimants. DWD may require employers to report the amounts in their wage reports and employers must maintain records of these amounts.

This bill excludes salary reduction amounts for cafeteria plan benefits in calculating the wages that were paid to a claimant for purposes of determining the claimant's benefit eligibility and amounts. The bill also deletes reporting and record-keeping requirements for these amounts. The effect is to raise the threshold for benefit eligibility and to potentially decrease the amount of benefits that may become payable to certain claimants whose wages include deductions for these amounts.

Failure of claimants to provide requested information

Currently, DWD may require a claimant to answer questions relating to his or her UI benefit eligibility and to provide certain demographic information for auditing purposes. In addition, DWD must require each claimant to provide his or her social security number. A claimant is not eligible to receive benefits for any week in which the claimant fails to comply with a request by DWD for information and for any subsequent week until the claimant provides the requested information or satisfies that DWD that he or she had good cause for failure to provide the information. Generally, if a claimant later complies with a request or satisfies DWD that he or she had good cause for failure to comply, the claimant is eligible to receive benefits beginning with the week in which the failure occurred, if otherwise qualified. With respect to certain specific information, however, if a claimant later

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provides the requested information but does not have good cause for the initial failure to provide the information, the claimant is eligible only to receive benefits that become payable in the week in which the information is provided. Under this bill, if a claimant later complies with a request, the claimant is eligible to receive benefits beginning with the week in which the failure occurred, regardless of whether the claimant satisfies DWD that he or she had good cause for failure to comply with the request. The change does not apply to a claimant's failure to provide DWD his or her social security number.

Treatment of services performed by prison inmates

Under current law, covered employment under the UI law generally does not include services by inmates of a custodial or penal institution for government units, Indian tribes, or nonprofit organizations. The bill provides that services performed for employers that are *not* government units, Indian tribes, or nonprofit organizations by inmates of state or federal prisons are also not covered employment under the UI law. As a consequence, wages paid by employers for those services are not subject to UI contribution requirements and those wages are not counted as base period wages for purposes of determining eligibility for UI benefits.

Claimant security credentials

This bill requires each claimant for UI benefits to create security credentials in order to engage in any transactions with DWD, including the filing of an initial or continued claim for benefits. The credentials may consist of a personal identification number, username, and password, or any other means prescribed by DWD. The bill provides that if a claimant's security credentials are used in any transaction with DWD, the individual using the credentials is presumed to be the claimant or the claimant's authorized agent. The presumption may be rebutted by a preponderance of evidence showing that the claimant who created the credentials or the claimant's authorized agent was not the person who used the credentials in a given transaction. The bill provides that if a claimant uses an agent to engage in any transaction with DWD using the claimant's security credentials, the claimant is responsible for the actions of the agent. The bill also provides that if a claimant who creates security credentials or the claimant's authorized agent divulges the credentials to another person, or fails to take adequate measures to protect the credentials from being divulged to an unauthorized person, and DWD pays benefits to an unauthorized person because of the claimant's action or inaction, DWD may recover from the claimant the benefits that were paid to the unauthorized person. In addition, the bill provides that if a claimant who creates security credentials or the claimant's authorized agent divulges the credentials to another person, or fails to take adequate measures to protect the credentials from being divulged to an unauthorized person, DWD is not obligated to pursue recovery of, and is not liable to the claimant for, benefits payable to the claimant that were erroneously paid to another person. Current law contains no similar provisions.

Benefits paid to employees who lose licenses required to perform work

Currently, if an employee is required by law to have a license issued by a governmental agency to perform his or her customary work for an employer, and the employee's employment is suspended or terminated because the license is

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suspended, revoked, or not renewed due to the employee's fault, the employee is not eligible to receive benefits until five weeks have elapsed since the end of the week in which the suspension or termination occurs or until the license is reinstated or renewed, whichever occurs first. The wages paid by the employer who suspended or terminated the employee are excluded in determining the eligibility of and amount of benefits payable to the employee while the license suspension, revocation, or nonrenewal is in effect. If benefits are paid to an employee using wages that were paid or treated as having been paid during a period when the employee's license was suspended, revoked, or not renewed, the base period wages paid or treated as having been paid by the employer that suspended or terminated the employee are not charged to the employer's account for the period when the license suspension, revocation, or nonrenewal is in effect, but are instead charged to the balancing account of the unemployment reserve fund (pooled account financed by all employers who pay contributions that is used to pay benefits that are not chargeable to any employer's account). This bill provides that if an employee qualifies to receive benefits for any benefit year using base period wages paid or treated as having been paid during a period when wages are excluded from the employee's base period due to a license suspension, revocation, or nonrenewal, DWD must charge the cost of the benefits otherwise chargeable to the employer who suspended or terminated the employee to the balancing account for all weeks in that benefit year.

TAX CHANGES***Interest on delinquent payments***

Currently, if an employer does not make a payment required under the UI law to DWD by the due date, the employer must pay interest on the amount owed equal to a variable rate determined by law from the date that the payment became due. Revenues from interest payments are used to administer the UI program. This bill permits DWD to waive or decrease the interest charged to an employer in limited circumstances as prescribed by rule of DWD.

Treatment of limited liability companies consisting of the same members

Currently, for purposes of the UI law, multiple limited liability companies (LLCs) that consist of the same members are treated as a single employer unless, subject to certain provisions, each of those LLCs files a written request with DWD to be treated as a separate employer and DWD approves the request. Under the bill, consistent with the Federal Unemployment Tax Act (FUTA), multiple LLCs that consist of the same members are always treated as separate employers, for purposes of the UI law.

OTHER CHANGES***License revocations based on UI contribution delinquencies***

Current law requires various state agencies and boards (licensing departments) that issue various licenses and other credentials (licenses) to revoke a license or deny an application for a license if the Department of Revenue (DOR) certifies that the license holder or applicant owes DOR delinquent taxes. Current law also allows the Wisconsin Supreme Court to decide whether to revoke or deny an application for a license to practice law if the license holder or applicant is certified

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by DOR to owe delinquent taxes. This bill creates similar provisions for license holders and applicants that DWD certifies are liable for delinquent UI contributions. UI contributions are taxes employers must pay to DWD for deposit with the federal government, and which are then used to pay the claims of claimants for UI benefits. The bill also includes within the definition of UI contributions other assessments, interest, fees, and penalties that have been imposed upon employers in connection with their UI contribution obligations. The provisions created in the bill apply only to delinquent UI contributions for which the employer has exhausted all legal rights to challenge the employer's liability.

Under the bill, each licensing department must enter into a memorandum of understanding with DWD. Under the memorandum, the licensing department must ask DWD to certify whether a license holder or applicant is liable for delinquent UI contributions. If DWD certifies to a licensing department that a license holder or applicant is liable for delinquent UI contributions, the licensing department must revoke the license or deny the application for a license. A licensing department must mail a notice of revocation or denial to the license holder or applicant, and the notice must inform the applicant or license holder of the right to a review of DWD's certification at a hearing conducted by DWD. The hearing is limited to questions of mistaken identity and prior payment of the delinquent UI contributions. Following the hearing, if DWD does not uphold its certification, DWD must issue the holder or applicant a nondelinquency certificate and the licensing department must reinstate the license or approve the application for a license without requiring any additional application, fee, or test, unless there are other grounds for denial or revocation. If DWD does uphold its certification, DWD must so inform the license holder or applicant and the licensing department. The license holder or applicant may seek judicial review of an adverse determination by DWD at the hearing by filing a petition for review in the Dane County circuit court and may appeal the court's decision. A license holder or applicant whose license has been revoked or denied because of delinquent UI contributions may also, after satisfying that debt, request DWD to issue a nondelinquency certificate, which the license holder or applicant may then present to have the license reinstated, unless there are other grounds for not reinstating the license or for denying the application.

The bill includes the following within the definition of licensing department: the Department of Administration; the Board of Commissioners of Public Lands; the Department of Children and Families; the Government Accountability Board; the Department of Financial Institutions; the Department of Health Services; the Department of Natural Resources; the Department of Public Instruction; the Department of Revenue; the Department of Safety and Professional Services; the Office of the Commissioner of Insurance; and the Department of Transportation. The bill applies to various licenses administered by the aforementioned licensing departments.

The bill allows DWD to deny an application for or revoke various licenses administered by DWD if the license holder or applicant is liable for delinquent UI contributions. Such a license holder or applicant has the same rights to review by

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DWD and to judicial review as do holders of or applicants for licenses administered by other licensing departments.

The bill also requests the Wisconsin Supreme Court to enter into a similar memorandum of understanding with DWD. If DWD determines that a licensed attorney or an applicant for a license to practice law is liable for delinquent UI contributions, DWD may send the attorney or applicant a notice of that determination. The attorney or applicant has the same rights to a hearing and judicial review as do other license holders or applicants. However, DWD may not send the supreme court a certification of UI contribution delinquency until the attorney or applicant has exercised or exhausted his or her full rights to judicial review. If the determination is upheld following the holder or applicant's exercise or exhaustion of rights to judicial review, DWD may then certify to the supreme court that the attorney or applicant is liable for delinquent UI contributions. The supreme court may then decide whether to suspend, revoke, or deny the attorney's or applicant's license to practice law.

Financial record matching program

Currently, the Departments of Children and Families, Revenue, and Health Services (departments) operate financial records matching programs whereby the departments, for various asset verification or determination purposes, match data possessed by the departments with the records of financial institutions. This bill establishes a similar financial records matching program with DWD to allow DWD to identify the assets of persons who are delinquent in paying debts related to the UI program (UI debtors).

Under the program, financial institutions doing business in this state must enter into agreements with DWD to participate in a financial institution matching option or a state matching option. DWD may pay such a financial institution up to \$125 per calendar quarter for participating.

Under the financial institution matching option, at least once every calendar quarter DWD sends information to the financial institution, including names, addresses, and social security numbers, about UI debtors. The financial institution determines whether any UI debtor has an ownership interest in an account at the financial institution and, if so, sends DWD information about the account, such as the type, number, and balance.

Under the state matching option, at least once every calendar quarter the financial institution sends DWD information about accounts maintained at the financial institution, including the name and social security number of each person having an ownership interest in each account. On the basis of that information, DWD determines whether any UI debtor has an ownership interest in an account at the financial institution and, if so, may request further information from the financial institution, including the person's address of record and the account balance.

The bill prohibits DWD from disclosing or retaining information concerning account holders who are not UI debtors; prohibits employees, agents, officers, and directors of financial institutions from disclosing or retaining information concerning UI debtors; and prohibits both DWD and financial institutions from

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using any information received under the program for any purpose not related to the program. The bill provides penalties for any employee, agent, officer, or director of a financial institution who violates any of the prohibitions. The bill also provides that a financial institution is not liable for disclosing financial information, or for taking any other action, in compliance with the program.

Departmental errors; payments to unintended payees; actions against third-party transferees

Currently, DWD is directed to waive recovery of benefits that were erroneously paid if the overpayment results from a departmental error and was not the fault of any employer, and the overpayment was not the fault of an employee or did not result from a claimant's false statement or misrepresentation. This bill directs DWD to waive recovery of an overpayment regardless of whether it results from the fault of an employer. The bill also provides specifically that "departmental error" does not include, and recovery is not waived, if DWD makes an error in computing, paying, or crediting benefits to any individual, whether or not a claimant, or in crediting contributions or reimbursements to one or more employers that results from: 1) a computer malfunction or programming error; 2) an error in transmitting data to or from a financial institution; 3) a typographical or keying error; 4) a bookkeeping or other payment processing error; 5) an action by DWD resulting from a false statement or representation by an individual; or 6) an action by DWD resulting from an unauthorized manipulation of an electronic system from within or outside DWD.

The bill provides that if DWD determines that a payment has been made to an unintended recipient erroneously without fault on the part of the intended payee, DWD may issue the correct payment to the intended payee if necessary and may recover the amount of the erroneous payment from the recipient using existing recovery procedures, if any, or a new recovery procedure created by the bill (see below). Currently, there is no similar provision.

Under current law, any person who knowingly makes a false statement or representation to obtain a benefit payment personally or for another person is guilty of a misdemeanor and may be fined not less than \$100 nor more than \$500, or imprisoned for not more than 90 days, or both, and in addition may be subject to forfeiture of certain benefit payments that may be otherwise payable. Currently, DWD is not authorized to recover improper payments directly from third-party payees or transferees. This bill permits DWD to bring a legal action against any person, including a transferee, to preserve and recover the proceeds of any payment from the unemployment reserve fund not resulting from a departmental error if the person receives, possesses, or retains such a payment or if the proceeds are in an account at a financial institution. The bill permits DWD to bring a legal action to recover from any claimant the amount of any benefits that were erroneously paid to another person who was not entitled to receive the benefits because the claimant or the claimant's authorized agent divulged the claimant's security credentials to another person or failed to take adequate measures to protect the credentials from being divulged to an unauthorized person. The bill also permits DWD to sue for injunctive relief to require a payee, transferee, or other person, including a financial institution, in possession of the proceeds from any payment from the fund to preserve

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the proceeds and to prevent the transfer or use of the proceeds upon showing that the payee, transferee, or other person is not entitled to receive, possess, or retain the proceeds pending final disposition of the matter by the court.

Tardy filing fees

Currently, each employer must file a quarterly report with DWD identifying the name of and wages paid to each employee who is employed by the employer in employment covered by the UI law during the most recent calendar quarter. With limited exceptions, if an employer is delinquent in filing the report, the employer must pay a tardy filing fee of \$50. Revenue from tardy filing fees is used for various purposes to support the UI program. This bill increases the tardy filing fee to \$100 or \$20 per employee, whichever is greater, but provides that if the employer files the report within 30 days of its due date, the fee remains at \$50.

Work search audits of claimants

The bill requires DWD to conduct random audits on claimants for regular UI benefits to assess compliance with the UI law's work search requirement. The bill requires DWD to include in its annual fraud report that is presented to the Council on Unemployment Insurance information about these audits, including the number of audits conducted in the previous year and the results of those audits.

Online portal for filing complaints

The bill requires DWD to maintain a portal on the Internet that allows employers to log in and file complaints with DWD related to the administration of the UI law.

Submittal dates for departmental reports

Currently, on or about January 15 of each odd-numbered year, the secretary of workforce development submits to the governor and legislative leaders a statement of UI financial outlook, which contains information relating to the current and projected fiscal condition of the UI program, recommendations for any changes in the UI law, and a report of the deliberations of the Council on Unemployment Insurance and any position of the council concerning the proposed changes. In addition, on or about February 15 of each year, DWD must furnish to the Council on Unemployment Insurance a report summarizing DWD's activities related to detection and prosecution of UI fraud during the preceding year. This bill separates the report of the fiscal condition of the UI program and recommended changes in the UI law from the report of the deliberations and position of the council and requires submittal of the former no later than April 15 of each odd-numbered year and of the later no later than May 15 of each odd-numbered year. The bill also requires submittal of the report concerning fraud no later than March 15 of each year.

Fraud investigation positions

The bill requires DWD to request funding from the U.S. Department of Labor to hire additional employees to perform UI fraud investigation.

Social security numbers maintained by DOT

Under current law, an individual who applies to the Department of Transportation (DOT) for vehicle title, for a motor vehicle operator's license or an identification card, or for registration as a motor vehicle dealer must, with limited

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exceptions, state his or her social security number on the application. DOT is generally required to maintain the confidentiality of these social security numbers but may disclose these social security numbers in limited circumstances, including to the Department of Children and Families and DOR for specified purposes.

This bill allows these social security numbers to also be disclosed to DWD for the sole purpose of enforcing or administering DWD's collection responsibilities related to UI.

Information relating to financing of UI system

This bill directs DWD to provide information to employers concerning the financing of the UI system, including the computation of reserve percentages and their effect upon the contribution and solvency rates of employers, and to post this information on the Internet. The bill, also directs DWD to include this information on any statements of account that DWD provides to employers and to provide this information in writing to each employer who becomes newly subject to a requirement to pay contributions or to reimburse for benefits paid under the UI law.

UI handbook for employers

The bill requires DWD to create and keep up-to-date a handbook for employers for the purpose of informing employers who are subject to the UI law about the provisions and requirements of the UI law. The handbook must include all of the following: 1) information about the function and purpose of UI; 2) a description of the rights and responsibilities of employers under the UI law, including the rights and responsibilities associated with hearings to determine whether claimants are eligible for benefits under the law; 3) a description of the circumstances under which workers are generally eligible and ineligible for UI benefits under the UI law; 4) disclaimers explaining that the contents of the handbook may not be relied upon as legally enforceable and that adherence to the contents does not guarantee a particular result for a decision on a UI matter; and 5) a line to allow an individual employed by the employer to sign to acknowledge that the individual is aware of the contents of the handbook. DWD must make the handbook available on the Internet and must, for a fee, distribute printed copies of the handbook to employers who so request.

Electronic database of decisions

The bill requires DWD to maintain a searchable, electronic database of significant decisions made by the labor and industry review commission on UI matters for the use of the attorneys and certain other employees employed by DWD.

Initial training and continuing education for appeal tribunals (ALJs)

The bill requires DWD to conduct training for all individuals who serve as appeal tribunals, commonly known as administrative law judges (ALJs), that are employed or appointed by DWD to hear UI appeals to prepare them to perform their duties. The bill requires an initial training, for newly employed or appointed ALJs, and requires DWD to conduct similar training for individuals currently serving as ALJs within one year of the bill's general effective date. The bill also provides that

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DWD must require all individuals who serve as ALJs to satisfy continuing education requirements, as prescribed by DWD.

Due date for successorship applications

Currently, with certain exceptions, if a business is transferred from one employer to another employer, the transferee may, under certain conditions, request that DWD treat it as a successor for purposes of UI experience, including contribution (tax) and benefit liability. A successorship application must be received by DWD on or before the contribution payment due date for the first full quarter following the date of the transfer. This bill permits DWD to accept an application not more than 90 days after its due date if the transferee satisfies DWD that its application was late as a result of excusable neglect.

Standard affidavit form

This bill directs DWD to prescribe by rule a standard affidavit form that may be used by parties to UI administrative appeals and to make the form available to employers and claimants. Use of the form by a party does not eliminate the right of an opposing party to cross examine the affiant concerning the facts asserted in the affidavit.

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 concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

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.** 13.63 (1) (b) of the statutes is amended to read:
- 2 13.63 (1) (b) Except as provided under par. (am), the board shall not issue a
- 3 license to an applicant who does not provide his or her social security number. The
- 4 board shall not issue a license to an applicant or shall revoke any license issued to
- 5 a lobbyist if the department of revenue certifies to the board that the applicant or
- 6 lobbyist is liable for delinquent taxes under s. 73.0301 or if the department of
- 7 workforce development certifies to the board that the applicant or lobbyist is liable
- 8 for delinquent unemployment insurance contributions under s. 108.227. The board
- 9 shall refuse to issue a license or shall suspend any existing license for failure of an

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1 applicant or licensee to pay court-ordered payments of child or family support,
2 maintenance, birth expenses, medical expenses or other expenses related to the
3 support of a child or former spouse or failure of an applicant or licensee to comply,
4 after appropriate notice, with a subpoena or warrant issued by the department of
5 children and families or a county child support agency under s. 59.53 (5) and related
6 to paternity or child support proceedings, as provided in a memorandum of
7 understanding entered into under s. 49.857. No application may be disapproved by
8 the board except an application for a license by a person who is ineligible for licensure
9 under this subsection or s. 13.69 (4) or an application by a lobbyist whose license has
10 been revoked under this subsection or s. 13.69 (7) and only for the period of such
11 ineligibility or revocation.

12 **SECTION 2.** 13.63 (1) (c) of the statutes is amended to read:

13 13.63 (1) (c) Denial of a license on the basis of a certification by the department
14 of revenue or the department of workforce development may be reviewed under s.
15 73.0301 or 108.227, whichever is applicable. Except with respect to a license that is
16 denied or suspended pursuant to a memorandum of understanding entered into
17 under s. 49.857, denial or suspension of any other license may be reviewed under ch.
18 227.

19 **SECTION 3.** 16.48 (1) (intro.) and (a) (intro.) of the statutes are consolidated,
20 renumbered 16.48 (1) (a) (intro.) and amended to read:

21 16.48 (1) (a) (intro.) ~~On or about January~~ No later than April 15 of each
22 odd-numbered year, the secretary of workforce development shall prepare and
23 furnish to the governor, the speaker of the assembly, the minority leader of the
24 assembly, and the majority and minority leaders of the senate: ~~(a) A~~ a statement of
25 unemployment insurance financial outlook, which shall contain the following,

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1 together with the secretary's recommendations and an explanation for such
2 recommendations:

3 **SECTION 4.** 16.48 (1) (b) of the statutes is amended to read:

4 16.48 (1) (b) ~~A No later than May 15 of each odd-numbered year, the secretary~~
5 ~~of workforce development shall prepare and furnish to the governor, the speaker of~~
6 ~~the assembly, the minority leader of the assembly, and the majority and minority~~
7 ~~leaders of the senate~~ a report summarizing the deliberations of the council on
8 unemployment insurance and the position of the council, if any, concerning each
9 proposed change in the unemployment insurance laws submitted under par. (a).

10 **SECTION 5.** 16.48 (3) of the statutes is amended to read:

11 16.48 (3) ~~On or about February~~ No later than June 15 of each odd-numbered
12 year, the secretary of workforce development, under the direction of the governor,
13 shall submit to each member of the legislature an updated statement of
14 unemployment insurance financial outlook which shall contain the information
15 specified in sub. (1) (a), together with the governor's recommendations and an
16 explanation for such recommendations, and a copy of the report required under sub.
17 (1) (b).

18 **SECTION 6.** 19.55 (2) (d) of the statutes is amended to read:

19 19.55 (2) (d) Records of the social security number of any individual who files
20 an application for licensure as a lobbyist under s. 13.63 or who registers as a principal
21 under s. 13.64, except to the department of children and families for purposes of
22 administration of s. 49.22 ~~or~~, to the department of revenue for purposes of
23 administration of s. 73.0301, and to the department of workforce development for
24 purposes of administration of s. 108.227.

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

ASSEMBLY BILL 219**SECTION 7**

1 20.445 (1) (gm) *Unemployment insurance handbook*. All moneys received
2 under s. 108.14 (23) (d) for the costs of printing and distribution of the unemployment
3 insurance handbook, to pay for those costs.

4 **SECTION 8.** 29.024 (2r) (title) of the statutes is amended to read:

5 29.024 (2r) (title) DENIAL AND REVOCATION OF APPROVALS BASED ON TAX
6 ~~DELINQUENCY~~ DELINQUENT TAXES OR UNEMPLOYMENT INSURANCE CONTRIBUTIONS.

7 **SECTION 9.** 29.024 (2r) (c) of the statutes is amended to read:

8 29.024 (2r) (c) *Disclosure of numbers*. The department of natural resources
9 may not disclose any information received under par. (a) to any person except to the
10 department of revenue for the sole purpose of making certifications required under
11 s. 73.0301 and to the department of workforce development for the sole purpose of
12 making certifications required under s. 108.227.

13 **SECTION 10.** 29.024 (2r) (d) 1. of the statutes is amended to read:

14 29.024 (2r) (d) 1. Except as provided in subd. 2., the department shall deny an
15 application to issue or renew, or revoke if already issued, an approval specified in par.
16 (a) if the applicant for or the holder of the approval fails to provide the information
17 required under par. (a) or, if the department of revenue certifies that the applicant
18 or approval holder is liable for delinquent taxes under s. 73.0301, or if the
19 department of workforce development certifies that the applicant or approval holder
20 is liable for delinquent unemployment insurance contributions under s. 108.227.

21 **SECTION 11.** 48.66 (2m) (c) of the statutes is amended to read:

22 48.66 (2m) (c) The subunit of the department that obtains a social security
23 number or a federal employer identification number under par. (a) 1. may not
24 disclose that information to any person except to the department of revenue for the
25 sole purpose of requesting certifications under s. 73.0301 and to the department of

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1 workforce development for the sole purpose of requesting certifications under s.
2 108.227 or on the request of the subunit of the department that administers the child
3 and spousal support program under s. 49.22 (2m).

4 **SECTION 12.** 48.715 (7) of the statutes is amended to read:

5 48.715 (7) The department shall deny an application for the issuance or
6 continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69
7 to operate a child welfare agency, group home, shelter care facility, or child care
8 center, or revoke such a license already issued, if the department of revenue certifies
9 under s. 73.0301 that the applicant or licensee is liable for delinquent taxes or if the
10 department of workforce development certifies under s. 108.227 that the applicant
11 or licensee is liable for delinquent unemployment insurance contributions. An action
12 taken under this subsection is subject to review only as provided under s. 73.0301 (5)
13 or 108.227 (5) and not as provided in s. 48.72.

14 **SECTION 13.** 50.498 (title) of the statutes is amended to read:

15 **50.498** (title) **Denial, nonrenewal and revocation of license,**
16 **certification or registration based on ~~tax delinquency~~ delinquent taxes or**
17 **unemployment insurance contributions.**

18 **SECTION 14.** 50.498 (2) of the statutes is amended to read:

19 50.498 (2) The department may not disclose any information received under
20 sub. (1) to any person except to the department of revenue for the sole purpose of
21 requesting certifications under s. 73.0301 and to the department of workforce
22 development for the sole purpose of requesting certifications under s. 108.227.

23 **SECTION 15.** 50.498 (4) of the statutes is renumbered 50.498 (4) (a).

24 **SECTION 16.** 50.498 (4) (b) of the statutes is created to read:

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1 50.498 (4) (b) The department shall deny an application for the issuance of a
2 certificate of approval, license or provisional license specified in sub. (1) or shall
3 revoke a certificate of approval, license or provisional license specified in sub. (1), if
4 the department of workforce development certifies under s. 108.227 that the
5 applicant for or holder of the certificate of approval, license or provisional license is
6 liable for delinquent unemployment insurance contributions.

7 **SECTION 17.** 50.498 (5) of the statutes is amended to read:

8 50.498 (5) An action taken under sub. (3) or (4) is subject to review only as
9 provided under s. 73.0301 (2) (b) and (5) or s. 108.227 (5) and (6), whichever is
10 applicable.

11 **SECTION 18.** 51.032 (title) of the statutes is amended to read:

12 **51.032 (title) Denial and revocations of certification or approval based**
13 **on ~~tax delinquency~~ delinquent taxes or unemployment insurance**
14 **contributions.**

15 **SECTION 19.** 51.032 (2) of the statutes is amended to read:

16 51.032 (2) The department may not disclose any information received under
17 sub. (1) to any person except to the department of revenue for the sole purpose of
18 requesting certifications under s. 73.0301 and to the department of workforce
19 development for the sole purpose of requesting certifications under s. 108.227.

20 **SECTION 20.** 51.032 (4) of the statutes is amended to read:

21 51.032 (4) The department shall deny an application for the issuance of a
22 certification or approval specified in sub. (1) or shall revoke a certification or
23 approval specified in sub. (1) if the department of revenue certifies under s. 73.0301
24 that the applicant for or holder of a certification or approval is liable for delinquent
25 taxes or if the department of workforce development certifies under s. 108.227 that

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1 the applicant for or holder of a certification or approval is liable for delinquent
2 unemployment insurance contributions.

3 **SECTION 21.** 51.032 (5) of the statutes is amended to read:

4 51.032 (5) An action taken under sub. (3) or (4) is subject to review only as
5 provided under s. 73.0301 (2) (b) and (5) or s. 108.227 (5) and (6), whichever is
6 applicable.

7 **SECTION 22.** 71.78 (4) (o) of the statutes is amended to read:

8 71.78 (4) (o) A licensing department or the supreme court, if the supreme court
9 agrees, for the purpose of denial, nonrenewal, discontinuation and revocation of a
10 license based on tax delinquency under s. 73.0301 or unemployment insurance
11 contribution delinquency under s. 108.227.

12 **SECTION 23.** 73.0301 (2) (c) 2. of the statutes is amended to read:

13 73.0301 (2) (c) 2. A licensing department may not disclose any information
14 received under subd. 1. a. or b. to any person except to the department of revenue for
15 the purpose of requesting certifications under par. (b) (a) 1. or 2. in accordance with
16 the memorandum of understanding under sub. (4) and administering state taxes or,
17 to the department of workforce development for the purpose of requesting
18 certifications under s. 108.227 (2) (a) 1. or 2. in accordance with the memorandum
19 of understanding under s. 108.227 (4) and administering the unemployment
20 insurance program, and to the department of children and families for the purpose
21 of administering s. 49.22.

22 **SECTION 24.** 73.0302 (title) of the statutes is amended to read:

23 **73.0302** (title) **Liability for delinquent taxes or unemployment**
24 **insurance contributions.**

25 **SECTION 25.** 73.0302 (5) of the statutes is created to read:

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1 73.0302 (5) If the department of workforce development certifies under s.
2 108.227 that an applicant for certification or recertification under s. 73.03 (50) or a
3 person who holds a certificate issued under s. 73.03 (50) is liable for delinquent
4 unemployment insurance contributions, the department of revenue shall deny the
5 application or revoke the certificate. A person subject to a denial or revocation under
6 this subsection for delinquent unemployment insurance contributions is entitled to
7 a notice under s. 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not
8 entitled to any other notice or hearing under this chapter.

9 **SECTION 26.** 73.0302 (6) of the statutes is created to read:

10 73.0302 (6) The department of revenue may disclose a social security number
11 obtained under s. 73.03 (50) (c) to the department of workforce development for the
12 purpose of requesting certifications under s. 108.227.

13 **SECTION 27.** 73.09 (6m) of the statutes is amended to read:

14 73.09 (6m) SOCIAL SECURITY NUMBERS. Each applicant for certification or
15 recertification under this section shall provide the applicant's social security number
16 on the application. The department of revenue may not disclose a social security
17 number that it obtains under this subsection, except to the department of workforce
18 development for the purpose of requesting certifications under s. 108.227. The
19 department of revenue may not certify or recertify any person who fails to provide
20 his or her social security number on his or her application.

21 **SECTION 28.** 73.09 (8) of the statutes is created to read:

22 73.09 (8) LIABILITY FOR DELINQUENT UNEMPLOYMENT INSURANCE CONTRIBUTIONS.
23 If the department of workforce development certifies under s. 108.227 that an
24 applicant for certification or recertification under this section is liable for delinquent
25 unemployment insurance contributions, the department of revenue shall deny the

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1 application for certification or recertification or revoke the certificate. A person
2 subject to a denial or revocation under this subsection for delinquent unemployment
3 insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and
4 hearing under s. 108.227 (5) (a) but is not entitled to any other notice or hearing
5 under this chapter.

6 **SECTION 29.** 101.02 (20) (b) of the statutes is amended to read:

7 101.02 (20) (b) Except as provided in par. (e), the department of safety and
8 professional services may not issue or renew a license unless each applicant who is
9 an individual provides the department of safety and professional services with his
10 or her social security number and each applicant that is not an individual provides
11 the department of safety and professional services with its federal employer
12 identification number. The department of safety and professional services may not
13 disclose the social security number or the federal employer identification number of
14 an applicant for a license or license renewal except to the department of revenue for
15 the sole purpose of requesting certifications under s. 73.0301 and to the department
16 of workforce development for the sole purpose of requesting certifications under s.
17 108.227.

18 **SECTION 30.** 101.02 (20) (c) of the statutes is amended to read:

19 101.02 (20) (c) The department of safety and professional services may not
20 issue or renew a license if the department of revenue certifies under s. 73.0301 that
21 the applicant or licensee is liable for delinquent taxes or if the department of
22 workforce development certifies under s. 108.227 that the applicant or licensee is
23 liable for delinquent unemployment insurance contributions.

24 **SECTION 31.** 101.02 (20) (d) of the statutes is amended to read:

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1 101.02 (20) (d) The department of safety and professional services shall revoke
2 a license if the department of revenue certifies under s. 73.0301 that the licensee is
3 liable for delinquent taxes or if the department of workforce development certifies
4 under s. 108.227 that the licensee is liable for delinquent unemployment insurance
5 contributions.

6 **SECTION 32.** 102.17 (1) (c) of the statutes is amended to read:

7 102.17 (1) (c) Any party shall have the right to be present at any hearing, in
8 person or by attorney or any other agent, and to present such testimony as may be
9 pertinent to the controversy before the department. No person, firm, or corporation,
10 other than an attorney at law who is licensed to practice law in the state, may appear
11 on behalf of any party in interest before the department or any member or employee
12 of the department assigned to conduct any hearing, investigation, or inquiry relative
13 to a claim for compensation or benefits under this chapter, unless the person is 18
14 years of age or older, does not have an arrest or conviction record, subject to ss.
15 111.321, 111.322 and 111.335, is otherwise qualified, and has obtained from the
16 department a license with authorization to appear in matters or proceedings before
17 the department. Except as provided under pars. (cm) ~~and~~, (cr), and (ct), the license
18 shall be issued by the department under rules promulgated by the department. The
19 department shall maintain in its office a current list of persons to whom licenses have
20 been issued. Any license may be suspended or revoked by the department for fraud
21 or serious misconduct on the part of an agent, any license may be denied, suspended,
22 nonrenewed, or otherwise withheld by the department for failure to pay
23 court-ordered payments as provided in par. (cm) on the part of an agent, and any
24 license may be denied or revoked if the department of revenue certifies under s.
25 73.0301 that the applicant or licensee is liable for delinquent taxes or if the

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1 department determines under par. (ct) that the applicant or licensee is liable for
2 delinquent contributions. Before suspending or revoking the license of the agent on
3 the grounds of fraud or misconduct, the department shall give notice in writing to the
4 agent of the charges of fraud or misconduct and shall give the agent full opportunity
5 to be heard in relation to those charges. In denying, suspending, restricting, refusing
6 to renew, or otherwise withholding a license for failure to pay court-ordered
7 payments as provided in par. (cm), the department shall follow the procedure
8 provided in a memorandum of understanding entered into under s. 49.857. The
9 license and certificate of authority shall, unless otherwise suspended or revoked, be
10 in force from the date of issuance until the June 30 following the date of issuance and
11 may be renewed by the department from time to time, but each renewed license shall
12 expire on the June 30 following the issuance of the renewed license.

13 **SECTION 33.** 102.17 (1) (ct) of the statutes is created to read:

14 102.17 (1) (ct) 1. The department may deny an application for the issuance or
15 renewal of a license under par. (c), or revoke such a license already issued, if the
16 department determines that the applicant or licensee is liable for delinquent
17 contributions, as defined in s. 108.227 (1) (d). Notwithstanding par. (c), an action
18 taken under this subdivision is subject to review only as provided under s. 108.227
19 (5) and not as provided in ch. 227.

20 2. If the department denies an application or revokes a license under subd. 1.,
21 the department shall mail a notice of denial or revocation to the applicant or license
22 holder. The notice shall include a statement of the facts that warrant the denial or
23 revocation and a statement that the applicant or license holder may, within 30 days
24 after the date on which the notice of denial or revocation is mailed, file a written
25 request with the department to have the determination that the applicant or license

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1 holder is liable for delinquent contributions reviewed at a hearing under s. 108.227
2 (5) (a).

3 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
4 determination under subd. 1. that an applicant or license holder is liable for
5 delinquent contributions, the department shall affirm its denial or revocation. An
6 applicant or license holder may seek judicial review under s. 108.227 (6) of an
7 affirmation by the department of a denial or revocation under this subdivision.

8 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
9 a person whose license is revoked or whose application is denied under subd. 1. is not
10 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department
11 shall reinstate the license or approve the application, unless there are other grounds
12 for revocation or denial. The department may not charge a fee for reinstatement of
13 a license under this subdivision.

14 **SECTION 34.** 103.005 (10) of the statutes is amended to read:

15 103.005 (10) Except as provided in ss. 103.06 (5) (d), 103.275 (2) (bm) ~~and~~, (br),
16 and (bt), 103.34 (10) (b) ~~and~~, (c), and (d), 103.91 (4) (b) ~~and~~, (c), and (d), 103.92 (6) ~~and~~,
17 (7), and (8), 104.07 (5) ~~and~~, (6), and (7), and 105.13 (2) ~~and~~, (3), and (4), orders of the
18 department under chs. 103 to 106 shall be subject to review in the manner provided
19 in ch. 227.

20 **SECTION 35.** 103.275 (2) (b) (intro.) of the statutes is amended to read:

21 103.275 (2) (b) (intro.) Except as provided under pars. (bm) ~~and~~, (br), and (bt),
22 upon receipt of a properly completed application, the department shall issue a
23 house-to-house employer certificate if all of the following apply:

24 **SECTION 36.** 103.275 (2) (bt) of the statutes is created to read:

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1 103.275 (2) (bt) 1. The department may deny an application for the issuance
2 or renewal of a house-to-house employer certificate, or revoke such a certificate
3 already issued, if the department determines that the applicant or house-to-house
4 employer is liable for delinquent contributions, as defined in s. 108.227 (1) (d).
5 Notwithstanding sub. (7) and s. 103.005 (10), an action taken under this subdivision
6 is subject to review only as provided under s. 108.227 (5) and not as provided in sub.
7 (7) and ch. 227.

8 2. If the department denies an application or revokes a certificate under subd.
9 1., the department shall mail a notice of denial or revocation to the applicant or
10 house-to-house employer. The notice shall include a statement of the facts that
11 warrant the denial or revocation and a statement that the applicant or
12 house-to-house employer may, within 30 days after the date on which the notice of
13 denial or revocation is mailed, file a written request with the department to have the
14 determination that the applicant or house-to-house employer is liable for
15 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

16 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
17 determination under subd. 1. that an applicant or house-to-house employer is liable
18 for delinquent contributions, the department shall affirm its denial or revocation.
19 An applicant or house-to-house employer may seek judicial review under s. 108.227
20 (6) of an affirmation by the department of a denial or revocation under this
21 subdivision.

22 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
23 a person whose certificate is revoked or whose application is denied under subd. 1.
24 is not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the
25 department shall reinstate the certificate or approve the application, unless there

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1 are other grounds for revocation or denial. The department may not charge a fee for
2 reinstatement of a certificate under this subdivision.

3 **SECTION 37.** 103.275 (7) (b) of the statutes is amended to read:

4 103.275 (7) (b) Except as provided in sub. (2) (bm) ~~and~~, (br), and (bt), after
5 providing at least 10 days' notice to a house-to-house employer, the department may,
6 on its own or upon a written and signed complaint, suspend the house-to-house
7 employer's certificate. The department shall serve a copy of the complaint with
8 notice of a suspension of the certificate on the person complained against, and the
9 person shall file an answer to the complaint with the department and the
10 complainant within 10 days after service. After receiving the answer, the
11 department shall set the matter for hearing as promptly as possible and within 30
12 days after the date of filing the complaint. Either party may appear at the hearing
13 in person or by attorney or agent. The department shall make its findings and
14 determination concerning the suspension within 90 days after the date that the
15 hearing is concluded and send a copy to each interested party.

16 **SECTION 38.** 103.275 (7) (c) of the statutes is amended to read:

17 103.275 (7) (c) Except as provided in sub. (2) (bm) ~~and~~, (br), and (bt), the
18 department may revoke a certificate issued under sub. (2) after holding a public
19 hearing at a place designated by the department. At least 10 days prior to the
20 revocation hearing, the department shall send written notice of the time and place
21 of the revocation hearing to the person holding the certificate and to the person's
22 attorney or agent of record by mailing the notice to their last-known address. The
23 testimony presented and proceedings at the revocation hearing shall be recorded and
24 preserved as the records of the department. The department shall, as soon after the

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1 hearing as possible, make its findings and determination concerning revocation and
2 send a copy to each interested party.

3 **SECTION 39.** 103.34 (3) (c) of the statutes is amended to read:

4 103.34 (3) (c) Subject to par. (d) and sub. (10) (b) ~~and~~, (c), and (d), after
5 completing the investigation under par. (b), the department shall issue a certificate
6 of registration to the applicant if the department determines that the applicant
7 meets the minimum requirements under this section and rules promulgated under
8 sub. (13) for issuance of a certificate of registration and is satisfied that the applicant
9 will comply with this section and those rules.

10 **SECTION 40.** 103.34 (10) (title) of the statutes is amended to read:

11 103.34 (10) (title) CHILD SUPPORT; DELINQUENT TAXES OR UNEMPLOYMENT
12 INSURANCE CONTRIBUTIONS.

13 **SECTION 41.** 103.34 (10) (d) of the statutes is created to read:

14 103.34 (10) (d) 1. The department may deny an application for the issuance or
15 renewal of a certificate of registration, or revoke a certificate of registration already
16 issued, if the department determines that the applicant or registrant is liable for
17 delinquent contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005
18 (10), an action taken under this subdivision is subject to review only as provided
19 under s. 108.227 (5) and not as provided in ch. 227.

20 2. If the department denies an application or revokes a certificate of
21 registration under subd. 1., the department shall mail a notice of denial or revocation
22 to the applicant or registrant. The notice shall include a statement of the facts that
23 warrant the denial or revocation and a statement that the applicant or registrant
24 may, within 30 days after the date on which the notice of denial or revocation is
25 mailed, file a written request with the department to have the determination that

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1 the applicant or registrant is liable for delinquent contributions reviewed at a
2 hearing under s. 108.227 (5) (a).

3 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
4 determination under subd. 1. that an applicant or registrant is liable for delinquent
5 contributions, the department shall affirm its denial or revocation. An applicant or
6 registrant may seek judicial review under s. 108.227 (6) of an affirmation by the
7 department of a denial or revocation under this subdivision.

8 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
9 a person whose certificate of registration is revoked or whose application is denied
10 under subd. 1. is not liable for delinquent contributions, as defined in s. 108.227 (1)
11 (d), the department shall reinstate the certificate of registration or approve the
12 application, unless there are other grounds for revocation or denial. The department
13 may not charge a fee for reinstatement of a certificate under this subdivision.

14 **SECTION 42.** 103.91 (4) (d) of the statutes is created to read:

15 103.91 (4) (d) 1. The department may deny an application for the issuance or
16 renewal of a certificate of registration under sub. (1), or revoke such a certificate
17 already issued, if the department determines that the applicant or registrant is
18 liable for delinquent contributions, as defined in s. 108.227 (1) (d). Notwithstanding
19 s. 103.005 (10), an action taken under this subdivision is subject to review only as
20 provided under s. 108.227 (5) and not as provided in ch. 227.

21 2. If the department denies an application or revokes a certificate of
22 registration under subd. 1., the department shall mail a notice of denial or revocation
23 to the applicant or registrant. The notice shall include a statement of the facts that
24 warrant the denial or revocation and a statement that the applicant or registrant
25 may, within 30 days after the date on which the notice of denial or revocation is

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1 mailed, file a written request with the department to have the determination that
2 the applicant or registrant is liable for delinquent contributions reviewed at a
3 hearing under s. 108.227 (5) (a).

4 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
5 determination under subd. 1. that an applicant or registrant is liable for delinquent
6 contributions, the department shall affirm its denial or revocation. An applicant or
7 registrant may seek judicial review under s. 108.227 (6) of an affirmation by the
8 department of a denial or revocation under this subdivision.

9 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
10 a person whose certificate is revoked or whose application is denied under subd. 1.
11 is not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the
12 department shall reinstate the certificate or approve the application, unless there
13 are other grounds for revocation or denial. The department may not charge a fee for
14 reinstatement of a certificate under this subdivision.

15 **SECTION 43.** 103.92 (3) of the statutes is amended to read:

16 103.92 (3) CERTIFICATE. The department shall inspect each camp for which
17 application to operate is made, to determine if it is in compliance with the rules of
18 the department establishing minimum standards for migrant labor camps. Except
19 as provided under subs. (6) ~~and~~, (7), and (8), if the department finds that the camp
20 is in compliance with the rules, it shall issue a certificate authorizing the camp to
21 operate until March 31 of the next year. The department shall refuse to issue a
22 certificate if it finds that the camp is in violation of such rules, if the person
23 maintaining the camp has failed to pay court-ordered payments as provided in sub.
24 (6) or if the person maintaining the camp is liable for delinquent taxes as provided

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1 in sub. (7) or delinquent unemployment insurance contributions as provided in sub.
2 (8).

3 **SECTION 44.** 103.92 (8) of the statutes is created to read:

4 103.92 (8) LIABILITY FOR DELINQUENT UNEMPLOYMENT INSURANCE CONTRIBUTIONS.

5 (a) The department may deny an application for the issuance or renewal of a
6 certificate to operate a migrant labor camp, or revoke such a certificate already
7 issued, if the department determines that the applicant or person operating the
8 camp is liable for delinquent contributions, as defined in s. 108.227 (1) (d).
9 Notwithstanding s. 103.005 (10), an action taken under this paragraph is subject to
10 review only as provided under s. 108.227 (5) and not as provided in ch. 227.

11 (b) If the department denies an application or revokes a certificate under par.
12 (a), the department shall mail a notice of denial or revocation to the applicant or
13 person operating the camp. The notice shall include a statement of the facts that
14 warrant the denial or revocation and a statement that the applicant or person
15 operating the camp may, within 30 days after the date on which the notice of denial
16 or revocation is mailed, file a written request with the department to have the
17 determination that the applicant or person operating the camp is liable for
18 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

19 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a
20 determination under par. (a) that an applicant or person operating a camp is liable
21 for delinquent contributions, the department shall affirm its denial or revocation.
22 An applicant or person operating a camp may seek judicial review under s. 108.227
23 (6) of an affirmation by the department of a denial or revocation under this
24 paragraph.

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1 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that
2 a person whose certificate is revoked or whose application is denied under par. (a) is
3 not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the
4 department shall reinstate the certificate or approve the application, unless there
5 are other grounds for revocation or denial. The department may not charge a fee for
6 reinstatement of a certificate under this paragraph.

7 **SECTION 45.** 104.07 (1) and (2) of the statutes are amended to read:

8 104.07 (1) The department shall make rules, and, except as provided under
9 subs. (5) ~~and (6), and (7)~~, grant licenses to any employer who employs any employee
10 who is unable to earn the living wage determined by the department, permitting the
11 employee to work for a wage that is commensurate with the employee's ability. Each
12 license so granted shall establish a wage for the licensee.

13 (2) The department shall make rules, and, except as provided under subs. (5)
14 ~~and (6), and (7)~~, grant licenses to sheltered workshops, to permit the employment
15 of workers with disabilities who are unable to earn the living wage at a wage that
16 is commensurate with their ability and productivity. A license granted to a sheltered
17 workshop under this subsection may be issued for the entire workshop or a
18 department of the workshop.

19 **SECTION 46.** 104.07 (7) of the statutes is created to read:

20 104.07 (7) (a) The department may deny an application for the issuance or
21 renewal of a license under sub. (1) or (2), or revoke such a license already issued, if
22 the department determines that the applicant or licensee is liable for delinquent
23 contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005 (10), an
24 action taken under this paragraph is subject to review only as provided under s.
25 108.227 (5) and not as provided in ch. 227.

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1 (b) If the department denies an application or revokes a license under par. (a),
2 the department shall mail a notice of denial or revocation to the applicant or licensee.
3 The notice shall include a statement of the facts that warrant the denial or revocation
4 and a statement that the applicant or licensee may, within 30 days after the date on
5 which the notice of denial or revocation is mailed, file a written request with the
6 department to have the determination that the applicant or licensee is liable for
7 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

8 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a
9 determination under par. (a) that an applicant or licensee is liable for delinquent
10 contributions, the department shall affirm its denial or revocation. An applicant or
11 licensee may seek judicial review under s. 108.227 (6) of an affirmation by the
12 department of a denial or revocation under this paragraph.

13 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that
14 a person whose license is revoked or whose application is denied under par. (a) is not
15 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department
16 shall reinstate the license or approve the application, unless there are other grounds
17 for revocation or denial. The department may not charge a fee for reinstatement of
18 a license under this paragraph.

19 **SECTION 47.** 105.13 (1) of the statutes is amended to read:

20 105.13 (1) The department may issue licenses to employment agents, and
21 refuse to issue a license whenever, after investigation, the department finds that the
22 character of the applicant makes the applicant unfit to be an employment agent, that
23 the applicant has failed to pay court-ordered payments as provided in sub. (2) ~~or~~, that
24 the applicant is liable for delinquent taxes as provided in sub. (3), or that the
25 applicant is liable for delinquent unemployment insurance contributions as

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1 provided in sub. (4), or when the premises for conducting the business of an
2 employment agent is found upon investigation to be unfit for such use. Any license
3 granted by the department may be suspended or revoked by it upon notice to the
4 licensee and good cause. Failure to comply with this chapter and rules promulgated
5 thereunder, or with any lawful orders of the department, is cause to suspend or
6 revoke a license. Failure to pay court-ordered payments as provided in sub. (2) is
7 cause to deny, suspend, restrict, refuse to renew or otherwise withhold a license.
8 Liability for delinquent taxes as provided in sub. (3) or delinquent unemployment
9 insurance contributions as provided in sub. (4) is cause to deny or revoke a license.

10 **SECTION 48.** 105.13 (4) of the statutes is created to read:

11 105.13 (4) (a) The department may deny an application for the issuance or
12 renewal of an employment agent's license, or revoke such a license already issued,
13 if the department determines that the applicant or licensee is liable for delinquent
14 contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005 (10), an
15 action taken under this paragraph is subject to review only as provided under s.
16 108.227 (5) and not as provided in ch. 227.

17 (b) If the department denies an application or revokes a license under par. (a),
18 the department shall mail a notice of denial or revocation to the applicant or licensee.
19 The notice shall include a statement of the facts that warrant the denial or revocation
20 and a statement that the applicant or licensee may, within 30 days after the date on
21 which the notice of denial or revocation is mailed, file a written request with the
22 department to have the determination that the applicant or licensee is liable for
23 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

24 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a
25 determination under par. (a) that an applicant or licensee is liable for delinquent

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1 contributions, the department shall affirm its denial or revocation. An applicant or
2 licensee may seek judicial review under s. 108.227 (6) of an affirmation by the
3 department of a denial or revocation under this paragraph.

4 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that
5 a person whose license is revoked or whose application is denied under par. (a) is not
6 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department
7 shall reinstate the license or approve the application, unless there are other grounds
8 for revocation or denial. The department may not charge a fee for reinstatement of
9 a license under this paragraph.

10 **SECTION 49.** 108.02 (4m) (a) of the statutes is amended to read:

11 108.02 (4m) (a) All earnings for wage-earning service which are paid to an
12 employee during his or her base period as a result of employment for an employer
13 except any payment made to or on behalf of an employee or his or her beneficiary
14 under a cafeteria plan within the meaning of 26 USC 125, if the payment would not
15 be treated as wages without regard to that plan and if 26 USC 125 would not treat
16 the payment as constructively received;

17 **SECTION 50.** 108.02 (4m) (g) of the statutes is repealed.

18 **SECTION 51.** 108.02 (10e) (intro.) of the statutes is renumbered 108.02 (10e)
19 (am) (intro.) and amended to read:

20 108.02 (10e) (am) (intro.) “Departmental error” means an error made by the
21 department in computing or paying benefits which results exclusively from:

22 **SECTION 52.** 108.02 (10e) (a) and (b) of the statutes are renumbered 108.02
23 (10e) (am) 1. and 2.

24 **SECTION 53.** 108.02 (10e) (bm) of the statutes is created to read:

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1 108.02 (10e) (bm) “Departmental error” does not include an error made by the
2 department in computing, paying, or crediting benefits to any individual, whether
3 or not a claimant, or in crediting contributions or reimbursements to one or more
4 employers that results from any of the following:

5 1. A computer malfunction or programming error.

6 2. An error in transmitting data to or from a financial institution.

7 3. A typographical or keying error.

8 4. A bookkeeping or other payment processing error.

9 5. An action by the department resulting from a false statement or
10 representation by an individual, including a statement or representation relating to
11 the individual’s identity.

12 6. An action by the department resulting from an unauthorized manipulation
13 of an electronic system from within or outside the department.

14 **SECTION 54.** 108.02 (13) (a) of the statutes is amended to read:

15 108.02 (13) (a) “Employer” means every government unit and Indian tribe, and
16 any person, association, corporation, whether domestic or foreign, or legal
17 representative, debtor in possession or trustee in bankruptcy or receiver or trustee
18 of a person, partnership, association, or corporation, or guardian of the estate of a
19 person, or legal representative of a deceased person, any partnership or partnerships
20 consisting of the same partners, except as provided in par. (L), any limited liability
21 company ~~or limited liability companies consisting of the same members, except as~~
22 ~~provided in par. (kL)~~, and any fraternal benefit society as defined in s. 614.01 (1) (a),
23 which is subject to this chapter under the statutes of 1975, or which has had
24 employment in this state and becomes subject to this chapter under this subsection
25 and, notwithstanding any other provisions of this section, any service insurance

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1 corporation organized or operating under ch. 613, except as provided in s. 108.152
2 (6) (a) 3.

3 **SECTION 55.** 108.02 (13) (kL) of the statutes is repealed.

4 **SECTION 56.** 108.02 (15) (kt) of the statutes is created to read:

5 108.02 (15) (kt) "Employment", as applied to work for a given employer other
6 than a government unit, an Indian tribe, or a nonprofit organization, except as the
7 employer elects otherwise with the department's approval, does not include service
8 performed by an inmate of a state prison, as defined in s. 302.01, or a federal prison.

9 **SECTION 57.** 108.04 (1) (f) of the statutes is amended to read:

10 108.04 (1) (f) If an employee is required by law to have a license issued by a
11 governmental agency to perform his or her customary work for an employer, and the
12 employee's employment is suspended or terminated because the employee's license
13 has been suspended, revoked or not renewed due to the employee's fault, the
14 employee is not eligible to receive benefits until 5 weeks have elapsed since the end
15 of the week in which the suspension or termination occurs or until the license is
16 reinstated or renewed, whichever occurs first. The wages paid by the employer with
17 which an employee's employment is suspended or terminated shall be excluded from
18 the employee's base period wages under s. 108.06 (1) for purposes of benefit
19 entitlement while the suspension, revocation or nonrenewal of the license is in effect.
20 This paragraph does not preclude an employee from establishing a benefit year using
21 the wages excluded under this paragraph if the employee qualifies to establish a
22 benefit year under s. 108.06 (2) (a). The department shall charge to the fund's
23 balancing account any benefits paid during a benefit year otherwise chargeable to
24 the account of an employer that is subject to the contribution requirements of ss.
25 108.17 and 108.18 from which base period wages are excluded under this paragraph

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1 if an employee qualifies to receive benefits for any week in that benefit year using
2 wages that were excluded under this paragraph.

3 **SECTION 58.** 108.04 (1) (g) (intro.) of the statutes is amended to read:

4 108.04 (1) (g) (intro.) Except as provided in par. (gm) and s. 108.06 (7) (d), the
5 base period wages utilized to compute total benefits payable to an individual under
6 s. 108.06 (1) as a result of the following employment shall not exceed 10 times the
7 individual's weekly benefit rate based solely on that employment under s. 108.05 (1):

8 **SECTION 59.** 108.04 (1) (hm) of the statutes is amended to read:

9 108.04 (1) (hm) The department may require any claimant to appear before it
10 and to answer truthfully, orally or in writing, any questions relating to the claimant's
11 eligibility for benefits ~~and~~ or to provide such demographic information as may be
12 necessary to permit the department to conduct a statistically valid sample audit of
13 compliance with this chapter. A claimant is not eligible to receive benefits for any
14 week in which the claimant fails to comply with a request by the department to
15 provide the information required under this paragraph, or any subsequent week,
16 until the claimant complies or satisfies the department that he or she had good cause
17 for failure to comply with a request of the department under this paragraph. If
18 Except as provided in s. 108.04 (2) (e) and (f), if a claimant later complies with a
19 request by the department ~~or satisfies the department that he or she had good cause~~
20 ~~for failure to comply with a request~~, the claimant is eligible to receive benefits as of
21 the week in which the failure occurred, if otherwise qualified.

22 **SECTION 60.** 108.04 (1) (i) of the statutes is repealed.

23 **SECTION 61.** 108.04 (2) (a) 3. c. of the statutes is amended to read:

24 108.04 (2) (a) 3. c. Whether the individual has recall rights with the employer
25 under the terms of any applicable collective bargaining agreement; and

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1 **SECTION 62.** 108.04 (2) (a) 4. of the statutes is created to read:

2 108.04 (2) (a) 4. If the claimant is claiming benefits for a week other than an
3 initial week, the claimant provides information or job application materials that are
4 requested by the department and participates in a public employment office
5 workshop or training program or in similar reemployment services that are required
6 by the department under sub. (15) (a) 2.

7 **SECTION 63.** 108.04 (2) (g) of the statutes is created to read:

8 108.04 (2) (g) 1. Each claimant shall create security credentials in order to
9 engage in transactions with the department, including the filing of an initial or
10 continued claim for benefits. The security credentials may consist of a personal
11 identification number, username, and password, or any other means prescribed by
12 the department.

13 2. If a claimant's security credentials are used in the filing of an initial or
14 continued claim for benefits or any other transaction, the individual using the
15 security credentials is presumed to have been the claimant or the claimant's
16 authorized agent. This presumption may be rebutted by a preponderance of evidence
17 showing that the claimant who created the security credentials or the claimant's
18 authorized agent was not the person who used the credentials in a given transaction.
19 If a claimant uses an agent to engage in any transaction with the department using
20 the claimant's security credentials, the claimant is responsible for the actions of the
21 agent. If a claimant who created security credentials or the claimant's authorized
22 agent divulges the credentials to another person, or fails to take adequate measures
23 to protect the credentials from being divulged to an unauthorized person, and the
24 department pays benefits to an unauthorized person because of the claimant's action
25 or inaction, the department may recover from the claimant the benefits that were

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1 paid to the unauthorized person in the same manner as provided for overpayments
2 to claimants under s. 108.22 (8) or under 108.245. If a claimant who created security
3 credentials or the claimant's authorized agent divulges the credentials to another
4 person, or fails to take adequate measures to protect the credentials from being
5 divulged to an unauthorized person, the department is not obligated to pursue
6 recovery of, or to reimburse the claimant for, benefits payable to the claimant that
7 were erroneously paid to another person.

8 **SECTION 64.** 108.04 (2) (h) of the statutes is created to read:

9 108.04 (2) (h) A claimant shall, when the claimant first files a claim for benefits
10 under this chapter and during each subsequent week the claimant files for benefits
11 under this chapter, inform the department whether he or she is receiving social
12 security disability insurance benefits under 42 USC ch. 7 subch. II.

13 **SECTION 65.** 108.04 (8) (a) and (c) of the statutes are amended to read:

14 108.04 (8) (a) If an employee fails, without good cause, to accept suitable work
15 when offered, the employee is ineligible to receive benefits until ~~4 weeks have~~
16 ~~elapsed since the end of the week in which the failure occurs and the employee earns~~
17 wages after the week in which the failure occurs equal to at least ~~4~~ 6 times the
18 employee's weekly benefit rate under s. 108.05 (1) in employment or other work
19 covered by the unemployment insurance law of any state or the federal government.
20 For purposes of requalification, the employee's weekly benefit rate shall be that rate
21 which would have been paid had the failure not occurred. This paragraph does not
22 preclude an employee from establishing a benefit year during a period in which the
23 employee is ineligible to receive benefits under this paragraph if the employee
24 qualifies to establish a benefit year under s. 108.06 (2) (a). The department shall
25 charge to the fund's balancing account any benefits otherwise chargeable to the

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1 account of an employer that is subject to the contribution requirements under ss.
2 108.17 and 108.18 whenever an employee of that employer fails, without good cause,
3 to accept suitable work offered by that employer.

4 (c) If an employee fails, without good cause, to return to work with a former
5 employer that recalls the employee within 52 weeks after the employee last worked
6 for that employer, the employee is ineligible to receive benefits until ~~4 weeks have~~
7 ~~elapsed since the end of the week in which the failure occurs and~~ the employee earns
8 wages after the week in which the failure occurs equal to at least ~~4~~ 6 times the
9 employee's weekly benefit rate under s. 108.05 (1) in employment or other work
10 covered by the unemployment insurance law of any state or the federal government.
11 For purposes of requalification, the employee's weekly benefit rate shall be that rate
12 which would have been paid had the failure not occurred. This paragraph does not
13 preclude an employee from establishing a benefit year during a period in which the
14 employee is ineligible to receive benefits under this paragraph if the employee
15 qualifies to establish a benefit year under s. 108.06 (2) (a). The department shall
16 charge to the fund's balancing account any benefits otherwise chargeable to the
17 account of any employer that is subject to the contribution requirements under ss.
18 108.17 and 108.18 whenever an employee of that employer fails, without good cause,
19 to return to work with that employer. If an employee receives actual notice of a recall
20 to work, par. (a) applies in lieu of this paragraph.

21 **SECTION 66.** 108.04 (12) (f) of the statutes is created to read:

22 108.04 (12) (f) 1. Any individual who actually receives social security disability
23 insurance benefits under 42 USC ch. 7 subch. II in a given week is ineligible for
24 benefits paid or payable in that same week under this chapter.

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1 2. Information that the department receives or acquires from the federal social
2 security administration that an individual is receiving social security disability
3 insurance benefits under 42 USC ch. 7 subch. II in a given week is considered
4 conclusive, absent clear and convincing evidence that the information was
5 erroneous.

6 **SECTION 67.** 108.04 (15) of the statutes is created to read:

7 108.04 (15) DEPARTMENT POWERS TO ASSIST CLAIMANTS. (a) Except as provided
8 in par. (b), the department may do any of the following for the purpose of assisting
9 claimants to find or obtain work:

10 1. Use the information or materials provided under sub. (2) (a) 4. to assess a
11 claimant's efforts, skills, and ability to find or obtain work and to develop a list of
12 potential opportunities for a claimant to obtain suitable work. A claimant who
13 otherwise satisfies the requirement under sub. (2) (a) 3. is not required to apply for
14 any specific positions on the list in order to satisfy that requirement.

15 2. Require a claimant to participate in a public employment office workshop or
16 training program or in similar reemployment services that do not charge the
17 claimant a participation fee and that offer instruction to improve the claimant's
18 ability to obtain suitable work.

19 (b) This subsection does not apply with respect to a claimant who is exempt
20 from any of the requirements in sub. (2) (a) 2. or 3. in a given week.

21 **SECTION 68.** 108.05 (1) (n) to (p) of the statutes are repealed.

22 **SECTION 69.** 108.05 (1) (q) (intro.) of the statutes is amended to read:

23 108.05 (1) (q) (intro.) Each eligible employee shall be paid benefits for each
24 week of total unemployment that commences on or after January 4, 2009, and before
25 January 5, 2014, at the weekly benefit rate specified in this paragraph. Unless sub.

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1 (1m) applies, the weekly benefit rate shall equal 4 percent of the employee's base
2 period wages that were paid during that quarter of the employee's base period in
3 which the employee was paid the highest total wages, rounded down to the nearest
4 whole dollar, except that, if that amount is less than the minimum amount shown
5 in the following schedule, no benefits are payable to the employee and, if that amount
6 is more than the maximum amount shown in the following schedule, the employee's
7 weekly benefit rate shall be the maximum amount shown in the following schedule
8 and except that, if the employee's benefits are exhausted during any week under s.
9 108.06 (1), the employee shall be paid the remaining amount of benefits payable to
10 the employee in lieu of the amount shown in the following schedule: [See Figure
11 108.05 (1) (q) following]

12 **SECTION 70.** 108.05 (1) (q) (intro.) of the statutes, as affected by 2013 Wisconsin
13 Acts 11 and (this act), is repealed and recreated to read:

14 108.05 (1) (q) (intro.) Except as provided in s. 108.062 (6) (a), each eligible
15 employee shall be paid benefits for each week of total unemployment that
16 commences on or after January 4, 2009, and before January 5, 2014, at the weekly
17 benefit rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit
18 rate shall equal 4 percent of the employee's base period wages that were paid during
19 that quarter of the employee's base period in which the employee was paid the
20 highest total wages, rounded down to the nearest whole dollar, except that, if that
21 amount is less than the minimum amount shown in the following schedule, no
22 benefits are payable to the employee and, if that amount is more than the maximum
23 amount shown in the following schedule, the employee's weekly benefit rate shall be
24 the maximum amount shown in the following schedule and except that, if the
25 employee's benefits are exhausted during any week under s. 108.06 (1), the employee

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1 shall be paid the remaining amount of benefits payable to the employee in lieu of the
2 amount shown in the following schedule: [See Figure 108.05 (1) (q) following]

3 **SECTION 71.** 108.05 (1) (r) (intro.) of the statutes, as created by 2013 Wisconsin
4 Act (this act), is repealed and recreated to read:

5 108.05 (1) (r) (intro.) Except as provided in s. 108.062 (6) (a), each eligible
6 employee shall be paid benefits for each week of total unemployment that
7 commences on or after January 5, 2014, at the weekly benefit rate specified in this
8 paragraph. Unless sub. (1m) applies, the weekly benefit rate shall equal 4 percent
9 of the employee's base period wages that were paid during that quarter of the
10 employee's base period in which the employee was paid the highest total wages,
11 rounded down to the nearest whole dollar, except that, if that amount is less than the
12 minimum amount shown in the following schedule, no benefits are payable to the
13 employee and, if that amount is more than the maximum amount shown in the
14 following schedule, the employee's weekly benefit rate shall be the maximum
15 amount shown in the following schedule and except that, if the employee's benefits
16 are exhausted during any week under s. 108.06 (1), the employee shall be paid the
17 remaining amount of benefits payable to the employee in lieu of the amount shown
18 in the following schedule: [See Figure 108.05 (1) (r) following]

19 **SECTION 72.** 108.05 (1) (r) of the statutes is created to read:

20 108.05 (1) (r) Each eligible employee shall be paid benefits for each week of total
21 unemployment that commences on or after January 5, 2014, at the weekly benefit
22 rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate
23 shall equal 4 percent of the employee's base period wages that were paid during that
24 quarter of the employee's base period in which the employee was paid the highest
25 total wages, rounded down to the nearest whole dollar, except that, if that amount

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SECTION 72

1 is less than the minimum amount shown in the following schedule, no benefits are
 2 payable to the employee and, if that amount is more than the maximum amount
 3 shown in the following schedule, the employee’s weekly benefit rate shall be the
 4 maximum amount shown in the following schedule and except that, if the employee’s
 5 benefits are exhausted during any week under s. 108.06 (1), the employee shall be
 6 paid the remaining amount of benefits payable to the employee in lieu of the amount
 7 shown in the following schedule: [See Figure 108.05 (1) (r) following]

Figure 108.05 (1) (r):

Line	Highest Quarterly Wages Paid		Weekly Benefit Rate
1.	Under	\$1,350.00	\$ 0
2.	1,350.00	to 1,374.99	54
3.	1,375.00	to 1,399.99	55
4.	1,400.00	to 1,424.99	56
5.	1,425.00	to 1,449.99	57
6.	1,450.00	to 1,474.99	58
7.	1,475.00	to 1,499.99	59
8.	1,500.00	to 1,524.99	60
9.	1,525.00	to 1,549.99	61
10.	1,550.00	to 1,574.99	62
11.	1,575.00	to 1,599.99	63
12.	1,600.00	to 1,624.99	64
13.	1,625.00	to 1,649.99	65
14.	1,650.00	to 1,674.99	66

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15.	1,675.00	to	1,699.99	67
16.	1,700.00	to	1,724.99	68
17.	1,725.00	to	1,749.99	69
18.	1,750.00	to	1,774.99	70
19.	.....	1,775.00	to	1,799.99	.....	71
20.	.....	1,800.00	to	1,824.99	.....	72
21.	.....	1,825.00	to	1,849.99	.....	73
22.	.....	1,850.00	to	1,874.99	.....	74
23.	.....	1,875.00	to	1,899.99	.....	75
24.	.....	1,900.00	to	1,924.99	.....	76
25.	.....	1,925.00	to	1,949.99	.....	77
26.	.....	1,950.00	to	1,974.99	.....	78
27.	.....	1,975.00	to	1,999.99	.....	79
28.	.....	2,000.00	to	2,024.99	.....	80
29.	.....	2,025.00	to	2,049.99	.....	81
30.	.....	2,050.00	to	2,074.99	.....	82
31.	.....	2,075.00	to	2,099.99	.....	83
32.	.....	2,100.00	to	2,124.99	.....	84
33.	.....	2,125.00	to	2,149.99	.....	85
34.	.....	2,150.00	to	2,174.99	.....	86
35.	2,175.00	to	2,199.99	87
36.	2,200.00	to	2,224.99	88
37.	2,225.00	to	2,249.99	89
38.	2,250.00	to	2,274.99	90

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39.	2,275.00	to	2,299.99	91
40.	2,300.00	to	2,324.99	92
41.	2,325.00	to	2,349.99	93
42.	2,350.00	to	2,374.99	94
43.	.....	2,375.00	to	2,399.99	.....	95
44.	.....	2,400.00	to	2,424.99	.....	96
45.	.....	2,425.00	to	2,449.99	.....	97
46.	.....	2,450.00	to	2,474.99	.....	98
47.	.....	2,475.00	to	2,499.99	.....	99
48.	.....	2,500.00	to	2,524.99	.....	100
49.	.....	2,525.00	to	2,549.99	.....	101
50.	.....	2,550.00	to	2,574.99	.....	102
51.	.....	2,575.00	to	2,599.99	.....	103
52.	.....	2,600.00	to	2,624.99	.....	104
53.	.....	2,625.00	to	2,649.99	.....	105
54.	.....	2,650.00	to	2,674.99	.....	106
55.	.....	2,675.00	to	2,699.99	.....	107
56.	.....	2,700.00	to	2,724.99	.....	108
57.	.....	2,725.00	to	2,749.99	.....	109
58.	.....	2,750.00	to	2,774.99	.....	110
59.	2,775.00	to	2,799.99	111
60.	2,800.00	to	2,824.99	112
61.	2,825.00	to	2,849.99	113
62.	2,850.00	to	2,874.99	114

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63.	2,875.00	to	2,899.99	115
64.	2,900.00	to	2,924.99	116
65.	2,925.00	to	2,949.99	117
66.	2,950.00	to	2,974.99	118
67.	.....	2,975.00	to	2,999.99	.....	119
68.	.....	3,000.00	to	3,024.99	.....	120
69.	.....	3,025.00	to	3,049.99	.....	121
70.	.....	3,050.00	to	3,074.99	.....	122
71.	.....	3,075.00	to	3,099.99	.....	123
72.	.....	3,100.00	to	3,124.99	.....	124
73.	.....	3,125.00	to	3,149.99	.....	125
74.	.....	3,150.00	to	3,174.99	.....	126
75.	.....	3,175.00	to	3,199.99	.....	127
76.	.....	3,200.00	to	3,224.99	.....	128
77.	.....	3,225.00	to	3,249.99	.....	129
78.	.....	3,250.00	to	3,274.99	.....	130
79.	.....	3,275.00	to	3,299.99	.....	131
80.	.....	3,300.00	to	3,324.99	.....	132
81.	.....	3,325.00	to	3,349.99	.....	133
82.	.....	3,350.00	to	3,374.99	.....	134
83.	3,375.00	to	3,399.99	135
84.	3,400.00	to	3,424.99	136
85.	3,425.00	to	3,449.99	137
86.	3,450.00	to	3,474.99	138

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87.	3,475.00	to	3,499.99	139
88.	3,500.00	to	3,524.99	140
89.	3,525.00	to	3,549.99	141
90.	3,550.00	to	3,574.99	142
91.	.....	3,575.00	to	3,599.99	.....	143
92.	.....	3,600.00	to	3,624.99	.....	144
93.	.....	3,625.00	to	3,649.99	.....	145
94.	.....	3,650.00	to	3,674.99	.....	146
95.	.....	3,675.00	to	3,699.99	.....	147
96.	.....	3,700.00	to	3,724.99	.....	148
97.	.....	3,725.00	to	3,749.99	.....	149
98.	.....	3,750.00	to	3,774.99	.....	150
99.	.....	3,775.00	to	3,799.99	.....	151
100.	.....	3,800.00	to	3,824.99	.....	152
101.	.....	3,825.00	to	3,849.99	.....	153
102.	.....	3,850.00	to	3,874.99	.....	154
103.	.....	3,875.00	to	3,899.99	.....	155
104.	.....	3,900.00	to	3,924.99	.....	156
105.	.....	3,925.00	to	3,949.99	.....	157
106.	.....	3,950.00	to	3,974.99	.....	158
107.	.....	3,975.00	to	3,999.99	.....	159
108.	4,000.00	to	4,024.99	160
109.	4,025.00	to	4,049.99	161
110.	4,050.00	to	4,074.99	162

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111.	4,075.00	to	4,099.99	163
112.	4,100.00	to	4,124.99	164
113.	4,125.00	to	4,149.99	165
114.	4,150.00	to	4,174.99	166
115.	.....	4,175.00	to	4,199.99	.....	167
116.	.....	4,200.00	to	4,224.99	.....	168
117.	.....	4,225.00	to	4,249.99	.....	169
118.	.....	4,250.00	to	4,274.99	.....	170
119.	.....	4,275.00	to	4,299.99	.....	171
120.	.....	4,300.00	to	4,324.99	.....	172
121.	.....	4,325.00	to	4,349.99	.....	173
122.	.....	4,350.00	to	4,374.99	.....	174
123.	.....	4,375.00	to	4,399.99	.....	175
124.	.....	4,400.00	to	4,424.99	.....	176
125.	.....	4,425.00	to	4,449.99	.....	177
126.	.....	4,450.00	to	4,474.99	.....	178
127.	.....	4,475.00	to	4,499.99	.....	179
128.	.....	4,500.00	to	4,524.99	.....	180
129.	.....	4,525.00	to	4,549.99	.....	181
130.	.....	4,550.00	to	4,574.99	.....	182
131.	.....	4,575.00	to	4,599.99	.....	183
132.	4,600.00	to	4,624.99	184
133.	4,625.00	to	4,649.99	185
134.	4,650.00	to	4,674.99	186

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135.	4,675.00	to	4,699.99	187
136.	4,700.00	to	4,724.99	188
137.	4,725.00	to	4,749.99	189
138.	4,750.00	to	4,774.99	190
139.	.....	4,775.00	to	4,799.99	.....	191
140.	.....	4,800.00	to	4,824.99	.....	192
141.	.....	4,825.00	to	4,849.99	.....	193
142.	.....	4,850.00	to	4,874.99	.....	194
143.	.....	4,875.00	to	4,899.99	.....	195
144.	.....	4,900.00	to	4,924.99	.....	196
145.	.....	4,925.00	to	4,949.99	.....	197
146.	.....	4,950.00	to	4,974.99	.....	198
147.	.....	4,975.00	to	4,999.99	.....	199
148.	.....	5,000.00	to	5,024.99	.....	200
149.	.....	5,025.00	to	5,049.99	.....	201
150.	.....	5,050.00	to	5,074.99	.....	202
151.	.....	5,075.00	to	5,099.99	.....	203
152.	.....	5,100.00	to	5,124.99	.....	204
153.	.....	5,125.00	to	5,149.99	.....	205
154.	.....	5,150.00	to	5,174.99	.....	206
155.	.....	5,175.00	to	5,199.99	.....	207
156.	5,200.00	to	5,224.99	208
157.	5,225.00	to	5,249.99	209
158.	5,250.00	to	5,274.99	210

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159.	5,275.00	to	5,299.99	211
160.	5,300.00	to	5,324.99	212
161.	5,325.00	to	5,349.99	213
162.	5,350.00	to	5,374.99	214
163.	.....	5,375.00	to	5,399.99	.....	215
164.	.....	5,400.00	to	5,424.99	.....	216
165.	.....	5,425.00	to	5,449.99	.....	217
166.	.....	5,450.00	to	5,474.99	.....	218
167.	.....	5,475.00	to	5,499.99	.....	219
168.	.....	5,500.00	to	5,524.99	.....	220
169.	.....	5,525.00	to	5,549.99	.....	221
170.	.....	5,550.00	to	5,574.99	.....	222
171.	.....	5,575.00	to	5,599.99	.....	223
172.	.....	5,600.00	to	5,624.99	.....	224
173.	.....	5,625.00	to	5,649.99	.....	225
174.	.....	5,650.00	to	5,674.99	.....	226
175.	.....	5,675.00	to	5,699.99	.....	227
176.	.....	5,700.00	to	5,724.99	.....	228
177.	.....	5,725.00	to	5,749.99	.....	229
178.	.....	5,750.00	to	5,774.99	.....	230
179.	.....	5,775.00	to	5,799.99	.....	231
180.	5,800.00	to	5,824.99	232
181.	5,825.00	to	5,849.99	233
182.	5,850.00	to	5,874.99	234

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183.	5,875.00	to	5,899.99	235
184.	5,900.00	to	5,924.99	236
185.	5,925.00	to	5,949.99	237
186.	5,950.00	to	5,974.99	238
187.	.....	5,975.00	to	5,999.99	.....	239
188.	.....	6,000.00	to	6,024.99	.....	240
189.	.....	6,025.00	to	6,049.99	.....	241
190.	.....	6,050.00	to	6,074.99	.....	242
191.	.....	6,075.00	to	6,099.99	.....	243
192.	.....	6,100.00	to	6,124.99	.....	244
193.	.....	6,125.00	to	6,149.99	.....	245
194.	.....	6,150.00	to	6,174.99	.....	246
195.	.....	6,175.00	to	6,199.99	.....	247
196.	.....	6,200.00	to	6,224.99	.....	248
197.	.....	6,225.00	to	6,249.99	.....	249
198.	.....	6,250.00	to	6,274.99	.....	250
199.	.....	6,275.00	to	6,299.99	.....	251
200.	.....	6,300.00	to	6,324.99	.....	252
201.	.....	6,325.00	to	6,349.99	.....	253
202.	.....	6,350.00	to	6,374.99	.....	254
203.	.....	6,375.00	to	6,399.99	.....	255
204.	6,400.00	to	6,424.99	256
205.	6,425.00	to	6,449.99	257
206.	6,450.00	to	6,474.99	258

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207.	6,475.00	to	6,499.99	259
208.	6,500.00	to	6,524.99	260
209.	6,525.00	to	6,549.99	261
210.	6,550.00	to	6,574.99	262
211.	.....	6,575.00	to	6,599.99	.....	263
212.	.....	6,600.00	to	6,624.99	.....	264
213.	.....	6,625.00	to	6,649.99	.....	265
214.	.....	6,650.00	to	6,674.99	.....	266
215.	.....	6,675.00	to	6,699.99	.....	267
216.	.....	6,700.00	to	6,724.99	.....	268
217.	.....	6,725.00	to	6,749.99	.....	269
218.	.....	6,750.00	to	6,774.99	.....	270
219.	.....	6,775.00	to	6,799.99	.....	271
220.	.....	6,800.00	to	6,824.99	.....	272
221.	.....	6,825.00	to	6,849.99	.....	273
222.	.....	6,850.00	to	6,874.99	.....	274
223.	.....	6,875.00	to	6,899.99	.....	275
224.	.....	6,900.00	to	6,924.99	.....	276
225.	.....	6,925.00	to	6,949.99	.....	277
226.	.....	6,950.00	to	6,974.99	.....	278
227.	.....	6,975.00	to	6,999.99	.....	279
228.	7,000.00	to	7,024.99	280
229.	7,025.00	to	7,049.99	281
230.	7,050.00	to	7,074.99	282

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231.	7,075.00	to	7,099.99	283
232.	7,100.00	to	7,124.99	284
233.	7,125.00	to	7,149.99	285
234.	7,150.00	to	7,174.99	286
235.	.....	7,175.00	to	7,199.99	.....	287
236.	.....	7,200.00	to	7,224.99	.....	288
237.	.....	7,225.00	to	7,249.99	.....	289
238.	.....	7,250.00	to	7,274.99	.....	290
239.	.....	7,275.00	to	7,299.99	.....	291
240.	.....	7,300.00	to	7,324.99	.....	292
241.	.....	7,325.00	to	7,349.99	.....	293
242.	.....	7,350.00	to	7,374.99	.....	294
243.	.....	7,375.00	to	7,399.99	.....	295
244.	.....	7,400.00	to	7,424.99	.....	296
245.	.....	7,425.00	to	7,449.99	.....	297
246.	.....	7,450.00	to	7,474.99	.....	298
247.	.....	7,475.00	to	7,499.99	.....	299
248.	.....	7,500.00	to	7,524.99	.....	300
249.	.....	7,525.00	to	7,549.99	.....	301
250.	.....	7,550.00	to	7,574.99	.....	302
251.	.....	7,575.00	to	7,599.99	.....	303
252.	7,600.00	to	7,624.99	304
253.	7,625.00	to	7,649.99	305
254.	7,650.00	to	7,674.99	306

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255.	7,675.00	to	7,699.99	307
256.	7,700.00	to	7,724.99	308
257.	7,725.00	to	7,749.99	309
258.	7,750.00	to	7,774.99	310
259.	.....	7,775.00	to	7,799.99	.....	311
260.	.....	7,800.00	to	7,824.99	.....	312
261.	.....	7,825.00	to	7,849.99	.....	313
262.	.....	7,850.00	to	7,874.99	.....	314
263.	.....	7,875.00	to	7,899.99	.....	315
264.	.....	7,900.00	to	7,924.99	.....	316
265.	.....	7,925.00	to	7,949.99	.....	317
266.	.....	7,950.00	to	7,974.99	.....	318
267.	.....	7,975.00	to	7,999.99	.....	319
268.	.....	8,000.00	to	8,024.99	.....	320
269.	.....	8,025.00	to	8,049.99	.....	321
270.	.....	8,050.00	to	8,074.99	.....	322
271.	.....	8,075.00	to	8,099.99	.....	323
272.	.....	8,100.00	to	8,124.99	.....	324
273.	.....	8,125.00	to	8,149.99	.....	325
274.	.....	8,150.00	to	8,174.99	.....	326
275.	.....	8,175.00	to	8,199.99	.....	327
276.	8,200.00	to	8,224.99	328
277.	8,225.00	to	8,249.99	329
278.	8,250.00	to	8,274.99	330

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279.	8,275.00	to	8,299.99	331
280.	8,300.00	to	8,324.99	332
281.	8,325.00	to	8,349.99	333
282.	8,350.00	to	8,374.99	334
283.	.....	8,375.00	to	8,399.99	.....	335
284.	.....	8,400.00	to	8,424.99	.....	336
285.	.....	8,425.00	to	8,449.99	.....	337
286.	.....	8,450.00	to	8,474.99	.....	338
287.	.....	8,475.00	to	8,499.99	.....	339
288.	.....	8,500.00	to	8,524.99	.....	340
289.	.....	8,525.00	to	8,549.99	.....	341
290.	.....	8,550.00	to	8,574.99	.....	342
291.	.....	8,575.00	to	8,599.99	.....	343
292.	.....	8,600.00	to	8,624.99	.....	344
293.	.....	8,625.00	to	8,649.99	.....	345
294.	.....	8,650.00	to	8,674.99	.....	346
295.	.....	8,675.00	to	8,699.99	.....	347
296.	.....	8,700.00	to	8,724.99	.....	348
297.	.....	8,725.00	to	8,749.99	.....	349
298.	.....	8,750.00	to	8,774.99	.....	350
299.	.....	8,775.00	to	8,799.99	.....	351
300.	8,800.00	to	8,824.99	352
301.	8,825.00	to	8,849.99	353
302.	8,850.00	to	8,874.99	354

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303.	8,875.00	to	8,899.99	355
304.	8,900.00	to	8,924.99	356
305.	8,925.00	to	8,949.99	357
306.	8,950.00	to	8,974.99	358
307.	.....	8,975.00	to	8,999.99	.....	359
308.	.....	9,000.00	to	9,024.99	.....	360
309.	.....	9,025.00	to	9,049.99	.....	361
310.	.....	9,050.00	to	9,074.99	.....	362
311.	.....	9,075.00	to	9,099.99	.....	363
312.	.....	9,100.00	to	9,124.99	.....	364
313.	.....	9,125.00	to	9,149.99	.....	365
314.	.....	9,150.00	to	9,174.99	.....	366
315.	.....	9,175.00	to	9,199.99	.....	367
316.	.....	9,200.00	to	9,224.99	.....	368
317.	.....	9,225.00	to	9,249.99	.....	369
318.	.....	9,250.00	and over	.....	.....	370

1 **SECTION 73.** 108.05 (2) (c) of the statutes is amended to read:

2 108.05 (2) (c) This chapter’s maximum weekly benefit rate, as to weeks of
 3 unemployment in the ensuing half year, shall equal the result obtained by rounding
 4 66-2/3% of the “average wages per average week” to the nearest multiple of one
 5 dollar, and the minimum weekly benefit rate shall be an amount which is ~~15%~~ 14.6
 6 percent of the maximum rate and adjusted, if not a multiple of one dollar, to the next
 7 lower multiple of one dollar.

8 **SECTION 74.** 108.05 (3) (a) of the statutes is amended to read:

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1 108.05 (3) (a) Except as provided in pars. (c), (d) and (dm) if an eligible employee
2 earns wages in a given week, the first \$30 of the wages shall be disregarded and the
3 employee's applicable weekly benefit payment shall be reduced by 67% of the
4 remaining amount, except that no such employee is eligible for benefits if the
5 employee's benefit payment would be less than \$5 for any week. For purposes of this
6 paragraph, "wages" includes ~~any salary reduction amounts earned that are not~~
7 ~~wages and that are deducted from the salary of a claimant by an employer pursuant~~
8 ~~to a salary reduction agreement under a cafeteria plan, within the meaning of 26~~
9 ~~USC 125, and any amount that a claimant would have earned in available work~~
10 ~~under s. 108.04 (1) (a) which is treated as wages under s. 108.04 (1) (bm), but excludes~~
11 ~~any amount that a claimant earns for services performed as a volunteer fire fighter,~~
12 ~~volunteer emergency medical technician, or volunteer first responder. In applying~~
13 ~~this paragraph, the department shall disregard discrepancies of less than \$2~~
14 ~~between wages reported by employees and employers.~~

15 **SECTION 75.** 108.05 (3) (a) of the statutes, as affected by 2013 Wisconsin Acts
16 11 and (this act), is repealed and recreated to read:

17 108.05 (3) (a) Except as provided in pars. (c), (d) and (dm) and s. 108.062, if an
18 eligible employee earns wages in a given week, the first \$30 of the wages shall be
19 disregarded and the employee's applicable weekly benefit payment shall be reduced
20 by 67% of the remaining amount, except that no such employee is eligible for benefits
21 if the employee's benefit payment would be less than \$5 for any week. For purposes
22 of this paragraph, "wages" includes any amount that a claimant would have earned
23 in available work under s. 108.04 (1) (a) which is treated as wages under s. 108.04
24 (1) (bm), but excludes any amount that a claimant earns for services performed as
25 a volunteer fire fighter, volunteer emergency medical technician, or volunteer first

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1 responder. In applying this paragraph, the department shall disregard
2 discrepancies of less than \$2 between wages reported by employees and employers.

3 **SECTION 76.** 108.06 (1) of the statutes is amended to read:

4 108.06 (1) Except as provided in subs. sub. (6) and ~~(7)~~ and ss. 108.141 and
5 108.142, no claimant may receive total benefits based on employment in a base
6 period greater than 26 times the claimant's weekly benefit rate under s. 108.05 (1)
7 or 40% of the claimant's base period wages, whichever is lower. Except as provided
8 in subs. sub. (6) and ~~(7)~~ and ss. 108.141 and 108.142, if a claimant's base period wages
9 are reduced or canceled under s. 108.04 (5) or (18), or suspended under s. 108.04 (1)
10 (f), (10) (a), or (17), the claimant may not receive total benefits based on employment
11 in a base period greater than 26 times the claimant's weekly benefit rate under s.
12 108.05 (1) or 40% of the base period wages not reduced, canceled or suspended which
13 were paid or payable to the claimant, whichever is lower.

14 **SECTION 77.** 108.06 (2) (c) of the statutes is amended to read:

15 108.06 (2) (c) No benefits are payable to a claimant for any week of
16 unemployment not occurring during the claimant's benefit year except under ~~sub. (7)~~
17 and ss. 108.141 and 108.142.

18 **SECTION 78.** 108.06 (2) (cm) of the statutes is amended to read:

19 108.06 (2) (cm) If an employee qualifies to receive benefits using the base period
20 described in s. 108.02 (4) (b), the wages used to compute the employee's benefit
21 entitlement are not available for use in any subsequent benefit computation for the
22 same employee, except under ~~sub. (7)~~ and s. 108.141 or 108.142.

23 **SECTION 79.** 108.06 (3) of the statutes is amended to read:

24 108.06 (3) There shall be payable to an employee, for weeks ending within the
25 employee's benefit year, only those benefits computed for that benefit year based on

ASSEMBLY BILL 219**SECTION 79**

1 the wages paid to the employee in the immediately preceding base period. Wages
2 used in a given benefit computation are not available for use in any subsequent
3 benefit computation except under ~~sub. (7) and~~ s. 108.141.

4 **SECTION 80.** 108.06 (6) (intro.) of the statutes is amended to read:

5 108.06 **(6)** (intro.) If a claimant has established a benefit year prior to the
6 effective date of any increase in the maximum weekly benefit rate provided under
7 s. 108.05 (1), the claimant has not exhausted his or her total benefit entitlement
8 under sub. (1) for that benefit year on that effective date, and the claimant was
9 entitled to receive the maximum weekly benefit rate under s. 108.05 (1) that was in
10 effect prior to that effective date, the limitation on the total benefits authorized to
11 be paid to a claimant under sub. (1) does not apply to that claimant in that benefit
12 year. Unless ~~sub. (7) or~~ s. 108.141 or 108.142 applies, the claimant's remaining
13 benefit entitlement in that benefit year for the period beginning on that effective date
14 shall be computed by:

15 **SECTION 81.** 108.06 (7) of the statutes is repealed.

16 **SECTION 82.** 108.07 (8) of the statutes is repealed.

17 **SECTION 83.** 108.10 (intro.) of the statutes is amended to read:

18 **108.10 Settlement of issues other than benefit claims.** (intro.) In Except
19 as provided in s. 108.245 (3), in connection with any issue arising under this chapter
20 as to the status or liability of an employing unit in this state, for which no review is
21 provided under s. 108.09 or 108.227 (5) and whether or not a penalty is provided in
22 s. 108.24, the following procedure shall apply:

23 **SECTION 84.** 108.14 (8n) (e) of the statutes is amended to read:

24 108.14 **(8n)** (e) The department shall charge this state's share of any benefits
25 paid under this subsection to the account of each employer by which the employee

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1 claiming benefits was employed in the applicable base period, in proportion to the
2 total amount of wages he or she earned from each employer in the base period, except
3 that if s. 108.04 (1) (f), (5), (7) (a), (c), (d), (e), (k), (L), (o), (p), (q), (s), or (t), (7m) or (8)
4 (a) or 108.07 (3), (3r), or (5) (b) ~~or (8)~~ would have applied to employment by such an
5 employer who is subject to the contribution requirements of ss. 108.17 and 108.18,
6 the department shall charge the share of benefits based on employment with that
7 employer to the fund's balancing account, or, if s. 108.04 (1) (f) or (5) or 108.07 (3)
8 would have applied to an employer that is not subject to the contribution
9 requirements of ss. 108.17 and 108.18, the department shall charge the share of
10 benefits based on that employment in accordance with s. 108.07 (5) (a) and (b). The
11 department shall also charge the fund's balancing account with any other state's
12 share of such benefits pending reimbursement by that state.

13 **SECTION 85.** 108.14 (19) of the statutes is amended to read:

14 108.14 (19) ~~On or about February~~ No later than March 15 annually, the
15 department shall prepare and furnish to the council on unemployment insurance a
16 report summarizing the department's activities related to detection and prosecution
17 of unemployment insurance fraud in the preceding year. The department shall
18 include in the report information about audits conducted by the department under
19 sub. (20), including the number and results of audits performed, in the previous year.

20 **SECTION 86.** 108.14 (20) of the statutes is created to read:

21 108.14 (20) The department shall conduct random audits on claimants for
22 benefits under this chapter to assess compliance with the work search requirements
23 under s. 108.04 (2) (a) 3.

24 **SECTION 87.** 108.14 (21) of the statutes is created to read:

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1 108.14 (21) The department shall maintain a portal on the Internet that allows
2 employers to log in and file with the department complaints related to the
3 administration of this chapter.

4 **SECTION 88.** 108.14 (22) of the statutes is created to read:

5 108.14 (22) The department shall maintain a searchable, electronic database
6 of significant decisions made by the commission on matters under this chapter for
7 the use of attorneys employed by the department and other individuals employed by
8 the department whose duties necessitate use of the database.

9 **SECTION 89.** 108.14 (23) of the statutes is created to read:

10 108.14 (23) (a) The department shall create and keep up-to-date a handbook
11 for the purpose of informing employers that are subject to this chapter about the
12 provisions and requirements of this chapter.

13 (b) The department shall include all of the following in the handbook:

14 1. Information about the function and purpose of unemployment insurance
15 under this chapter.

16 2. A description of the rights and responsibilities of employers under this
17 chapter, including the rights and responsibilities associated with hearings to
18 determine whether claimants are eligible for benefits under this chapter.

19 3. A description of the circumstances under which workers are generally
20 eligible and ineligible for benefits under this chapter.

21 4. Disclaimers explaining that the contents of the handbook may not be relied
22 upon as legally enforceable and that adherence to the content does not guarantee a
23 particular result for a decision under this chapter.

24 5. A line to allow an individual employed by an employer to sign to acknowledge
25 that the individual is aware of the contents of the handbook.

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1 (c) The department shall make the handbook available on the Internet.

2 (d) The department shall distribute printed copies of the handbook to persons
3 who request a copy and may charge a fee as provided in s. 20.908 for the costs of
4 printing and distribution.

5 **SECTION 90.** 108.14 (24) of the statutes is created to read:

6 108.14 (24) The department shall provide information to employers concerning
7 the financing of the unemployment insurance system, including the computation of
8 reserve percentages and their effect upon the contribution and solvency rates of
9 employers, and shall post this information on the Internet. If the department
10 provided a statement of account to any employer, the department shall include the
11 same information on the statement. In addition, the department shall provide the
12 same information in writing to each employer who becomes newly subject to a
13 requirement to pay contributions or reimbursements under this chapter.

14 **SECTION 91.** 108.14 (25) of the statutes is created to read:

15 108.14 (25) (a) In this section, "appeal tribunal" includes appeal tribunals
16 under s. 108.09 (3) (a) 1., 2., and 3.

17 (b) The department shall conduct an initial training for all individuals who
18 serve as appeal tribunals to prepare them to be able to perform the duties of appeal
19 tribunals established under this chapter.

20 (c) The department shall require each individual who serves as an appeal
21 tribunal to satisfy continuing education requirements, as prescribed by the
22 department.

23 **SECTION 92.** 108.14 (26) of the statutes is created to read:

24 108.14 (26) The department shall prescribe by rule a standard affidavit form
25 that may be used by parties to appeals under ss. 108.09 and 108.10 and shall make

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1 the form available to employers and claimants. The form shall be sufficient to qualify
2 as admissible evidence in a hearing under this chapter if the authentication is
3 sufficient and the information set forth by the affiant is admissible, but its use by a
4 party does not eliminate the right of an opposing party to cross examine the affiant
5 concerning the facts asserted in the affidavit.

6 **SECTION 93.** 108.141 (7) (a) of the statutes is amended to read:

7 108.141 (7) (a) The department shall charge the state's share of each week of
8 extended benefits to each employer's account in proportion to the employer's share
9 of the total wages of the employee receiving the benefits in the employee's base
10 period, except that if the employer is subject to the contribution requirements of ss.
11 108.17 and 108.18 the department shall charge the share of extended benefits to
12 which s. 108.04 (1) (f), (5), (7) (a), (c), (d), (e), (k), (L), (o), (p), (q), (s), or (t), (7m) or (8)
13 (a) or 108.07 (3), (3r), or (5) (b) ~~or (8)~~ applies to the fund's balancing account.

14 **SECTION 94.** 108.16 (2) (g) and (h) of the statutes are amended to read:

15 108.16 (2) (g) Whenever the department receives a request of 2 or more
16 partnerships ~~or limited liability companies~~ consisting of the same partners ~~or~~
17 ~~members~~ to be treated as separate employers prior to October 1 of any year, the
18 department shall apportion the balance in any existing account of the partnerships
19 ~~or limited liability companies~~ among the separate employers on January 1 following
20 the date of receipt of the request in proportion to the payrolls incurred in the
21 businesses operated by each of the employers in the 4 completed calendar quarters
22 ending on the computation date preceding the date of receipt of the request and shall
23 calculate the reserve percentage of each separate employer in accordance with the
24 proportion of the payroll attributable to that employer. Section 108.18 (2) is not made
25 applicable to the separate employers by reason of such treatment. For purposes of

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1 s. 108.18 (7), the department shall treat the partnerships ~~or limited liability~~
2 ~~companies~~ as separate employers on November 1 preceding that January 1. For
3 purposes of s. 108.18 (7) (b) and (c), the department shall treat the separate
4 employers as existing employers on that January 1.

5 (h) Whenever, prior to October 1 of any year, the department receives a written
6 request by all partnerships ~~or limited liability companies~~ consisting of the same
7 partners ~~or members~~ which have elected to be treated as separate employers for the
8 partnerships ~~or limited liability companies~~ to be treated as a single employer, the
9 department shall combine the balances in the existing accounts of the separate
10 employers into a new account on January 1 following the date of receipt of the request
11 and shall calculate the reserve percentage of the single employer in accordance with
12 the combined payroll attributable to each of the separate employers in the 4
13 completed calendar quarters ending on the computation date preceding that
14 January 1. Section 108.18 (2) is not made applicable to the single employer by reason
15 of such treatment. For purposes of s. 108.18 (7), the department shall treat the
16 partnerships ~~or limited liability companies~~ as a single employer on November 1
17 preceding that January 1. For purposes of s. 108.18 (7) (b) and (c), the department
18 shall treat the single employer as an existing employer on that January 1.

19 **SECTION 95.** 108.16 (3) (c) of the statutes is created to read:

20 108.16 (3) (c) Any nonrecoverable payment made without fault on the part of
21 the intended payee.

22 **SECTION 96.** 108.16 (6) (o) of the statutes is created to read:

23 108.16 (6) (o) Any erroneous payment recovered under s. 108.22 (8e).

24 **SECTION 97.** 108.16 (6m) (a) of the statutes is amended to read:

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1 108.16 **(6m)** (a) The benefits thus chargeable under s. 108.04 (1) (f), (5), (5g),
2 (7) (h), (8) (a), (13) (c) or (d) or (16) (e), 108.07 (3), (3r), (5) (b), (5m), or (6), or (8), 108.14
3 (8n) (e), 108.141, 108.151, or 108.152 or sub. (6) (e) or (7) (a) and (b).

4 **SECTION 98.** 108.16 (6m) (h) of the statutes is created to read:

5 108.16 **(6m)** (h) Any amount paid to correct a payment under s. 108.22 (8e) that
6 is not recovered or recoverable.

7 **SECTION 99.** 108.16 (8) (b) 4. of the statutes is amended to read:

8 108.16 **(8)** (b) 4. The department has received a written application from the
9 transferee requesting that it be deemed a successor. ~~Such~~ Unless the transferee
10 satisfies the department that the application was late as a result of excusable
11 neglect, the application must be received by the department on or before the
12 contribution payment due date for the first full quarter following the date of transfer.
13 The department shall not accept a late application under this subdivision more than
14 90 days after its due date.

15 **SECTION 100.** 108.205 (1) of the statutes is amended to read:

16 108.205 **(1)** Each employer shall file with the department, in such form as the
17 department by rule requires, a quarterly report showing the name, social security
18 number and wages paid to each employee who is employed by the employer in
19 employment with the employer during the quarter. ~~The department may also by rule~~
20 ~~require each employer to include in the report any salary reduction amounts that are~~
21 ~~not wages and that would have been paid to each such employee by the employer as~~
22 ~~salary during the quarter but for a salary reduction agreement under a cafeteria~~
23 ~~plan, within the meaning of 26 USC 125.~~ The employer shall file the report no later
24 than the last day of the month following the completion of each quarter.

25 **SECTION 101.** 108.21 (1) of the statutes is amended to read:

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1 108.21 (1) Every employing unit which employs one or more individuals to
2 perform work in this state shall keep an accurate work record for each individual
3 employed by it, including full name, address and social security number, which will
4 permit determination of the weekly wages earned by each such individual, the wages
5 paid within each quarter to that individual ~~and the salary reduction amounts that~~
6 ~~are not wages and that would have been paid by the employing unit to that individual~~
7 ~~as salary but for a salary reduction agreement under a cafeteria plan, within the~~
8 ~~meaning of 26 USC 125.~~ Each such employing unit shall permit any authorized
9 representative of the department to examine, at any reasonable time, the work
10 record and any other records which may show any wages paid by the employing unit,
11 ~~or any salary reduction amounts that are not wages and that would have been paid~~
12 ~~by the employing unit as salary but for a salary reduction agreement under a~~
13 ~~cafeteria plan, within the meaning of 26 USC 125,~~ regardless of the format in which
14 such a record is maintained. If such a record is maintained by an employing unit in
15 machine-readable format, the employing unit shall provide the department with
16 information necessary to retrieve the record. If the department determines that the
17 employing unit is unable to provide access to such a record or that the retrieval
18 capability at the site where the record is maintained is not adequate for efficient
19 examination, the employing unit shall provide a copy of the record to the department
20 and shall allow the department to remove the copy from that site for such period as
21 will permit examination at another location. Each such employing unit shall furnish
22 to the department upon demand a sworn statement of the information contained in
23 any such record.

24 **SECTION 102.** 108.22 (1) (a) of the statutes is amended to read:

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1 108.22 (1) (a) If Except as provided in par. (cm), if any employer, other than an
2 employer which has ceased business and has not paid or incurred a liability to pay
3 wages in any quarter following the cessation of business, is delinquent in making by
4 the assigned due date any payment to the department required of it under this
5 chapter, the employer shall pay interest on the delinquent payment at that monthly
6 rate that annualized is equal to 9 percent or to 2 percent more than the prime rate
7 as published in the Wall Street Journal as of September 30 of the preceding year,
8 whichever is greater, for each month or fraction thereof that the employer is
9 delinquent from the date such payment became due. If any such employer is
10 delinquent in ~~making filing~~ any quarterly report under s. 108.205 (1) by the assigned
11 due date, ~~the employer shall pay~~ department may assess a tardy filing fee ~~of \$50 to~~
12 the employer for each delinquent quarterly report in the amount of \$100 or \$20 per
13 employee, as reported on the employer's most recent quarterly report, whichever is
14 greater, or, if the report is filed within 30 days of its due date, in the amount of \$50.
15 If the department cannot determine the number of the employer's employees from
16 the employer's most recent quarterly report, the department may reasonably
17 estimate the number of the employer's employees for purposes of this paragraph.

18 **SECTION 103.** 108.22 (1) (cm) of the statutes is created to read:

19 108.22 (1) (cm) In limited circumstances as prescribed by rule of the
20 department, the department may waive or decrease the interest charged under par.
21 (a).

22 **SECTION 104.** 108.22 (8) (c) 1. a. of the statutes is amended to read:

23 108.22 (8) (c) 1. a. The overpayment was the result of a departmental error and
24 was not the fault of any employer under s. 108.04 (13) (f); and

25 **SECTION 105.** 108.22 (8e) of the statutes is created to read:

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1 108.22 **(8e)** If the department determines a payment has been made to an
2 unintended recipient erroneously without fault on the part of the intended payee, the
3 department may issue the correct payment to the intended payee if necessary, and
4 may recover the amount of the erroneous payment from the recipient under this
5 section or s. 108.225 or 108.245.

6 **SECTION 106.** 108.223 of the statutes is created to read:

7 **108.223 Financial record matching program. (1) DEFINITIONS.** In this
8 section:

9 (a) “Account” means a demand deposit account, checking account, negotiable
10 withdrawal order account, savings account, time deposit account, or money market
11 mutual fund account.

12 (b) “Debtor” has the meaning given in s. 108.225 (1) (c).

13 (c) “Financial institution” has the meaning given in 12 USC 3401 (1).

14 **(2) MATCHING PROGRAM AND AGREEMENTS.** (a) The department shall operate a
15 financial record matching program under this section for the purpose of identifying
16 the assets of debtors.

17 (b) The department shall enter into agreements with financial institutions
18 doing business in this state to operate the financial record matching program under
19 this section. An agreement shall require the financial institution to participate in
20 the financial record matching program by electing either the financial institution
21 matching option under sub. (3) or the state matching option under sub. (4). The
22 financial institution and the department may by mutual agreement make changes
23 to the agreement. A financial institution that wishes to choose a different matching
24 option shall provide the department with at least 60 days notice. The department
25 shall furnish the financial institution with a signed copy of the agreement.

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1 (c) The department may reimburse a financial institution up to \$125 per
2 calendar quarter for participating in the financial record matching program under
3 this section. The department shall make reimbursements under this paragraph
4 from the appropriation under s. 20.445 (1) (n).

5 (d) To the extent feasible, the information to be exchanged under the matching
6 program shall be provided by electronic data exchange as prescribed by the
7 department in the agreement under par. (b).

8 **(3) FINANCIAL INSTITUTION MATCHING OPTION.** If a financial institution with
9 which the department has an agreement under sub. (2) elects the financial
10 institution matching option under this subsection, all of the following apply:

11 (a) At least once each calendar quarter, the department shall provide to the
12 financial institution, in the manner specified in the agreement under sub. (2) (b),
13 information regarding debtors. The information shall include names and social
14 security or other taxpayer identification numbers.

15 (b) Based on the information received under par. (a), the financial institution
16 shall take actions necessary to determine whether any debtor has an ownership
17 interest in an account maintained at the financial institution. If the financial
18 institution determines that a debtor has an ownership interest in an account at the
19 financial institution, the financial institution shall provide the department with a
20 notice containing the debtor's name, address of record, social security number or
21 other taxpayer identification number, and account information. The account
22 information shall include the account number, the account type, the nature of the
23 ownership interest in the account, and the balance of the account at the time that the
24 record match is made. The notice under this paragraph shall be provided in the

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1 manner specified in the agreement under sub. (2) (b) and, to the extent feasible, by
2 an electronic data exchange.

3 (4) STATE MATCHING OPTION. If a financial institution with which the department
4 has an agreement under sub. (2) elects the state matching option under this
5 subsection, all of the following apply:

6 (a) At least once each calendar quarter, the financial institution shall provide
7 the department with information concerning all accounts maintained at the
8 financial institution. For each account maintained at the financial institution, the
9 financial institution shall notify the department of the name and social security
10 number or other tax identification number of each person having an ownership
11 interest in the account, together with a description of each person's interest. The
12 information required under this paragraph shall be provided in the manner specified
13 in the agreement under sub. (2) (b) and, to the extent feasible, by an electronic data
14 exchange.

15 (b) The department shall take actions necessary to determine whether any
16 debtor has an ownership interest in an account maintained at the financial
17 institution providing information under par. (a). Upon the request of the
18 department, the financial institution shall provide to the department, for each
19 debtor who matches information provided by the financial institution under par. (a),
20 the address of record, the account number and account type, and the balance of the
21 account.

22 (5) USE OF INFORMATION BY FINANCIAL INSTITUTION; PENALTY. A financial
23 institution participating in the financial record matching program under this
24 section, and the employees, agents, officers, and directors of the financial institution,
25 may use information received from the department under sub. (3) only for the

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1 purpose of matching records and may use information provided by the department
2 in requesting additional information under sub. (4) only for the purpose of providing
3 the additional information. Neither the financial institution nor any employee,
4 agent, officer, or director of the financial institution may disclose or retain
5 information received from the department concerning debtors. Any person who
6 violates this subsection may be fined not less than \$50 nor more than \$1,000 or
7 imprisoned in the county jail for not less than 10 days or more than one year or both.

8 (6) USE OF INFORMATION BY DEPARTMENT. The department may use information
9 provided by a financial institution under this section only for matching records under
10 sub. (4), for administering the financial record matching program under this section,
11 and for pursuing the collection of amounts owed to the department by debtors. The
12 department may not disclose or retain information received from a financial
13 institution under this section concerning account holders who are not debtors.

14 (7) FINANCIAL INSTITUTION LIABILITY. A financial institution is not liable to any
15 person for disclosing information to the department in accordance with an
16 agreement under this section or for any other action that the financial institution
17 takes in good faith to comply with this section.

18 **SECTION 107.** 108.225 (1) (b) of the statutes is amended to read:

19 108.225 (1) (b) "Debt" means a delinquent contribution or repayment of a
20 benefit overpayment, a delinquent assessment under s. 108.04 (11) (cm) or 108.19
21 (1m), a liability incurred under s. 108.04 (11) (bh), an erroneous payment from the
22 fund recovered under s. 108.245, or any liability of a 3rd party for failure to surrender
23 to the department property or rights to property subject to levy after proceedings
24 under sub. (4) (b) and s. 108.10 to determine that liability.

25 **SECTION 108.** 108.227 of the statutes is created to read:

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1 **108.227 License denial, nonrenewal, discontinuation, suspension and**
2 **revocation based on delinquent unemployment insurance contributions.**

3 **(1) DEFINITIONS.** In this section:

4 (a) “Contribution” includes contributions under ss. 108.17 and 108.18, interest
5 for a nontimely payment or a fee assessed on an employer, an assessment under s.
6 108.19, any payment due for a forfeiture imposed upon an employing unit under s.
7 108.04 (11) (c), and any other penalty assessed by the department under this chapter
8 against an employing unit.

9 (b) “Credential” has the meaning given in s. 440.01 (2) (a), but does not include
10 a registration as an inactive licensee under s. 452.12 (6) (b).

11 (c) “Credentialing board” means a board, examining board or affiliated
12 credentialing board in the department of safety and professional services that grants
13 a credential.

14 (d) “Liable for delinquent contributions” means that a person has exhausted
15 all of the person’s remedies under s. 108.10 to challenge the assertion that the person
16 owes the department any contributions and the person is delinquent in the payment
17 of those contributions.

18 (e) “License” means any of the following:

19 1. An approval specified in s. 29.024 (2r) or a license specified in s. 169.35.

20 2. A license issued by the department of children and families under s. 48.66
21 (1) (a) to a child welfare agency, group home, shelter care facility, or child care center,
22 as required by s. 48.60, 48.625, 48.65, or 938.22 (7).

23 3. A license, certificate of approval, provisional license, conditional license,
24 certification, certification card, registration, permit, training permit or approval
25 specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3)

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1 (a), 51.45 (8), 146.40 (3) or (3m), 252.23 (2), 252.24 (2), 254.176, 254.20 (3), 255.08 (2)
2 (a), 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a permit for
3 operation of a campground specified in s. 254.47 (1).

4 5. A license, as defined in s. 101.02 (20) (a).

5 6. A license or certificate of registration issued by the department of financial
6 institutions, or a division of it, under ss. 138.09, 138.12, 138.14, 217.06, 218.0101 to
7 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch.
8 551.

9 7. A license described in s. 218.0114 (14) (a) and (g), a license described in s.
10 218.0114 (14) (b), (c) or (e), a license issued under s. 218.11, 218.12, 218.22, 218.32,
11 218.41, 343.61 or 343.62, a buyer identification card issued under s. 218.51 or a
12 certificate of registration issued under s. 341.51.

13 7m. A license issued under s. 562.05 or 563.24.

14 8. A license, registration or certification specified in s. 299.07 (1) (a).

15 9. A credential.

16 10. A license or permit granted by the department of public instruction.

17 11. A license to practice law.

18 12. A license issued under s. 628.04, 632.69 (2), or 633.14 or a temporary license
19 issued under s. 628.09.

20 13. A license issued by the government accountability board under s. 13.63 (1).

21 14. A permit under s. 170.12.

22 15. A certificate under s. 73.03 (50) or a certification under s. 73.09.

23 (f) “Licensing department” means the department of administration; the board
24 of commissioners of public lands; the department of children and families; the
25 government accountability board; the department of financial institutions; the

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1 department of health services; the department of natural resources; the department
2 of public instruction; the department of revenue; the department of safety and
3 professional services; the office of the commissioner of insurance; or the department
4 of transportation.

5 (g) "Nondelinquency certificate" means a certificate that the department of
6 workforce development issues to a person and that states that the person is not liable
7 for delinquent contributions.

8 **(2) DUTIES AND POWERS OF LICENSING DEPARTMENTS.** (a) Each licensing
9 department and the supreme court, if the supreme court agrees, shall enter into a
10 memorandum of understanding with the department of workforce development
11 under sub. (4) (a) that requires the licensing department or supreme court to do all
12 of the following:

13 1. Request the department of workforce development to certify whether an
14 applicant for a license or license renewal or continuation is liable for delinquent
15 contributions. With respect to an applicant for a license granted by a credentialing
16 board, the department of safety and professional services shall make a request under
17 this subdivision. This subdivision does not apply to the department of transportation
18 with respect to licenses described in sub. (1) (e) 7.

19 2. Request the department of workforce development to certify whether a
20 license holder is liable for delinquent contributions. With respect to a holder of a
21 license granted by a credentialing board, the department of safety and professional
22 services shall make a request under this subdivision.

23 (b) Each licensing department and the supreme court, if the supreme court
24 agrees, shall do all of the following:

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1 1. a. If, after a request is made under par. (a) 1. or 2., the department of
2 workforce development certifies that the license holder or applicant for a license or
3 license renewal or continuation is liable for delinquent contributions, revoke the
4 license or deny the application for the license or license renewal or continuation. The
5 department of transportation may suspend licenses described in sub. (1) (e) 7. in lieu
6 of revoking those licenses. A suspension, revocation, or denial under this subd. 1. a.
7 is not subject to administrative review or, except as provided in sub. (6), judicial
8 review. With respect to a license granted by a credentialing board, the department
9 of safety and professional services shall make a revocation or denial under this subd.
10 1. a. With respect to a license to practice law, the department of workforce
11 development shall not submit a certification under this subd. 1. a. to the supreme
12 court until after the license holder or applicant has exhausted his or her remedies
13 under subs. (5) (a) and (6) or has failed to make use of such remedies.

14 b. Mail a notice of suspension, revocation, or denial under subd. 1. a. to the
15 license holder or applicant. The notice shall include a statement of the facts that
16 warrant the suspension, revocation, or denial and a statement that the license holder
17 or applicant may, within 30 days after the date on which the notice of suspension,
18 revocation, or denial is mailed, file a written request with the department of
19 workforce development to have the certification of contribution delinquency on
20 which the suspension, revocation, or denial is based reviewed at a hearing under sub.
21 (5) (a) and that the license holder or applicant may seek judicial review under sub.
22 (6) of an affirmation under sub. (5) (b) 2. that the person is liable for delinquent
23 contributions. With respect to a license granted by a credentialing board, the
24 department of safety and professional services shall mail a notice under this subd.
25 1. b. With respect to a license to practice law, the department of workforce

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1 development shall mail a notice under this subd. 1. b. and the notice shall indicate
2 that the license holder or applicant may request a hearing under sub. (5) (a) and may
3 request judicial review under sub. (6) and that the department of workforce
4 development will submit a certificate of delinquency to suspend, revoke, or deny a
5 license to practice law to the supreme court after the license holder or applicant has
6 exhausted his or her remedies under subs. (5) (a) and (6) or has failed to make use
7 of such remedies. A notice sent to a person who holds a license to practice law or who
8 is an applicant for a license to practice law shall also indicate that the department
9 of workforce development may not submit a certificate of delinquency to the supreme
10 court if the license holder or applicant pays the delinquent contributions in full or
11 enters into an agreement with the department of workforce development to satisfy
12 the delinquency.

13 2. Except as provided in subd. 2m., if notified by the department of workforce
14 development that the department of workforce development has affirmed a
15 certification of contribution delinquency after a hearing under sub. (5) (a), affirm a
16 suspension, revocation, or denial under subd. 1. a. With respect to a license granted
17 by a credentialing board, the department of safety and professional services shall
18 make an affirmation under this subdivision.

19 2m. With respect to a license to practice law, if notified by the department of
20 workforce development that the department of workforce development has affirmed
21 a certification of contribution delinquency after any requested review under subs. (5)
22 (a) and (6), decide whether to suspend, revoke, or deny a license to practice law.

23 3. If a person submits a nondelinquency certificate issued under sub. (5) (b) 1.,
24 reinstate the license or grant the application for the license or license renewal or
25 continuation, unless there are other grounds for suspending or revoking the license

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1 or for denying the application for the license or license renewal or continuation. If
2 reinstatement is required under this subdivision, a person is not required to submit
3 a new application or other material or to take a new test. No separate fee may be
4 charged for reinstatement of a license under this subdivision. With respect to a
5 license granted by a credentialing board, the department of safety and professional
6 services shall reinstate a license or grant an application under this subdivision.

7 4. If a person whose license has been suspended or revoked or whose
8 application for a license or license renewal or continuation has been denied under
9 subd. 1. a. submits a nondelinquency certificate issued under sub. (3) (a) 2., reinstate
10 the license or grant the person's application for the license or license renewal or
11 continuation, unless there are other grounds for not reinstating the license or for
12 denying the application for the license or license renewal or continuation. With
13 respect to a license granted by a credentialing board, the department of safety and
14 professional services shall reinstate a license or grant an application under this
15 subdivision.

16 (c) 1. Each licensing department and the supreme court may require a license
17 holder or an applicant for a license or license renewal or continuation to provide the
18 following information upon request:

19 a. If the license holder or applicant is an individual and has a social security
20 number, the license holder's or applicant's social security number.

21 am. If the license holder or applicant is an individual and does not have a social
22 security number, a statement made or subscribed under oath or affirmation that the
23 license holder or applicant does not have a social security number. The form of the
24 statement shall be prescribed by the department of children and families. A license
25 issued in reliance upon a false statement submitted under this subd. 1. am. is invalid.

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1 b. If the license holder or applicant is not an individual, the license holder's or
2 applicant's federal employer identification number.

3 2. A licensing department may not disclose any information received under
4 subd. 1. a. or b. to any person except to the department of workforce development for
5 the purpose of requesting certifications under par. (a) 1. or 2. in accordance with the
6 memorandum of understanding under sub. (4) and administering the
7 unemployment insurance program, to the department of revenue for the purpose of
8 requesting certifications under s. 73.0301 (2) (a) 1. or 2. in accordance with the
9 memorandum of understanding under s. 73.0301 (4) and administering state taxes,
10 and to the department of children and families for the purpose of administering s.
11 49.22.

12 **(3) DUTIES AND POWERS OF DEPARTMENT OF WORKFORCE DEVELOPMENT.** (a) The
13 department of workforce development shall do all of the following:

14 1. Enter into a memorandum of understanding with each licensing department
15 and the supreme court, if the supreme court agrees, under sub. (4) (a).

16 2. Upon the request of any applicant for issuance, renewal, continuation, or
17 reinstatement of a license whose license has been previously revoked or suspended
18 or whose application for a license or license renewal or continuation has been
19 previously denied under sub. (2) (b) 1. a., issue a nondelinquency certificate to the
20 applicant if the applicant is not liable for delinquent contributions.

21 3. Upon the request of any person whose license or certificate has been
22 previously revoked or denied under s. 102.17 (1) (ct), 103.275 (2) (bt), 103.34 (10) (d),
23 103.91 (4) (d), 103.92 (8), 104.07 (7), or 105.13 (4), reinstate the license or certificate
24 if the applicant is not liable for delinquent contributions.

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1 (b) If a request for certification is made under sub. (2) (a) 1. or 2., the
2 department of workforce development may, in accordance with a memorandum of
3 understanding entered into under par. (a) 1., certify to the licensing department or
4 the supreme court that the applicant or license holder is liable for delinquent
5 contributions.

6 **(4) MEMORANDUM OF UNDERSTANDING.** (a) Each memorandum of understanding
7 shall include procedures that do all of the following:

8 1. Establish requirements for making requests under sub. (2) (a) 1. and 2.,
9 including specifying the time when a licensing department or the supreme court
10 shall make requests under sub. (2) (a) 1. and 2., and for making certifications under
11 sub. (3) (b).

12 2. Implement the requirements specified in sub. (2) (b) 3. and 4.

13 (b) The department of workforce development and the licensing department
14 shall consider all of the following factors in establishing requirements under par. (a)
15 1.:

16 1. The need to issue licenses in a timely manner.

17 2. The convenience of applicants.

18 3. The impact on collecting delinquent contributions.

19 4. The effects on program administration.

20 5. Whether a suspension, revocation, or denial under sub. (2) (b) 1. a. will have
21 an impact on public health, safety, or welfare or the environment.

22 **(5) HEARING.** (a) The department of workforce development shall conduct a
23 hearing requested by a license holder or applicant for a license or license renewal or
24 continuation under sub. (2) (b) 1. b., or as requested under s. 102.17 (1) (ct), 103.275
25 (2) (bt), 103.34 (10) (d), 103.91 (4) (d), 103.92 (8), 104.07 (7), or 105.13 (4), to review

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1 a certification or determination of contribution delinquency that is the basis of a
2 denial, suspension, or revocation of a license or certificate in accordance with this
3 section or an action taken under s. 102.17 (1) (ct), 103.275 (2) (bt), 103.34 (10) (d),
4 103.91 (4) (d), 103.92 (8), 104.07 (7), or 105.13 (4). A hearing under this paragraph
5 is limited to questions of mistaken identity of the license or certificate holder or
6 applicant and of prior payment of the contributions that the department of workforce
7 development certified or determined the license or certificate holder or applicant
8 owes the department. At a hearing under this paragraph, any statement filed by the
9 department of workforce development, the licensing department, or the supreme
10 court, if the supreme court agrees, may be admitted into evidence and is prima facie
11 evidence of the facts that it contains. Notwithstanding ch. 227, a person entitled to
12 a hearing under this paragraph is not entitled to any other notice, hearing, or review,
13 except as provided in sub. (6).

14 (b) After a hearing conducted under par. (a) or, in the case of a determination
15 related to a license to practice law, after a hearing under par. (a) or, if the hearing is
16 appealed, after judicial review under sub. (6), the department of workforce
17 development shall do one of the following:

18 1. Issue a nondelinquency certificate to a license holder or an applicant for a
19 license or license renewal or continuation if the department determines that the
20 license holder or applicant is not liable for delinquent contributions. For a hearing
21 requested in response to an action taken under s. 102.17 (1) (ct), 103.275 (2) (bt),
22 103.34 (10) (d), 103.91 (4) (d), 103.92 (8), 104.07 (7), or 105.13 (4), the department
23 shall grant a license or certificate or reinstate a license or certificate if the
24 department determines that the applicant for or the holder of the license or

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1 certificate is not liable for delinquent contributions, unless there are other grounds
2 for denying the application or revoking the license or certificate.

3 2. Provide notice that the department of workforce development has affirmed
4 its certification of contribution delinquency to a license holder; to an applicant for a
5 license, a license renewal, or a license continuation; and to the licensing department
6 or the supreme court, if the supreme court agrees. For a hearing requested in
7 response to an action taken under s. 102.17 (1) (ct), 103.275 (2) (bt), 103.34 (10) (d),
8 103.91 (4) (d), 103.92 (8), 104.07 (7), or 105.13 (4), the department of workforce
9 development shall provide notice to the license or certificate holder or applicant that
10 the department of workforce development has affirmed its determination of
11 contribution delinquency.

12 **(6) JUDICIAL REVIEW.** A license holder or applicant may seek judicial review
13 under ss. 227.52 to 227.60 of an affirmation under sub. (5) (b) 2. that the person is
14 liable for delinquent contributions, except that the review shall be in the circuit court
15 for Dane County.

16 **SECTION 109.** 108.245 of the statutes is created to read:

17 **108.245 Recovery of erroneous payments from fund.** (1) The department
18 may commence an action to preserve and recover the proceeds of any payment from
19 the fund not resulting from a departmental error, including any payment to which
20 the recipient is not entitled, from any transferee or other person that receives,
21 possesses, or retains such a payment or from any account, including an account at
22 any financial institution, resulting from the transfer, use, or disbursement of such
23 a payment. The department may also commence an action to recover from a claimant
24 the amount of any benefits that were erroneously paid to another person who was
25 not entitled to receive the benefits because the claimant or the claimant's authorized

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1 agent divulged the claimant's security credentials to another person or failed to take
2 adequate measures to protect the credentials from being divulged to an
3 unauthorized person.

4 (2) The department may sue for injunctive relief to require the payee,
5 transferee, or other person, including a financial institution, in possession of the
6 proceeds from any payment from the fund to preserve the proceeds and to prevent
7 the transfer or use of the proceeds upon showing that the payee, transferee, or other
8 person that receives, possesses, or retains the proceeds is not entitled to receive,
9 possess, or retain the proceeds pending the final order of the court directing
10 disposition of the proceeds. Upon entry of a final order of the court directing the
11 proceeds to be transferred to the department, the payee, transferee, or other person
12 in possession of the proceeds shall transfer the proceeds to the department.

13 (3) The existence of an administrative or other legal remedy for recovery of a
14 payment under sub. (1) or the the failure of the department to exhaust any such
15 remedy is not a defense to an action under sub. (1). A judgment entered by a court
16 under this section may be recovered and satisfied under s. 108.225.

17 **SECTION 110.** 115.31 (6m) of the statutes is amended to read:

18 115.31 (6m) The department of public instruction shall, without a hearing,
19 revoke a license or permit granted by the department of public instruction if the
20 department of revenue certifies under s. 73.0301 that the licensee or permit holder
21 is liable for delinquent taxes or if the department of workforce development certifies
22 under s. 108.227 that the licensee or permit holder is liable for delinquent
23 unemployment insurance contributions.

24 **SECTION 111.** 118.19 (1m) (a) of the statutes is amended to read:

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1 118.19 (1m) (a) The department of public instruction may not issue or renew
2 a license or permit or revalidate a license that has no expiration date unless the
3 applicant provides the department of public instruction with his or her social
4 security number. The department of public instruction may not disclose the social
5 security number except to the department of revenue for the sole purpose of
6 requesting certifications under s. 73.0301 and to the department of workforce
7 development for the sole purpose of requesting certifications under s. 108.227.

8 **SECTION 112.** 118.19 (1m) (b) of the statutes is amended to read:

9 118.19 (1m) (b) The department of public instruction may not issue or renew
10 a license or permit or revalidate a license that has no expiration date if the
11 department of revenue certifies under s. 73.0301 that the applicant, licensee, or
12 permit holder is liable for delinquent taxes or if the department of workforce
13 development certifies under s. 108.227 that the applicant, licensee, or permit holder
14 is liable for delinquent unemployment insurance contributions.

15 **SECTION 113.** 138.09 (1m) (b) 2. a. of the statutes is amended to read:

16 138.09 (1m) (b) 2. a. The division may disclose information under subd. 1. to
17 the department of revenue for the sole purpose of requesting certifications under s.
18 73.0301 and to the department of workforce development for the sole purpose of
19 requesting certifications under s. 108.227.

20 **SECTION 114.** 138.09 (3) (am) 2. of the statutes is amended to read:

21 138.09 (3) (am) 2. The department of revenue certifies under s. 73.0301 that
22 the applicant is liable for delinquent taxes or the department of workforce
23 development certifies under s. 108.227 that the applicant is liable for delinquent
24 unemployment insurance contributions.

25 **SECTION 115.** 138.09 (4) (c) of the statutes is amended to read:

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1 138.09 (4) (c) The division shall revoke a license under this section if the
2 department of revenue certifies that the licensee is liable for delinquent taxes under
3 s. 73.0301 or if the department of workforce development certifies that the licensee
4 is liable for delinquent unemployment insurance contributions under s. 108.227. A
5 licensee whose license is revoked under this paragraph for delinquent taxes or
6 unemployment insurance contributions is entitled to a hearing under s. 73.0301 (5)
7 (a) or 108.227 (5) (a), whichever is applicable, but is not entitled to a hearing under
8 par. (a).

9 **SECTION 116.** 138.12 (3) (d) 2. a. of the statutes is amended to read:

10 138.12 (3) (d) 2. a. The division may disclose information under subd. 1. to the
11 department of revenue for the sole purpose of requesting certifications under s.
12 73.0301 and to the department of workforce development for the sole purpose of
13 requesting certifications under s. 108.227.

14 **SECTION 117.** 138.12 (4) (a) 1m. of the statutes is created to read:

15 138.12 (4) (a) 1m. An applicant whose application is denied under par. (b) 5m.
16 is entitled to a hearing under s. 108.227 (5) (a) but is not entitled to a hearing under
17 this paragraph.

18 **SECTION 118.** 138.12 (4) (b) 5m. of the statutes is created to read:

19 138.12 (4) (b) 5m. Has not been certified by the department of workforce
20 development under s. 108.227 as being liable for delinquent unemployment
21 insurance contributions.

22 **SECTION 119.** 138.12 (5) (am) 1. b. of the statutes is amended to read:

23 138.12 (5) (am) 1. b. The department of revenue has certified under s. 73.0301
24 that the applicant is liable for delinquent taxes under s. 73.0301 or the department
25 of workforce development has certified under s. 108.227 that the applicant is liable

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1 for delinquent unemployment insurance contributions under s. 108.227. An
2 applicant whose renewal application is denied under this subd. 1. b. is entitled to a
3 hearing under s. 73.0301 (5) (a) or 108.227 (5) (a) but is not entitled to a hearing under
4 par. (b).

5 **SECTION 120.** 138.12 (5) (am) 3. of the statutes is amended to read:

6 138.12 (5) (am) 3. The division shall revoke the license of any insurance
7 premium finance company if the department of revenue has certified under s.
8 73.0301 that the licensee is liable for delinquent taxes ~~under s. 73.0301~~ or if the
9 department of workforce development has certified under s. 108.227 that the
10 licensee is liable for delinquent unemployment insurance contributions. A licensee
11 whose license is revoked under this subdivision for delinquent taxes or
12 unemployment insurance contributions is entitled to a hearing under s. 73.0301 (5)
13 (a) or 108.227 (5) (a), whichever is applicable, but is not entitled to a hearing under
14 par. (b).

15 **SECTION 121.** 138.14 (4) (a) 2. a. of the statutes is amended to read:

16 138.14 (4) (a) 2. a. The division may disclose information under subd. 1. a. or
17 b. to the department of revenue for the sole purpose of requesting certifications under
18 s. 73.0301 and to the department of workforce development for the sole purpose of
19 requesting certifications under s. 108.227.

20 **SECTION 122.** 138.14 (5) (b) 2m. of the statutes is created to read:

21 138.14 (5) (b) 2m. The department of workforce development certifies under s.
22 108.227 that the applicant is liable for delinquent unemployment insurance
23 contributions.

24 **SECTION 123.** 138.14 (9) (cm) of the statutes is created to read:

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1 138.14 (9) (cm) The division shall revoke a license issued under this section if
2 the department of workforce development certifies under s. 108.227 that the licensee
3 is liable for delinquent unemployment insurance contributions. A licensee whose
4 license is revoked under this paragraph for delinquent unemployment insurance
5 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and a hearing under
6 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

7 **SECTION 124.** 138.14 (9) (d) of the statutes is amended to read:

8 138.14 (9) (d) Except as provided in pars. (b) ~~and (e)~~ to (cm), no license shall be
9 revoked or suspended except after a hearing under this section. A complaint stating
10 the grounds for suspension or revocation together with a notice of hearing shall be
11 delivered to the licensee at least 5 days in advance of the hearing. In the event the
12 licensee cannot be found, complaint and notice of hearing may be left at the place of
13 business stated in the license, which shall be considered the equivalent of delivering
14 the notice of hearing and complaint to the licensee.

15 **SECTION 125.** 146.40 (4d) (b) of the statutes is amended to read:

16 146.40 (4d) (b) The department may not disclose any information received
17 under par. (a) to any person except to the department of revenue for the sole purpose
18 of requesting certifications under s. 73.0301 and to the department of workforce
19 development for the sole purpose of requesting certifications under s. 108.227.

20 **SECTION 126.** 146.40 (4d) (d) of the statutes is amended to read:

21 146.40 (4d) (d) The department shall deny an application for the issuance of
22 an approval specified in par. (a) or shall revoke an approval if the department of
23 revenue certifies under s. 73.0301 that the applicant for or holder of approval is liable
24 for delinquent taxes or if the department of workforce development certifies under

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1 s. 108.227 that the applicant for or holder of approval is liable for delinquent
2 unemployment insurance contributions.

3 **SECTION 127.** 146.40 (4d) (e) of the statutes is amended to read:

4 146.40 (4d) (e) An action taken under par. (c) or (d) is subject to review only as
5 provided under s. 73.0301 (2) (b) and (5) or s. 108.227 (5) and (6), whichever is
6 applicable.

7 **SECTION 128.** 169.35 (title) of the statutes is amended to read:

8 **169.35** (title) **Denial and revocation of licenses based on tax**
9 **delinquency delinquent taxes or unemployment insurance contributions.**

10 **SECTION 129.** 169.35 (2) of the statutes is amended to read:

11 169.35 (2) DISCLOSURE OF NUMBERS. The department of natural resources may
12 not disclose any information received under sub. (1) to any person except to the
13 department of revenue for the sole purpose of making certifications required under
14 s. 73.0301 and to the department of workforce development for the sole purpose of
15 making certifications required under s. 108.227.

16 **SECTION 130.** 169.35 (3) of the statutes is amended to read:

17 169.35 (3) DENIAL AND REVOCATION. The department of natural resources shall
18 deny an application to issue or renew, or shall revoke if already issued, a license
19 specified in sub. (1) if the applicant for or the holder of the license fails to provide the
20 information required under sub. (1) ~~or~~, if the department of revenue certifies that the
21 applicant or license holder is liable for delinquent taxes under s. 73.0301, or if the
22 department of workforce development certifies that the applicant or license holder
23 is liable for delinquent unemployment insurance contributions under s. 108.227.

24 **SECTION 131.** 170.12 (3m) (b) 1. of the statutes is amended to read:

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1 170.12 **(3m)** (b) 1. The board may disclose information under par. (a) 1. or 2.
2 to the department of revenue for the sole purpose of requesting certifications under
3 s. 73.0301 and to the department of workforce development for the sole purpose of
4 requesting certifications under s. 108.227.

5 **SECTION 132.** 170.12 (8) (b) 1. bm. of the statutes is created to read:

6 170.12 **(8)** (b) 1. bm. The department of workforce development has certified
7 under s. 108.227 that the applicant is liable for delinquent unemployment insurance
8 contributions under s. 108.227. An applicant whose renewal application is denied
9 under this subd. 1. bm. is entitled to a hearing under s. 108.227 (5) (a) but is not
10 entitled to any other hearing under this section.

11 **SECTION 133.** 170.12 (8) (b) 4. of the statutes is created to read:

12 170.12 **(8)** (b) 4. The board shall revoke a permit issued under this section if
13 the department of workforce development has certified under s. 108.227 that the
14 permit holder is liable for delinquent unemployment insurance contributions under
15 s. 108.227. A permit holder whose permit is revoked under this subdivision for
16 delinquent unemployment insurance contributions is entitled to a hearing under s.
17 108.227 (5) (a) but is not entitled to any other hearing under this section.

18 **SECTION 134.** 217.05 (1m) (b) 1. of the statutes is amended to read:

19 217.05 **(1m)** (b) 1. The division may disclose information under par. (a) to the
20 department of revenue for the sole purpose of requesting certifications under s.
21 73.0301 and to the department of workforce development for the sole purpose of
22 requesting certifications under s. 108.227.

23 **SECTION 135.** 217.06 (5m) of the statutes is created to read:

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1 217.06 **(5m)** The applicant has not been certified under s. 108.227 by the
2 department of workforce development to be liable for delinquent unemployment
3 insurance contributions.

4 **SECTION 136.** 217.09 (1t) of the statutes is created to read:

5 217.09 **(1t)** The division shall revoke any license issued under this chapter if
6 the department of workforce development certifies under s. 108.227 that the licensee
7 is liable for delinquent unemployment insurance contributions. A licensee whose
8 license is revoked under this subsection for delinquent unemployment insurance
9 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and hearing under
10 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this chapter.

11 **SECTION 137.** 217.09 (4) of the statutes is amended to read:

12 217.09 **(4)** The division shall revoke or suspend only the authorization to
13 operate at the location with respect to which grounds for revocation or suspension
14 apply, but if the division finds that such grounds for revocation or suspension apply
15 to more than one location operated by such licensee, then the division shall revoke
16 or suspend all of the authorizations of the licensee to which such grounds apply.
17 Suspensions under sub. (1m) and revocations under sub. (1r) or (1t) shall suspend
18 or revoke the authorization to operate at all locations operated by the licensee.

19 **SECTION 138.** 217.09 (6) of the statutes is amended to read:

20 217.09 **(6)** Except for a license revoked under sub. (1r) or (1t), the division may
21 on its own motion issue a new license when a license has been revoked.

22 **SECTION 139.** 218.0114 (21e) (a) of the statutes is amended to read:

23 218.0114 **(21e)** (a) In addition to any other information required under this
24 section and except as provided in par. (c), an application by an individual for the
25 issuance or renewal of a license described in sub. (14) shall include the individual's

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1 social security number and an application by a person who is not an individual for
2 the issuance or renewal of a license described in sub. (14) (a), (b), (c) or (e) shall
3 include the person's federal employer identification number. The licensor may not
4 disclose any information received under this paragraph to any person except the
5 department of children and families for purposes of administering s. 49.22 or, the
6 department of revenue for the sole purpose of requesting certifications under s.
7 73.0301, and the department of workforce development for the sole purpose of
8 requesting certifications under s. 108.227.

9 **SECTION 140.** 218.0114 (21g) (b) 1. of the statutes is amended to read:

10 218.0114 (**21g**) (b) 1. The licensor may disclose information under par. (a) to
11 the department of revenue for the sole purpose of requesting certifications under s.
12 73.0301 and to the department of workforce development for the sole purpose of
13 requesting certifications under s. 108.227.

14 **SECTION 141.** 218.0116 (1g) (b) of the statutes is amended to read:

15 218.0116 (**1g**) (b) A license described in s. 218.0114 (14) (a), (b), (c) or (e) shall
16 be suspended or revoked if the department of revenue certifies under s. 73.0301 that
17 the applicant or licensee is liable for delinquent taxes or if the department of
18 workforce development certifies under s. 108.227 that the applicant or licensee is
19 liable for delinquent unemployment insurance contributions.

20 **SECTION 142.** 218.0116 (1m) (a) 2m. of the statutes is created to read:

21 218.0116 (**1m**) (a) 2m. The department of workforce development certifies
22 under s. 108.227 that the applicant is liable for delinquent unemployment insurance
23 contributions. An applicant whose license is denied under this subdivision for
24 delinquent unemployment insurance contributions is entitled to a notice under s.

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1 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not entitled to any other
2 notice or hearing under this section.

3 **SECTION 143.** 218.0116 (1m) (d) of the statutes is created to read:

4 218.0116 **(1m)** (d) A license described in s. 218.0114 (16) shall be revoked if the
5 department of workforce development certifies under s. 108.227 that the licensee is
6 liable for delinquent unemployment insurance contributions. A licensee whose
7 license is revoked under this paragraph for delinquent unemployment insurance
8 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and hearing under
9 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

10 **SECTION 144.** 218.02 (2) (a) 2. a. of the statutes is amended to read:

11 218.02 **(2)** (a) 2. a. The division may disclose information under subd. 1. to the
12 department of revenue for the sole purpose of requesting certifications under s.
13 73.0301 and to the department of workforce development for the sole purpose of
14 requesting certifications under s. 108.227.

15 **SECTION 145.** 218.02 (3) (dm) of the statutes is created to read:

16 218.02 **(3)** (dm) That the applicant has not been certified under s. 108.227 by
17 the department of workforce development as being liable for delinquent
18 unemployment insurance contributions.

19 **SECTION 146.** 218.02 (6) (d) of the statutes is created to read:

20 218.02 **(6)** (d) In accordance with s. 108.227, the division shall revoke a license
21 if the department of workforce development has certified under s. 108.227 that the
22 licensee is liable for delinquent unemployment insurance contributions.

23 **SECTION 147.** 218.02 (9) (a) 1m. of the statutes is created to read:

24 218.02 **(9)** (a) 1m. Applications for licenses that are denied, or licenses that are
25 revoked, because the department of workforce development has certified under s.

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1 108.227 that the applicant or licensee is liable for delinquent unemployment
2 insurance contributions.

3 **SECTION 148.** 218.04 (3) (a) 2. a. of the statutes is amended to read:

4 218.04 (3) (a) 2. a. The division may disclose information under subd. 1. to the
5 department of revenue for the sole purpose of requesting certifications under s.
6 73.0301 and to the department of workforce development for the sole purpose of
7 requesting certifications under s. 108.227.

8 **SECTION 149.** 218.04 (4) (am) 2m. of the statutes is created to read:

9 218.04 (4) (am) 2m. The department of workforce development certifies under
10 s. 108.227 that the applicant is liable for delinquent unemployment insurance
11 contributions. An applicant for whom a license is not issued or renewed under this
12 subdivision for delinquent unemployment insurance contributions is entitled to a
13 notice under s. 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not
14 entitled to any other notice or hearing under this section.

15 **SECTION 150.** 218.04 (5) (at) of the statutes is created to read:

16 218.04 (5) (at) The division shall revoke a license issued under this section if
17 the department of workforce development certifies under s. 108.227 that the licensee
18 is liable for delinquent unemployment insurance contributions. A licensee whose
19 license is revoked under this paragraph for delinquent unemployment insurance
20 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and a hearing under
21 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

22 **SECTION 151.** 218.04 (5) (b) of the statutes is amended to read:

23 218.04 (5) (b) Except as provided in pars. (am) ~~and (ar)~~ to (at), no license shall
24 be revoked or suspended except after a hearing under this section. A complaint
25 stating the grounds for suspension or revocation together with a notice of hearing

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1 shall be delivered to the licensee at least 5 days in advance of the hearing. In the
2 event the licensee cannot be found, complaint and notice of hearing may be left at the
3 place of business stated in the license and this shall be deemed the equivalent of
4 delivering the notice of hearing and complaint to the licensee.

5 **SECTION 152.** 218.05 (3) (am) 2. a. of the statutes is amended to read:

6 218.05 (3) (am) 2. a. The division may disclose information under subd. 1. to
7 the department of revenue for the sole purpose of requesting certifications under s.
8 73.0301 and to the department of workforce development for the sole purpose of
9 requesting certifications under s. 108.227.

10 **SECTION 153.** 218.05 (4) (c) 2m. of the statutes is created to read:

11 218.05 (4) (c) 2m. The department of workforce development certifies under s.
12 108.227 that the applicant is liable for delinquent unemployment insurance
13 contributions. An applicant whose application is denied under this subdivision for
14 delinquent unemployment insurance contributions is entitled to a notice under s.
15 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not entitled to any other
16 notice or hearing under this section.

17 **SECTION 154.** 218.05 (11) (bm) of the statutes is created to read:

18 218.05 (11) (bm) The department of workforce development certifies under s.
19 108.227 that the renewal applicant is liable for delinquent unemployment insurance
20 contributions. An applicant whose application is not renewed under this paragraph
21 for delinquent unemployment insurance contributions is entitled to a notice under
22 s. 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not entitled to any
23 other notice or hearing under this section.

24 **SECTION 155.** 218.05 (12) (at) of the statutes is created to read:

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1 218.05 (12) (at) The division shall revoke a license under this section if the
2 department of workforce development certifies under s. 108.227 that the licensee is
3 liable for delinquent unemployment insurance contributions. A licensee whose
4 license is revoked under this paragraph for delinquent unemployment insurance
5 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and a hearing under
6 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

7 **SECTION 156.** 218.05 (12) (b) of the statutes is amended to read:

8 218.05 (12) (b) The division may revoke only the particular license with respect
9 to which grounds for revocation may occur or exist, or if the division shall find that
10 such grounds for revocation are of general application to all offices or to more than
11 one office operated by such licensee, the division may revoke all of the licenses issued
12 to such licensee or such number of licenses to which such grounds apply. A revocation
13 under pars. (am) and ~~(ar)~~ to (at) applies to all of the licenses issued to the licensee.

14 **SECTION 157.** 218.05 (12) (e) of the statutes is amended to read:

15 218.05 (12) (e) Except as provided under pars. (am) and ~~(ar)~~ to (at), no license
16 shall be revoked until the licensee has had notice of a hearing thereon and an
17 opportunity to be heard. When any license is so revoked, the division shall within
18 20 days thereafter, prepare and keep on file with the division, a written order or
19 decision of revocation which shall contain the division's findings with respect thereto
20 and the reasons supporting the revocation and shall send by mail a copy thereof to
21 the licensee at the address set forth in the license within 5 days after the filing with
22 the division of such order, finding or decision.

23 **SECTION 158.** 218.11 (2) (am) 3. of the statutes is amended to read:

24 218.11 (2) (am) 3. The department may not disclose any information received
25 under subd. 1. to any person except to the department of children and families for

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1 purposes of administering s. 49.22 ~~or~~, to the department of revenue for the sole
2 purpose of requesting certifications under s. 73.0301, and to the department of
3 workforce development for the sole purpose of requesting certifications under s.
4 108.227.

5 **SECTION 159.** 218.11 (6m) (c) of the statutes is created to read:

6 218.11 **(6m)** (c) The licensor shall suspend or revoke a license if the department
7 of workforce development certifies under s. 108.227 that the licensee is liable for
8 delinquent unemployment insurance contributions. A licensee whose license is
9 suspended or revoked under this paragraph for delinquent unemployment insurance
10 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and a hearing under
11 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

12 **SECTION 160.** 218.12 (2) (am) 2. of the statutes is amended to read:

13 218.12 **(2)** (am) 2. The department may not disclose a social security number
14 obtained under par. (a) to any person except to the department of children and
15 families for the sole purpose of administering s. 49.22 ~~or~~, to the department of
16 revenue for the sole purpose of requesting certifications under s. 73.0301, and to the
17 department of workforce development for the sole purpose of requesting
18 certifications under s. 108.227.

19 **SECTION 161.** 218.12 (3m) (c) of the statutes is created to read:

20 218.12 **(3m)** (c) The licensor shall suspend or revoke a license if the department
21 of workforce development certifies under s. 108.227 that the licensee is liable for
22 delinquent unemployment insurance contributions. A licensee whose license is
23 suspended or revoked under this paragraph for delinquent unemployment insurance
24 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and a hearing under
25 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

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1 **SECTION 162.** 218.21 (2m) (b) of the statutes is amended to read:

2 218.21 **(2m)** (b) The department of transportation may not disclose any
3 information received under sub. (2) (ag) or (am) to any person except to the
4 department of children and families for purposes of administering s. 49.22 or, the
5 department of revenue for the sole purpose of requesting certifications under s.
6 73.0301, and the department of workforce development for the sole purpose of
7 requesting certifications under s. 108.227.

8 **SECTION 163.** 218.22 (3m) (c) of the statutes is created to read:

9 218.22 **(3m)** (c) The department of transportation shall suspend or revoke a
10 license if the department of workforce development certifies under s. 108.227 that
11 the licensee is liable for delinquent unemployment insurance contributions. A
12 licensee whose license is suspended or revoked under this paragraph for delinquent
13 unemployment insurance contributions is entitled to a notice under s. 108.227 (2) (b)
14 1. b. and a hearing under s. 108.227 (5) (a) but is not entitled to any other notice or
15 hearing under this section.

16 **SECTION 164.** 218.31 (1m) (b) of the statutes is amended to read:

17 218.31 **(1m)** (b) The department of transportation may not disclose any
18 information received under sub. (1) (ag) or (am) to any person except to the
19 department of children and families for purposes of administering s. 49.22 or, the
20 department of revenue for the sole purpose of requesting certifications under s.
21 73.0301, and the department of workforce development for the sole purpose of
22 requesting certifications under s. 108.227.

23 **SECTION 165.** 218.32 (3m) (c) of the statutes is created to read:

24 218.32 **(3m)** (c) The department of transportation shall suspend or revoke a
25 license if the department of workforce development certifies under s. 108.227 that

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1 the licensee is liable for delinquent unemployment insurance contributions. A
2 licensee whose license is suspended or revoked under this paragraph for delinquent
3 unemployment insurance contributions is entitled to a notice under s. 108.227 (2) (b)
4 1. b. and a hearing under s. 108.227 (5) (a) but is not entitled to any other notice or
5 hearing under this section.

6 **SECTION 166.** 218.41 (2) (am) 2. of the statutes is amended to read:

7 218.41 (2) (am) 2. The department of transportation may not disclose any
8 information received under subd. 1. a. or b. to any person except to the department
9 of children and families for the sole purpose of administering s. 49.22 or, the
10 department of revenue for the sole purpose of requesting certifications under s.
11 73.0301, and the department of workforce development for the sole purpose of
12 requesting certifications under s. 108.227.

13 **SECTION 167.** 218.41 (3m) (b) 3. of the statutes is created to read:

14 218.41 (3m) (b) 3. A license shall be suspended or revoked if the department
15 of workforce development certifies under s. 108.227 that the licensee is liable for
16 delinquent unemployment insurance contributions. A licensee whose license is
17 suspended or revoked under this subdivision for delinquent unemployment
18 insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and
19 hearing under s. 108.227 (5) (a) but is not entitled to any other notice or hearing
20 under this section.

21 **SECTION 168.** 218.51 (3) (am) 2. of the statutes is amended to read:

22 218.51 (3) (am) 2. The department of transportation may not disclose any
23 information received under subd. 1. a. or b. to any person except to the department
24 of children and families for the sole purpose of administering s. 49.22 or, the
25 department of revenue for the sole purpose of requesting certifications under s.

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1 73.0301, and the department of workforce development for the sole purpose of
2 requesting certifications under s. 108.227.

3 **SECTION 169.** 218.51 (4m) (b) 3. of the statutes is created to read:

4 218.51 **(4m)** (b) 3. A buyer identification card shall be suspended or revoked
5 if the department of workforce development certifies under s. 108.227 that the
6 cardholder is liable for delinquent unemployment insurance contributions. A
7 cardholder whose buyer identification card is suspended or revoked under this
8 subdivision for delinquent unemployment insurance contributions is entitled to a
9 notice under s. 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not
10 entitled to any other notice or hearing under this section.

11 **SECTION 170.** 224.44 of the statutes is created to read:

12 **224.44 Disclosure of financial records for collection of unemployment**
13 **insurance debt. (1) DEFINITIONS.** In this section:

14 (a) “Financial institution” has the meaning given in 12 USC 3401 (1).

15 (b) “Financial record” has the meaning given in 12 USC 3401 (2).

16 **(2) FINANCIAL RECORD MATCHING AGREEMENTS.** A financial institution is required
17 to enter into an agreement with the department of workforce development under s.
18 108.223.

19 **(3) LIMITED LIABILITY.** A financial institution is not liable for any of the
20 following:

21 (a) Disclosing a financial record of an individual or other information to the
22 department of workforce development in accordance with an agreement, and its
23 participation in the program, under s. 108.223.

24 (b) Any other action taken in good faith to comply with s. 108.223.

25 **SECTION 171.** 224.72 (2) (c) 2. a. of the statutes is amended to read:

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1 224.72 (2) (c) 2. a. The department may disclose information under subd. 1. to
2 the department of revenue for the sole purpose of requesting certifications under s.
3 73.0301 and to the department of workforce development for the sole purpose of
4 requesting certifications under s. 108.227.

5 **SECTION 172.** 224.72 (7m) (bm) of the statutes is created to read:

6 224.72 (7m) (bm) The department of workforce development has certified
7 under s. 108.227 that the applicant is liable for delinquent unemployment insurance
8 contributions. An applicant whose application for issuance or renewal of a license
9 is denied under this paragraph for delinquent unemployment insurance
10 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and hearing under
11 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

12 **SECTION 173.** 224.725 (2) (b) 1. a. of the statutes is amended to read:

13 224.725 (2) (b) 1. a. The division may disclose the social security number to the
14 department of revenue for the sole purpose of requesting certifications under s.
15 73.0301 and to the department of workforce development for the sole purpose of
16 requesting certifications under s. 108.227.

17 **SECTION 174.** 224.725 (6) (bm) of the statutes is created to read:

18 224.725 (6) (bm) The department of workforce development has certified under
19 s. 108.227 that the applicant is liable for delinquent unemployment insurance
20 contributions. An applicant whose application for issuance or renewal of a license
21 is denied under this paragraph for delinquent unemployment insurance
22 contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and hearing under
23 s. 108.227 (5) (a) but is not entitled to any other notice or hearing under this section.

24 **SECTION 175.** 224.77 (2m) (e) of the statutes is created to read:

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1 224.77 (2m) (e) The division shall revoke the license of a mortgage banker,
2 mortgage loan originator, or mortgage broker if the department of workforce
3 development certifies under s. 108.227 that the licensee is liable for delinquent
4 unemployment insurance contributions. A licensee whose license is revoked under
5 this subsection for delinquent unemployment insurance contributions is entitled to
6 a notice under s. 108.227 (2) (b) 1. b. and a hearing under s. 108.227 (5) (a) but is not
7 entitled to any other notice, hearing or review under this section.

8 **SECTION 176.** 224.927 (1) of the statutes is amended to read:

9 224.927 (1) The division may disclose the information to the department of
10 revenue for the sole purpose of requesting ~~certification~~ certifications under s.
11 73.0301 and to the department of workforce development for the sole purpose of
12 requesting certifications under s. 108.227.

13 **SECTION 177.** 224.95 (1) (bm) of the statutes is created to read:

14 224.95 (1) (bm) The department of workforce development has certified under
15 s. 108.227 that the applicant is liable for delinquent unemployment insurance
16 contributions. An applicant whose application for issuance or renewal of a license
17 is denied under this paragraph is entitled to a notice under s. 108.227 (2) (b) 1. b. and
18 a hearing under s. 108.227 (5) (a) but is not entitled to a notice or hearing under sub.
19 (4).

20 **SECTION 178.** 227.53 (1) (a) 3. of the statutes is amended to read:

21 227.53 (1) (a) 3. If the petitioner is a resident, the proceedings shall be held in
22 the circuit court for the county where the petitioner resides, except that if the
23 petitioner is an agency, the proceedings shall be in the circuit court for the county
24 where the respondent resides and except as provided in ss. 73.0301 (2) (b) 2., 77.59
25 (6) (b), 108.227 (6), 182.70 (6), and 182.71 (5) (g). If the petitioner is a nonresident,

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1 the proceedings shall be held in the county where the property affected by the
2 decision is located or, if no property is affected, in the county where the dispute arose.
3 If all parties stipulate and the court to which the parties desire to transfer the
4 proceedings agrees, the proceedings may be held in the county designated by the
5 parties. If 2 or more petitions for review of the same decision are filed in different
6 counties, the circuit judge for the county in which a petition for review of the decision
7 was first filed shall determine the venue for judicial review of the decision, and shall
8 order transfer or consolidation where appropriate.

9 **SECTION 179.** 252.241 (title) of the statutes is amended to read:

10 **252.241 (title) Denial, nonrenewal and revocation of license based on**
11 **~~tax—delinquency~~ delinquent taxes or unemployment insurance**
12 **contributions.**

13 **SECTION 180.** 252.241 (2) of the statutes is amended to read:

14 252.241 (2) The department may not disclose any information received under
15 sub. (1) to any person except to the department of revenue for the sole purpose of
16 requesting certifications under s. 73.0301 and to the department of workforce
17 development for the sole purpose of requesting certifications under s. 108.227.

18 **SECTION 181.** 252.241 (5) of the statutes is created to read:

19 252.241 (5) The department shall deny an application for the issuance or
20 renewal of a license specified in sub. (1), or shall revoke the license specified in sub.
21 (1), if the department of workforce development certifies under s. 108.227 that the
22 applicant for or holder of the license is liable for delinquent unemployment insurance
23 contributions.

24 **SECTION 182.** 254.115 (title) of the statutes is amended to read:

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1 **254.115** (title) **Denial, nonrenewal and revocation of certification and**
2 **permit based on tax delinquency delinquent taxes or unemployment**
3 **insurance contributions.**

4 **SECTION 183.** 254.115 (2) of the statutes is amended to read:

5 254.115 (2) The department may not disclose any information received under
6 sub. (1) to any person except to the department of revenue for the sole purpose of
7 requesting certifications under s. 73.0301 and to the department of workforce
8 development for the sole purpose of requesting certifications under s. 108.227.

9 **SECTION 184.** 254.115 (5) of the statutes is created to read:

10 254.115 (5) The department shall deny an application for the issuance or
11 renewal of a certification, certification card or permit specified in sub. (1), or shall
12 revoke the certification, certification card or permit specified in sub. (1), if the
13 department of workforce development certifies under s. 108.227 that the applicant
14 for or holder of the certification, certification card or permit is liable for delinquent
15 unemployment insurance contributions.

16 **SECTION 185.** 254.176 (5) of the statutes is amended to read:

17 254.176 (5) After notice and opportunity for hearing, the department may
18 revoke, suspend, deny or refuse to renew any certification issued under this section
19 in accordance with the procedures set forth in ch. 227, except that if a revocation,
20 denial, or nonrenewal is based on tax delinquency under s. 73.0301 or unemployment
21 insurance contribution delinquency under s. 108.227, the only hearing rights
22 ~~available for a denial, revocation or nonrenewal of any certification issued under this~~
23 ~~section based on tax delinquency~~ are those set forth in s. 73.0301 (5) or 108.227 (5),
24 whichever is applicable.

25 **SECTION 186.** 254.20 (7) of the statutes is amended to read:

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1 254.20 (7) APPEALS. Any suspension, revocation or nonrenewal of a certification
2 card required under sub. (2) or any denial of an application for such a certification
3 card is subject to judicial review under ch. 227, except as provided in s. 250.041 and
4 except that the only hearing rights available for a denial, revocation, or nonrenewal
5 of a certification card required under sub. (2) based on tax delinquency under s.
6 73.0301 or unemployment insurance contribution delinquency under s. 108.227 are
7 those set forth in s. 73.0301 (5) or 108.227 (5), whichever is applicable.

8 **SECTION 187.** 256.18 (title) of the statutes is amended to read:

9 **256.18** (title) **Denial, nonrenewal, and revocation of license,**
10 **certification, or permit based on tax delinquency delinquent taxes or**
11 **unemployment insurance contributions.**

12 **SECTION 188.** 256.18 (2) of the statutes is amended to read:

13 256.18 (2) The department may not disclose any information received under
14 sub. (1) to any person except to the department of revenue for the sole purpose of
15 requesting certifications under s. 73.0301 and to the department of workforce
16 development for the sole purpose of requesting certifications under s. 108.227.

17 **SECTION 189.** 256.18 (4m) of the statutes is created to read:

18 256.18 (4m) The department shall deny an application for the issuance or
19 renewal of a license, certificate, or permit specified in sub. (1) or shall revoke a
20 license, certificate, or permit specified in sub. (1), if the department of workforce
21 development certifies under s. 108.227 that the applicant for or holder of the license,
22 certificate, or permit is liable for delinquent unemployment insurance contributions.

23 **SECTION 190.** 256.18 (5) of the statutes is amended to read:

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1 256.18 (5) An action taken under sub. (3) ~~or~~, (4), or (4m) is subject to review only
2 as provided under s. 73.0301 (2) (b) and (5) or 108.227 (5) and (6), whichever is
3 applicable.

4 **SECTION 191.** 299.07 (title) of the statutes is amended to read:

5 **299.07 (title) License denial, nonrenewal, and revocation based on tax**
6 **delinquency delinquent taxes or unemployment insurance contributions.**

7 **SECTION 192.** 299.07 (1) (b) 1. of the statutes is amended to read:

8 299.07 (1) (b) 1. To the department of revenue for the purpose of requesting
9 certifications under s. 73.0301 and to the department of workforce development for
10 the purpose of requesting certifications under s. 108.227.

11 **SECTION 193.** 299.07 (3) of the statutes is created to read:

12 299.07 (3) The department shall deny an application for the issuance or
13 renewal of a license, registration, or certification specified in sub. (1) (a), or shall
14 revoke a license, registration, or certification specified in sub. (1) (a), if the
15 department of workforce development certifies under s. 108.227 that the applicant
16 or holder of the license, registration, or certification is liable for delinquent
17 unemployment insurance contributions.

18 **SECTION 194.** 299.08 (1) (b) 2. of the statutes is amended to read:

19 299.08 (1) (b) 2. If the department is required to obtain the information under
20 s. 299.07 (1) (a), to the department of revenue for the purpose of requesting
21 certifications under s. 73.0301 and to the department of workforce development for
22 the purpose of requesting certifications under s. 108.227.

23 **SECTION 195.** 341.51 (4g) (b) of the statutes is amended to read:

24 341.51 (4g) (b) The department of transportation may not disclose any
25 information obtained under sub. (4) (am) or (ar) to any person except to the

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1 department of children and families for the sole purpose of administering s. 49.22 or,
2 the department of revenue for the sole purpose of requesting certifications under s.
3 73.0301, and the department of workforce development for the sole purposes of
4 enforcing or administering s. 108.22 and requesting certifications under s. 108.227.

5 **SECTION 196.** 341.51 (4m) (c) of the statutes is created to read:

6 341.51 (4m) (c) A registration shall be suspended or revoked if the department
7 of workforce development certifies under s. 108.227 that the registrant is liable for
8 delinquent unemployment insurance contributions. A registrant whose registration
9 is suspended or revoked under this paragraph for delinquent unemployment
10 insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and
11 hearing under s. 108.227 (5) (a) but is not entitled to any other notice or hearing
12 under this section.

13 **SECTION 197.** 342.06 (1) (eg) of the statutes is amended to read:

14 342.06 (1) (eg) Except as provided in par. (eh), if the applicant is an individual,
15 the social security number of the applicant. The department of transportation may
16 not disclose a social security number obtained under this paragraph to any person
17 except to the department of children and families for the sole purpose of
18 administering s. 49.22, to the department of workforce development for the sole
19 purpose of enforcing or administering s. 108.22, and to the department of revenue
20 for the purposes of administering state taxes and collecting debt.

21 **SECTION 198.** 343.14 (1) of the statutes is amended to read:

22 343.14 (1) Every application to the department for a license or identification
23 card or for renewal thereof shall be made upon the appropriate form furnished by the
24 department and shall be accompanied by all required fees. ~~Names,~~ Notwithstanding
25 s. 343.50 (8) (b), names, addresses, license numbers, and social security numbers

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1 obtained by the department under this subsection shall be provided to the
2 department of revenue for the purpose of administering ss. 71.93 and 71.935 and
3 state taxes and to the department of workforce development for the sole purpose of
4 enforcing or administering s. 108.22.

5 **SECTION 199.** 343.14 (2j) of the statutes is amended to read:

6 343.14 **(2j)** Except as otherwise required to administer and enforce this
7 chapter, the department of transportation may not disclose a social security number
8 obtained from an applicant for a license under sub. (2) (bm) to any person except to
9 the department of children and families for the sole purpose of administering s.
10 49.22, to the department of workforce development for the sole purpose of enforcing
11 or administering s. 108.22, to the department of revenue for the purposes of
12 administering state taxes and collecting debt, or to the driver licensing agency of
13 another jurisdiction.

14 **SECTION 200.** 343.305 (6) (e) 3. b. of the statutes is amended to read:

15 343.305 **(6)** (e) 3. b. The licensor may not disclose any information received
16 under subd. 2. a. or b. except to the department of children and families for purposes
17 of administering s. 49.22 ~~or~~, the department of revenue for the sole purpose of
18 requesting certifications under s. 73.0301, and the department of workforce
19 development for the sole purpose of requesting certifications under s. 108.227.

20 **SECTION 201.** 343.305 (6) (e) 6. of the statutes is created to read:

21 343.305 **(6)** (e) 6. If the licensor is the department of health services, the
22 department of health services shall deny an application for the issuance or renewal
23 of a permit or laboratory approval, or revoke a permit or laboratory approval already
24 issued, if the department of workforce development certifies under s. 108.227 that
25 the applicant or holder of the permit or laboratory approval is liable for delinquent

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1 unemployment insurance contributions. An applicant for whom a permit or
2 laboratory approval is not issued or renewed, or an individual or laboratory whose
3 permit or laboratory approval is revoked, under this subdivision for delinquent
4 unemployment insurance contributions is entitled to a notice under s. 108.227 (2) (b)
5 1. b. and a hearing under s. 108.227 (5) (a) but is not entitled to any other notice or
6 hearing under this subsection.

7 **SECTION 202.** 343.61 (2) (b) of the statutes is amended to read:

8 343.61 (2) (b) The department of transportation may not disclose any
9 information received under par. (a) 1. or 2. to any person except to the department
10 of children and families for purposes of administering s. 49.22 or, the department of
11 revenue for the sole purpose of requesting certifications under s. 73.0301, and the
12 department of workforce development for the sole purpose of requesting
13 certifications under s. 108.227.

14 **SECTION 203.** 343.62 (2) (b) of the statutes is amended to read:

15 343.62 (2) (b) The department of transportation may not disclose a social
16 security number obtained under par. (a) to any person except to the department of
17 children and families for the sole purpose of administering s. 49.22 or, the
18 department of revenue for the sole purpose of requesting certifications under s.
19 73.0301, and the department of workforce development for the sole purpose of
20 requesting certifications under s. 108.227.

21 **SECTION 204.** 343.66 (3m) of the statutes is created to read:

22 343.66 (3m) The secretary shall suspend or revoke a driver school license
23 issued under s. 343.61 or an instructor's license issued under s. 343.62, if the
24 department of workforce development certifies under s. 108.227 that the licensee is
25 liable for delinquent unemployment insurance contributions. A licensee whose

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1 driver school license or instructor's license is suspended or revoked under this
2 subsection for delinquent unemployment insurance contributions is entitled to a
3 notice under s. 108.227 (2) (b) 1. b. and a hearing under s. 108.227 (5) (a) but is not
4 entitled to any other notice or hearing under this subchapter.

5 **SECTION 205.** 343.69 (1) of the statutes is amended to read:

6 343.69 (1) If the department denies an application for original issuance or
7 renewal of a driver school license or instructor's license, or revokes, suspends,
8 cancels, or restricts any such license, the department shall notify the applicant or
9 licensee in writing of the action by sending notice of the action by registered or
10 certified mail to the last-known address of the licensee or applicant. Any person who
11 is aggrieved by a decision of the department under this subsection may, within 10
12 days after the date of receiving notice of the department's action, request review of
13 the action by the division of hearings and appeals in the department of
14 administration under ch. 227. This subsection does not apply to denials,
15 cancellations, restrictions, suspensions, or revocations of licenses under s. 343.66 (2)
16 ~~or, (3), or (3m).~~

17 **SECTION 206.** 440.03 (11m) (c) of the statutes is amended to read:

18 440.03 (11m) (c) The department of safety and professional services may not
19 disclose a social security number obtained under par. (a) to any person except the
20 coordinated licensure information system under s. 441.50 (7); the department of
21 children and families for purposes of administering s. 49.22; and, for a social security
22 number obtained under par. (a) 1., the department of revenue for the purpose of
23 requesting certifications under s. 73.0301 and administering state taxes and the
24 department of workforce development for the purpose of requesting certifications
25 under s. 108.227.

ASSEMBLY BILL 219**SECTION 207**

1 **SECTION 207.** 440.12 of the statutes is renumbered 440.12 (intro.) and amended
2 to read:

3 **440.12 Credential denial, nonrenewal and revocation based on tax or**
4 **unemployment insurance contribution delinquency.** (intro.)

5 Notwithstanding any other provision of chs. 440 to 480 relating to issuance or
6 renewal of a credential, the department shall deny an application for an initial
7 credential or credential renewal or revoke a credential if ~~the~~ any of the following
8 applies:

9 **(1)** The department of revenue certifies under s. 73.0301 that the applicant or
10 credential holder is liable for delinquent taxes, ~~as defined in s. 73.0301 (1) (e).~~

11 **SECTION 208.** 440.12 (2) of the statutes is created to read:

12 **440.12 (2)** The department of workforce development certifies under s. 108.227
13 that the applicant or credential holder is liable for delinquent unemployment
14 insurance contributions.

15 **SECTION 209.** 452.18 of the statutes is amended to read:

16 **452.18 Court review.** Except as provided in ~~s. ss.~~ ss. 73.0301 (2) (b) 1. a. and 2.
17 and 108.227 (2) (b) 1. a. and (6), orders of the board and department shall be subject
18 to review as provided in ch. 227.

19 **SECTION 210.** 551.406 (6) (a) 1m. of the statutes is created to read:

20 551.406 **(6)** (a) 1m. The department of workforce development, for the sole
21 purpose of requesting certifications under s. 108.227.

22 **SECTION 211.** 551.412 (4g) (a) 1. of the statutes is amended to read:

23 551.412 **(4g)** (a) 1. The applicant fails to provide any information required
24 under s. 551.406 (6) (a) 1., 1m., or 2.

25 **SECTION 212.** 551.412 (4g) (a) 2m. of the statutes is created to read:

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1 551.412 (4g) (a) 2m. The department of workforce development certifies under
2 s. 108.227 that the applicant is liable for delinquent unemployment insurance
3 contributions. An applicant whose application for the issuance or renewal of a
4 registration is denied under this subdivision for delinquent unemployment
5 insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and
6 hearing under s. 108.227 (5) (a), but is not entitled to any other notice, hearing, or
7 review under this subchapter.

8 **SECTION 213.** 551.412 (4g) (d) of the statutes is created to read:

9 551.412 (4g) (d) The administrator shall revoke a registration if the
10 department of workforce development certifies under s. 108.227 that the registrant
11 is liable for delinquent unemployment insurance contributions. A registrant whose
12 registration is revoked under this paragraph for delinquent unemployment
13 insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and
14 hearing under s. 108.227 (5) (a) but is not entitled to any other notice, hearing, or
15 review under this subchapter.

16 **SECTION 214.** 551.605 (2) of the statutes is amended to read:

17 551.605 (2) FINDINGS AND COOPERATION. Under this chapter, except as provided
18 under s. 551.412 (4g) (b) ~~and, (c), and (d)~~, a rule or form may not be adopted or
19 amended, or an order issued or amended, unless the administrator finds that the
20 rule, form, order, or amendment is necessary or appropriate in the public interest or
21 for the protection of investors and is consistent with the purposes intended by this
22 chapter. In adopting, amending, and repealing rules and forms, s. 551.608 applies
23 in order to achieve uniformity among the states and coordination with federal laws
24 in the form and content of registration statements, applications, reports, and other
25 records, including the adoption of uniform rules, forms, and procedures.

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1 **SECTION 215.** 562.05 (5) (a) 11. of the statutes is created to read:

2 562.05 (5) (a) 11. The person is liable for delinquent unemployment insurance
3 contributions, as certified by the department of workforce development under s.
4 108.227. Any person for whom a license is not issued under this paragraph for
5 delinquent unemployment insurance contributions is entitled to a notice under s.
6 108.227 (2) (b) 1. b. and a hearing under s. 108.227 (5) (a) but is not entitled to any
7 other notice or hearing under this section.

8 **SECTION 216.** 562.05 (8) (f) of the statutes is created to read:

9 562.05 (8) (f) The department shall revoke or not renew the license of any
10 person who has been certified by the department of workforce development under s.
11 108.227 to be liable for delinquent unemployment insurance contributions. Any
12 person for whom a license is revoked or not renewed under this paragraph for
13 delinquent unemployment insurance contributions is entitled to a notice under s.
14 108.227 (2) (b) 1. b. and a hearing under s. 108.227 (5) (a) but is not entitled to any
15 other notice or hearing under this section.

16 **SECTION 217.** 562.05 (8m) (a) of the statutes is amended to read:

17 562.05 (8m) (a) If the applicant for any license is an individual, the department
18 shall disclose his or her social security number to the department of children and
19 families for the purpose of administering s. 49.22 and, to the department of revenue
20 for the purpose of requesting certifications under s. 73.0301, and to the department
21 of workforce development for the purpose of requesting certifications under s.
22 108.227.

23 **SECTION 218.** 562.05 (8m) (b) of the statutes is amended to read:

24 562.05 (8m) (b) If the applicant for any license is not an individual, the
25 department shall disclose the person's federal employer identification number to the

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1 department of revenue for the purpose of requesting certifications under s. 73.0301
2 and to the department of workforce development for the purpose of requesting
3 certifications under s. 108.227.

4 **SECTION 219.** 563.285 (title) of the statutes is amended to read:

5 **563.285** (title) **Supplier's license and delinquent taxes or**
6 **unemployment insurance contributions.**

7 **SECTION 220.** 563.285 (1m) of the statutes is created to read:

8 563.285 (1m) The department shall deny an application for the issuance or
9 renewal of a license, or revoke a license already issued, if the department of
10 workforce development certifies under s. 108.227 that the applicant or licensee is
11 liable for delinquent unemployment insurance contributions. An applicant for
12 whom a license is not issued or renewed, or a licensee whose license is revoked, under
13 this section for delinquent unemployment insurance contributions is entitled to a
14 notice under s. 108.227 (2) (b) 1. b. and a hearing under s. 108.227 (5) (a) but is not
15 entitled to any other notice or hearing under this section.

16 **SECTION 221.** 563.285 (2) (a) of the statutes is amended to read:

17 563.285 (2) (a) If a licensee or an applicant for any license is an individual, the
18 department shall disclose his or her social security number to the department of
19 revenue for the purpose of requesting certifications under s. 73.0301 and to the
20 department of workforce development for the purpose of requesting certifications
21 under s. 108.227.

22 **SECTION 222.** 563.285 (2) (b) of the statutes is amended to read:

23 563.285 (2) (b) If a licensee or an applicant for any license is not an individual,
24 the department shall disclose the person's federal employer identification number
25 to the department of revenue for the purpose of requesting certifications under s.

ASSEMBLY BILL 219**SECTION 222**

1 73.0301 and to the department of workforce development for the purpose of
2 requesting certifications under s. 108.227.

3 **SECTION 223.** 628.095 (4) (b) of the statutes is amended to read:

4 628.095 (4) (b) The commissioner may disclose any information received under
5 sub. (1) or (3) to the department of revenue for the purpose of requesting
6 certifications under s. 73.0301 and to the department of workforce development for
7 the purpose of requesting certifications under s. 108.227.

8 **SECTION 224.** 628.097 (title) of the statutes is amended to read:

9 **628.097 (title) Refusal to issue license; failure to pay support or to**
10 **comply with subpoena or warrant; tax or unemployment insurance**
11 **contribution delinquency.**

12 **SECTION 225.** 628.097 (2m) of the statutes is amended to read:

13 628.097 (2m) FOR LIABILITY FOR DELINQUENT TAXES OR UNEMPLOYMENT INSURANCE
14 CONTRIBUTIONS. The commissioner shall refuse to issue a license, including a
15 temporary license, under this subchapter if the department of revenue certifies
16 under s. 73.0301 that the applicant for the license is liable for delinquent taxes or if
17 the department of workforce development certifies under s. 108.227 that the
18 applicant for the license is liable for delinquent unemployment insurance
19 contributions.

20 **SECTION 226.** 628.10 (2) (cm) of the statutes is amended to read:

21 628.10 (2) (cm) *For liability for delinquent taxes or unemployment insurance*
22 *contributions.* The commissioner shall revoke the license of an intermediary,
23 including a temporary license under s. 628.09, if the department of revenue certifies
24 under s. 73.0301 that the intermediary is liable for delinquent taxes or if the
25 department of workforce development certifies under s. 108.227 that the

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1 intermediary is liable for delinquent unemployment insurance contributions. An
2 intermediary who is a natural person whose license is revoked under this paragraph
3 may have his or her license reinstated, or may be relicensed, as provided in sub. (5).

4 **SECTION 227.** 632.69 (2) (c) of the statutes is amended to read:

5 632.69 (2) (c) The commissioner may not issue a license under this subsection
6 unless the applicant provides his or her social security number or its federal
7 employer identification number or, if the applicant does not have a social security
8 number, a statement made or subscribed under oath or affirmation that the
9 applicant does not have a social security number. An applicant who is providing a
10 statement that he or she does not have a social security number, shall provide that
11 statement along with the application for a license on a form prescribed by the
12 department of children and families. A licensee shall provide to the commissioner
13 the licensee's social security number, statement the licensee does not have the social
14 security number, or federal employment identification number of the licensee at the
15 time that the annual license renewal fee is paid, if not previously provided. The
16 commissioner shall disclose a social security number obtained from an applicant or
17 licensee to the department of children and families in the administration of s. 49.22,
18 as provided in a memorandum of understanding entered into under s. 49.857. The
19 commissioner may disclose the social security number or federal employment
20 identification number of an applicant or licensee to the department of revenue for the
21 purpose of requesting certifications under s. 73.0301 and to the department of
22 workforce development for the purpose of requesting certifications under s. 108.227.

23 **SECTION 228.** 632.69 (2) (d) 2. of the statutes is amended to read:

24 632.69 (2) (d) 2. The commissioner shall refuse to issue or renew a license under
25 this subsection if the department of revenue certifies under s. 73.0301 that the

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1 applicant for the license or renewal of the license is liable for delinquent taxes or if
2 the department of workforce development certifies under s. 108.227 that the
3 applicant for the license or renewal of the license is liable for delinquent
4 unemployment insurance contributions.

5 **SECTION 229.** 632.69 (4) (d) of the statutes is amended to read:

6 632.69 (4) (d) The commissioner shall revoke the license of a licensee if the
7 department of revenue certifies under s. 73.0301 that the licensee is liable for
8 delinquent taxes or if the department of workforce development certifies under s.
9 108.227 that the licensee is liable for delinquent unemployment insurance
10 contributions.

11 **SECTION 230.** 633.14 (2c) (b) of the statutes is amended to read:

12 633.14 (2c) (b) The commissioner may disclose any information received under
13 sub. (1) (d) or (2) (d) or s. 633.15 (1m) to the department of revenue for the purpose
14 of requesting certifications under s. 73.0301 and to the department of workforce
15 development for the purpose of requesting certifications under s. 108.227.

16 **SECTION 231.** 633.14 (2m) (b) of the statutes is amended to read:

17 633.14 (2m) (b) Notwithstanding subs. (1) and (2), the commissioner may not
18 issue a license under this section if the department of revenue certifies under s.
19 73.0301 that the applicant is liable for delinquent taxes or if the department of
20 workforce development certifies under s. 108.227 that the applicant is liable for
21 delinquent unemployment insurance contributions.

22 **SECTION 232.** 633.15 (2) (d) of the statutes is amended to read:

23 633.15 (2) (d) *For liability for delinquent taxes or unemployment insurance*
24 *contributions.* The commissioner shall revoke or refuse to renew a license issued
25 under s. 633.14 if the department of revenue certifies under s. 73.0301 that the

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1 licensee is liable for delinquent taxes or if the department of workforce development
2 certifies under s. 108.227 that the licensee is liable for delinquent unemployment
3 insurance contributions.

4 **SECTION 233.** 751.155 (title) of the statutes is amended to read:

5 **751.155** (title) **Rules regarding the practice of law; delinquent**
6 **taxpayers taxes and unemployment insurance contributions.**

7 **SECTION 234.** 751.155 (1) of the statutes is amended to read:

8 751.155 (1) The supreme court is requested to enter into a memorandum of
9 understanding with the department of revenue under s. 73.0301, and the supreme
10 court is requested to enter into a memorandum of understanding with the
11 department of workforce development under s. 108.227.

12 **SECTION 235.** 751.155 (2) of the statutes is amended to read:

13 751.155 (2) The supreme court is requested to promulgate rules that require
14 each person, as a condition of membership in the state bar, to provide the board of
15 bar examiners with his or her social security number and that prohibit the disclosure
16 of that number to any person except the department of revenue for the sole purpose
17 of making certifications under s. 73.0301 and the department of workforce
18 development for the sole purpose of making certifications under s. 108.227.

19 **SECTION 236.** 751.155 (3) of the statutes is amended to read:

20 751.155 (3) The supreme court is requested to promulgate rules that deny an
21 application for a license to practice law or revoke a license to practice law already
22 issued if the applicant or licensee fails to provide the information required under
23 rules promulgated under sub. (2) or, if the department of revenue certifies that the
24 applicant or licensee is liable for delinquent taxes under s. 73.0301, or if the

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1 department of workforce development certifies that the licensee is liable for
2 delinquent unemployment insurance contributions under s. 108.227.

3 **SECTION 237. Nonstatutory provisions.**

4 (1) The department of workforce development shall ensure that the searchable,
5 electronic database required to be maintained under section 108.14 (22) of the
6 statutes, as created by this act, is available for use no later than one year after the
7 effective date of this subsection.

8 (2) The department of workforce development shall make the handbook
9 required to be created under section 108.14 (23) of the statutes, as created by this act,
10 available no later than one year after the effective date of this subsection.

11 (3) The department of workforce development shall initially provide the
12 information to employers required under section 108.14 (24) of the statutes, as
13 created by this act, no later than one year after the effective date of this subsection.

14 (4) No later than one year after the effective date of this subsection, the
15 department of workforce development shall conduct a training similar to the
16 training required under section 108.14 (25) (b) of the statutes, as created by this act,
17 for all appeal tribunals, as defined in section 108.14 (25) (a) of the statutes, as created
18 by this act, who were previously employed or appointed to serve as appeal tribunals
19 and who the department of workforce development anticipates will continue to serve
20 as appeal tribunals in the future.

21 (5) The department of workforce development shall request funding from the
22 U.S. department of labor to hire additional employees to perform unemployment
23 insurance fraud investigations so as to begin conducting investigations on or after
24 January 5, 2014.

25 **SECTION 238. Initial applicability.**

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1 (1) The renumbering of section 50.498 (4) of the statutes, the renumbering and
2 amendment of section 440.12 of the statutes, the amendment of sections 13.63 (1) (b),
3 13.63 (1) (c), 19.55 (2) (d), 29.024 (2r) (title), 29.024 (2r) (c), 29.024 (2r) (d) 1., 48.66
4 (2m) (c), 48.715 (7), 50.498 (title), 50.498 (2), 50.498 (5), 51.032 (title), 51.032 (2),
5 51.032 (4), 51.032 (5), 71.78 (4) (o), 73.0301 (2) (c) 2., 73.0302 (title), 73.09 (6m),
6 101.02 (20) (b), 101.02 (20) (c), 101.02 (20) (d), 102.17 (1) (c), 103.005 (10), 103.275
7 (2) (b) (intro.), 103.275 (7) (b), 103.275 (7) (c), 103.34 (3) (c), 103.34 (10) (title), 103.92
8 (3), 104.07 (1) and (2), 105.13 (1), 108.10 (intro.) (with respect to license revocations
9 based upon delinquency in payment of unemployment insurance contributions),
10 115.31 (6m), 118.19 (1m) (a), 118.19 (1m) (b), 138.09 (1m) (b) 2. a., 138.09 (3) (am) 2.,
11 138.09 (4) (c), 138.12 (3) (d) 2. a., 138.12 (5) (am) 1. b., 138.12 (5) (am) 3., 138.14 (4)
12 (a) 2. a., 138.14 (9) (d), 146.40 (4d) (b), 146.40 (4d) (d), 146.40 (4d) (e), 169.35 (title),
13 169.35 (2), 169.35 (3), 170.12 (3m) (b) 1., 217.05 (1m) (b) 1., 217.09 (4), 217.09 (6),
14 218.0114 (21e) (a), 218.0114 (21g) (b) 1., 218.0116 (1g) (b), 218.02 (2) (a) 2. a., 218.04
15 (3) (a) 2. a., 218.04 (5) (b), 218.05 (3) (am) 2. a., 218.05 (12) (b), 218.05 (12) (e), 218.11
16 (2) (am) 3., 218.12 (2) (am) 2., 218.21 (2m) (b), 218.31 (1m) (b), 218.41 (2) (am) 2.,
17 218.51 (3) (am) 2., 224.72 (2) (c) 2. a., 224.725 (2) (b) 1. a., 224.927 (1), 227.53 (1) (a)
18 3., 252.241 (title), 252.241 (2), 254.115 (title), 254.115 (2), 254.176 (5), 254.20 (7),
19 256.18 (title), 256.18 (2), 256.18 (5), 299.07 (title), 299.07 (1) (b) 1., 299.08 (1) (b) 2.,
20 341.51 (4g) (b) (with respect to requesting certifications under section 108.227 of the
21 statutes, as created by this act), 343.305 (6) (e) 3. b., 343.61 (2) (b), 343.62 (2) (b),
22 343.69 (1), 440.03 (11m) (c), 452.18, 551.412 (4g) (a) 1., 551.605 (2), 562.05 (8m) (a),
23 562.05 (8m) (b), 563.285 (title), 563.285 (2) (a), 563.285 (2) (b), 628.095 (4) (b), 628.097
24 (title), 628.097 (2m), 628.10 (2) (cm), 632.69 (2) (c), 632.69 (2) (d) 2., 632.69 (4) (d),
25 633.14 (2c) (b), 633.14 (2m) (b), 633.15 (2) (d), 751.155 (title), 751.155 (1), 751.155 (2),

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1 and 751.155 (3) of the statutes, and the creation of sections 50.498 (4) (b), 73.0302
2 (5), 73.0302 (6), 73.09 (8), 102.17 (1) (ct), 103.275 (2) (bt), 103.34 (10) (d), 103.91 (4)
3 (d), 103.92 (8), 104.07 (7), 105.13 (4), 108.227, 138.12 (4) (a) 1m., 138.12 (4) (b) 5m.,
4 138.14 (5) (b) 2m., 138.14 (9) (cm), 170.12 (8) (b) 1. bm., 170.12 (8) (b) 4., 217.06 (5m),
5 217.09 (1t), 218.0116 (1m) (a) 2m., 218.0116 (1m) (d), 218.02 (3) (dm), 218.02 (6) (d),
6 218.02 (9) (a) 1m., 218.04 (4) (am) 2m., 218.04 (5) (at), 218.05 (4) (c) 2m., 218.05 (11)
7 (bm), 218.05 (12) (at), 218.11 (6m) (c), 218.12 (3m) (c), 218.22 (3m) (c), 218.32 (3m)
8 (c), 218.41 (3m) (b) 3., 218.51 (4m) (b) 3., 224.72 (7m) (bm), 224.725 (6) (bm), 224.77
9 (2m) (e), 224.95 (1) (bm), 252.241 (5), 254.115 (5), 256.18 (4m), 299.07 (3), 341.51 (4m)
10 (c), 343.305 (6) (e) 6., 343.66 (3m), 440.12 (2), 551.406 (6) (a) 1m., 551.412 (4g) (a) 2m.,
11 551.412 (4g) (d), 562.05 (5) (a) 11., 562.05 (8) (f), and 563.285 (1m) of the statutes first
12 apply to contributions, as defined in section 108.227 (1) (a) of the statutes, as created
13 by this act, that are delinquent on January 1, 2014.

14 (2) The treatment of sections 108.02 (4m) (a) and (g), 108.205 (1), and 108.21
15 (1) of the statutes and the amendment of section 108.05 (3) (a) of the statutes first
16 apply with respect to new claims filed on October 1, 2013.

17 (3) The treatment of sections 108.02 (15) (kt), 108.07 (8), 108.14 (8n) (e),
18 108.141 (7) (a), and 108.16 (6m) (a) of the statutes first applies with respect to
19 determinations issued under section 108.10 of the statutes on January 1, 2014, or,
20 with respect to determinations that are appealed, to decisions issued under section
21 108.10 of the statutes on January 1, 2014.

22 (4) The treatment of section 108.04 (1) (f) of the statutes first applies with
23 respect to determinations issued under section 108.09 of the statutes on January 5,
24 2014, or, with respect to determinations that are appealed, to decisions issued under
25 section 108.09 of the statutes on January 5, 2014.

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1 (5) The treatment of sections 108.04 (1) (g) (intro.) and 108.06 (1), (2) (c) and
2 (cm), (3), (6) (intro.) and (7) of the statutes first applies with respect to new claims
3 for extended training benefits filed on January 5, 2014.

4 (6) The treatment of sections 108.04 (1) (hm) and (i) of the statutes first applies
5 with respect determinations issued under section 108.09 of the statutes on January
6 5, 2014, or, with respect to determinations that are appealed, to decisions issued
7 under section 108.09 of the statutes on January 5, 2014.

8 (7) The treatment of section 108.04 (2) (a) 4. and (15) of the statutes first applies
9 with respect to weeks of unemployment beginning on or after the effective date of this
10 subsection.

11 (8) The treatment of sections 108.04 (2) (g) and 108.245 (1) (with respect to
12 actions against claimants) of the statutes first applies with respect to determinations
13 issued under section 108.09 of the statutes on January 5, 2014, or, with respect to
14 determinations that are appealed, to decisions issued under section 108.09 of the
15 statutes on January 5, 2014.

16 (9) The treatment of section 108.04 (2) (h) and (12) (f) of the statutes first
17 applies with respect to determinations issued under section 108.09 of the statutes on
18 January 5, 2014, or, with respect to determinations that are appealed, to decisions
19 issued under section 108.09 of the statutes on January 5, 2014.

20 (10) The treatment of section 108.04 (8) (a) and (c) of the statutes first applies
21 with respect to determinations issued under section 108.09 of the statutes on
22 January 5, 2014, or, with respect to determinations that are appealed, to decisions
23 issued under section 108.09 of the statutes on January 5, 2014.

24 (11) The treatment of section 108.05 (2) (c) of the statutes first applies with
25 respect to weeks of unemployment beginning on January 5, 2014.

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1 (12) The treatment of sections 108.10 (intro.) (with respect to recovery of
2 erroneous payments), 108.16 (3) (c), (6) (o), and (6m) (h), 108.22 (8) (c) 1.a. and (8e),
3 108.225 (1) (b), and 108.245 (with respect to recovery of erroneous payments) of the
4 statutes, the renumbering of section 108.02 (10e) (a) and (b) of the statutes, the
5 renumbering and amendment of section 108.02 (10e) (intro.) of the statutes, and the
6 creation of section 108.02 (10e) (bm) of the statutes first apply with respect to
7 determinations issued under sections 108.09 and 108.10 of the statutes on January
8 5, 2014, or, with respect to determinations that are appealed, to decisions issued
9 under sections 108.09 and 108.10 of the statutes on January 5, 2014.

10 (13) The treatment of section 108.16 (8) (b) 4. of the statutes first applies with
11 respect to transfers of businesses occurring after December 31, 2013.

12 (14) The treatment of section 108.22 (1) (a) of the statutes (with respect to the
13 amount of tardy filing fees) first applies with respect to quarterly wage reports
14 required to be filed for wages earned in 2014.

15 **SECTION 239. Effective dates.** This act takes effect on the first Sunday after
16 publication, except as follows:

17 (1) The repeal and recreation of section 108.05 (1) (q) (intro.) and (r) (intro.) and
18 (3) (a) of the statutes takes effect on June 30, 2013, or on the first Sunday after
19 publication, whichever is later.

20 (2) The treatment of section 108.14 (19) and (20) of the statutes takes effect on
21 January 5, 2014, or on the first Sunday after publication, whichever is later.

22 (3) The treatment of sections 108.04 (2) (a) 3. c. and 4. and (15) of the statutes
23 takes effect on July 1, 2013, or on the day after publication, whichever is later.

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1 (4) The treatment of sections 108.223 and 224.44 of the statutes takes effect on
2 January 1, 2014, or on the day after publication, whichever is later.

3 **(END)**