

1 447.065 (3) A dentist who delegates to another an unlicensed individual the  
 2 performance of any practice or remediable procedure is responsible for that  
 3 individual's performance of that delegated practice or procedure."

4 \*b0793/1.6\* **1264.** Page 1156, line 7: after that line insert:

5 \*b0793/1.6\* "SECTION 3619s. 560.031 (6m) of the statutes is created to read:

6 560.031 (6m) Annually, in consultation with the council on recycling, the board  
 7 shall establish a list of materials recovered from solid waste for which the board may  
 8 award financial assistance."

9 \*b0850/1.1\* **1265.** Page 1156, line 7: after that line insert:

10 \*b0850/1.1\* "SECTION 3619w. 560.06 (2) of the statutes is amended to read:

11 560.06 (2) In each fiscal year ~~1999-2000~~, the department ~~may~~ shall provide up  
 12 to \$100,000 from the appropriations under s. 20.143 (1) (c) and (ie) in assistance to  
 13 ~~a~~ the nonprofit organization specified in sub. (1) that provides assistance to  
 14 organizations and individuals in urban areas. Notwithstanding sub. (1), the  
 15 department shall use the moneys authorized under this subsection in accordance  
 16 with the memorandum of understanding under sub. (1) and shall ensure that the  
 17 nonprofit organization provides assistance to organizations and individuals in an  
 18 area that includes the city of Beloit."

19 \*b0957/1.18\* **1266.** Page 1156, line 7: after that line insert:

20 \*b0957/1.18\* "SECTION 3619sd. 560.036 (2) (a) of the statutes is amended to  
 21 read:

22 560.036 (2) (a) For the purposes of ss. 16.75 (3m), 16.854, 16.855 (10m), 16.87  
 23 (2), 18.16, 18.64, 18.77, 25.17 (59), 25.185, 34.05 (4), 38.18, 43.17 (9) (a), 59.52 (29)  
 24 (c), 59.57 (1) (b), 60.47 (7), 61.55 (3), 62.15 (1) (c), 66.0901 (6), 84.075, 84.076, 119.495

1 (2), 120.12 (27), 200.49, 200.57, 229.46, 229.70, 229.8273, 229.845, 231.27 and,  
2 232.05 (2) (d), 234.01 (4n) (a) 3m. d., 234.35, 234.65 (1) (g), 252.12 (2) (c) 2., 560.038,  
3 560.039, and 560.80 to 560.85, the department shall establish and periodically  
4 update a list of certified minority businesses, minority financial advisers, and  
5 minority investment firms. Any business, financial adviser, or investment firm may  
6 apply to the department for certification. For purposes of this paragraph, unless the  
7 context otherwise requires, a “business” includes a financial adviser or investment  
8 firm.

9 **\*b0957/1.18\* SECTION 3619sg.** 560.036 (3) (a) of the statutes is amended to  
10 read:

11 560.036 (3) (a) The department shall promulgate rules establishing procedures  
12 to implement sub. (2). Those rules shall include a rule prescribing a uniform  
13 application form for certification under sub. (2).

14 **\*b0957/1.18\* SECTION 3619sj.** 560.036 (3) (c) of the statutes is amended to  
15 read:

16 560.036 (3) (c) The department may promulgate rules establishing conditions  
17 with which a business, financial adviser, or investment firm must comply to qualify  
18 for certification, in addition to the qualifications specified under sub. (1) (e), (ep), and  
19 (fm), respectively. Those rules may not require that a business, financial adviser, or  
20 investment firm submit any income or franchise tax return to the department as a  
21 condition for qualification for certification.

22 **\*b0957/1.18\* SECTION 3619sm.** 560.038 (1) (ar) of the statutes is amended to  
23 read:

24 560.038 (1) (ar) “Minority business” has the meaning given in s. 560.036 (1) (e)  
25 means a business that is certified by the department under s. 560.036 (2).

1           **\*b0957/1.18\* SECTION 3619sp.** 560.039 (1) (b) of the statutes is amended to  
2 read:

3           560.039 (1) (b) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
4 means a business that is certified by the department under s. 560.036 (2).”.

5           **\*b1019/1.6\* 1267.** Page 1156, line 7: after that line insert:

6           **\*b1019/1.6\* “SECTION 3619t.** 560.036 (2) (a) of the statutes is amended to read:  
7           560.036 (2) (a) For the purposes of ss. 16.63 (2m), 16.75 (3m), 16.855 (10m),  
8 16.87 (2), 18.16, 18.64, 18.77, 25.185, 119.495 (2), 200.57, 231.27 and 234.35, the  
9 department shall establish and periodically update a list of certified minority  
10 businesses, minority financial advisers and minority investment firms. Any  
11 business, financial adviser or investment firm may apply to the department for  
12 certification. For purposes of this paragraph, unless the context otherwise requires,  
13 a “business” includes a financial adviser or investment firm.”.

14           **\*b1097/2.4\* 1268.** Page 1156, line 7: after that line insert:

15           **\*b1097/2.4\* “SECTION 3619v.** 560.036 (2) (a) of the statutes is amended to read:  
16           560.036 (2) (a) For the purposes of ss. 16.75 (3m), 16.855 (10m), 16.87 (2), 18.16,  
17 18.64, 18.77, 25.185, 84.014 (7r), 119.495 (2), 200.57, 231.27, and 234.35, the  
18 department shall establish and periodically update a list of certified minority  
19 businesses, minority financial advisers, and minority investment firms. Any  
20 business, financial adviser, or investment firm may apply to the department for  
21 certification. For purposes of this paragraph, unless the context otherwise requires,  
22 a “business” includes a financial adviser or investment firm.

23           **\*b1097/2.4\* SECTION 3619w.** 560.036 (2) (d) 1. b. of the statutes is amended  
24 to read:

1           560.036 (2) (d) 1. b. The department determines that, with respect to a specified  
2 type of supply, material, equipment, or service, there are not enough certified  
3 minority business suppliers in this state to enable this state to achieve compliance  
4 with ss. 16.75 (3m), 16.855 (10m), 16.87 (2) ~~and~~, 25.185, and 84.014 (7r).”

5           **\*b0879/1.1\* 1269.** Page 1156, line 7: delete that line.

6           **\*b0893/2.6\* 1270.** Page 1162, line 7: after that line insert:

7           **\*b0893/2.6\* “SECTION 3648m.** 560.145 (1) (intro.) of the statutes is amended  
8 to read:

9           560.145 (1) GRANTS. (intro.) Subject to sub. (3), the department may make a  
10 grant to a person from the ~~appropriation~~ appropriations under s. 20.143 (1) (c) and  
11 (kd) for the capitalization of a revolving loan fund if all of the following apply:

12           **\*b0893/2.6\* SECTION 3648p.** 560.147 (1) (intro.) of the statutes is amended to  
13 read:

14           560.147 (1) LOANS. (intro.) Subject to sub. (4), the department may make a loan  
15 to a person from the appropriations under s. 20.143 (1) (c) and, (ie), and (kd) for a  
16 project described in sub. (2) if all of the following apply:”

17           **\*b0893/2.7\* 1271.** Page 1162, line 10: after that line insert:

18           **\*b0893/2.7\* “SECTION 3649c.** 560.16 (2) (a) of the statutes is amended to read:

19           560.16 (2) (a) From the appropriations under s. 20.143 (1) (c) and, (ie), and (kd),  
20 the department may make grants to existing business groups for a feasibility study  
21 to investigate the reorganization or new incorporation of an existing business as an  
22 employee-owned business and for professional services to implement the study.”

23           **\*b0893/2.8\* 1272.** Page 1164, line 22: after that line insert:

24           **\*b0893/2.8\* “SECTION 3664m.** 560.175 (2) of the statutes is amended to read:

1           560.175 (2) Subject to subs. (3) and (6), the department may make a grant from  
2 the ~~appropriation~~ appropriations under s. 20.143 (1) (c) and (kd) to a person to fund  
3 an early planning project.”.

4           **\*b1058/2.18\* 1273.** Page 1165, line 11: delete lines 11 and 12 and substitute:  
5           “560.183 (1) (ae) “Dentist” means an individual licensed under s. 447.04 (1).”.

6           **\*b0762/1.10\* 1274.** Page 1171, line 17: after that line insert:

7           **\*b0762/1.10\* “SECTION 3693m.** 560.28 of the statutes is created to read:

8           **560.28 Heritage trust program. (1)** Beginning in the 2003–04 fiscal year,  
9 the department may, subject to sub. (5), award grants to local governmental units,  
10 as defined in s. 22.01 (7), for the preservation of historic buildings and properties  
11 owned by the local units of government. The grants shall be financed from the  
12 appropriation under s. 20.866 (2) (zbz).

13           **(2)** Annually, beginning in the 2003–04 fiscal year and ending in the 2011–12  
14 fiscal year, from the appropriation under s. 20.143 (1) (dp), the department may  
15 award up to \$500,000 in grants, plus any amount that may be carried over under sub.  
16 (3), to nonprofit organizations for historic preservation. A nonprofit organization  
17 receiving a grant under this subsection shall be required to contribute for the  
18 project 25% of the amount of the grant unless the department determines that a  
19 higher amount must be contributed.

20           **(3)** Annually, beginning in the 2003–04 fiscal year and ending in the 2011–12  
21 fiscal year, from the appropriation under s. 20.143 (1) (dp), the department shall  
22 match in an amount up to \$500,000 any contributions from individuals or  
23 organizations that are deposited in the heritage trust fund, except that if the  
24 department matches less than \$500,000 in any fiscal year the maximum amount that

1 may be awarded as grants under sub. (2) in the succeeding fiscal year is increased  
2 by an amount equal to the difference between the amount matched under this  
3 subsection in the current fiscal year and \$500,000.

4 (4) Beginning on July 1, 2012, the department may, subject to sub. (5), make  
5 grants to nonprofit organizations for historic preservation. The grants shall be paid  
6 from the appropriation under s. 20.143 (1) (rm).

7 (5) The department may award grants under this section only to historic  
8 preservation projects that the state historical society determines are eligible under  
9 s. 44.02 (27m).

10 (6) The department shall promulgate any rules necessary for the operation of  
11 the program under this section.”

12 \*b0893/2.9\* **1275.** Page 1171, line 17: after that line insert:

13 \*b0893/2.9\* “SECTION 3693m. 560.26 (1) (intro.) of the statutes is amended to  
14 read:

15 560.26 (1) (intro.) Subject to sub. (3), the department shall make grants from  
16 the ~~appropriation~~ appropriations under s. 20.143 (1) (c) and (kd) to the Wisconsin  
17 Procurement Institute if all of the following apply:”

18 \*b0893/2.10\* **1276.** Page 1172, line 22: after that line insert:

19 \*b0893/2.10\* “SECTION 3698m. 560.61 (1) of the statutes is amended to read:

20 560.61 (1) Make a grant or loan to an eligible recipient for a project that meets  
21 the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.63,  
22 560.65, or 560.66, whichever is appropriate, from the appropriations under s. 20.143  
23 (1) (c), (cb) ~~and~~, (ie), and (kd).

24 \*b0893/2.10\* SECTION 3698p. 560.61 (3) of the statutes is amended to read:

1           560.61 (3) Make a grant under s. 560.16 from the appropriations under s.  
2           20.143 (1) (c) ~~and, (ie), and (kd)~~ if the board determines that the grant meets the  
3           requirements of s. 560.16.”.

4           **\*b0865/1.5\* 1277.** Page 1173, line 7: after “(e)” insert “and (f)”.

5           **\*b0865/1.4\* 1278.** Page 1173, line 7: delete “zone” and substitute “zones”.

6           **\*b0865/1.6\* 1279.** Page 1173, line 11: after that line insert:

7           **\*b0865/1.6\* “SECTION 3701m.** 560.795 (1) (f) of the statutes is created to read:  
8           560.795 (1) (f) For the Gateway Project, an area in the city of Beloit, the legal  
9           description of which is provided to the department by the local governing body of the  
10          city of Beloit.”.

11          **\*b0865/1.7\* 1280.** Page 1173, line 18: delete “and (e)” and substitute “, (e),  
12          and (f)”.

13          **\*b0865/1.8\* 1281.** Page 1173, line 20: delete “designation of the area under  
14          sub. (1) (e)” and substitute “designations of the areas under sub. (1) (e) and (f)”.

15          **\*b0865/1.9\* 1282.** Page 1173, line 24: after that line insert:

16          **\*b0865/1.9\* “SECTION 3703m.** 560.795 (2) (b) 6. of the statutes is created to  
17          read:

18          560.795 (2) (b) 6. The limit for the tax benefits for the development opportunity  
19          zone under sub. (1) (f) is \$4,700,000.”.

20          **\*b0865/1.10\* 1283.** Page 1174, line 2: after “(e)” insert “or (f)”.

21          **\*b0865/1.11\* 1284.** Page 1174, line 21: after “(e)” insert “or (f)”.

22          **\*b0865/1.12\* 1285.** Page 1174, line 24: after “(e)” insert “or (f)”.

23          **\*b0865/1.13\* 1286.** Page 1175, line 20: after “(e)” insert “or (f)”.

1           **\*b0957/1.19\* 1287.** Page 1176, line 12: after that line insert:

2           **\*b0957/1.19\* "SECTION 3710j.** 560.80 (8) of the statutes is amended to read:

3           560.80 (8) "Minority business" means a ~~minority business, as defined in s.~~  
4           ~~560.036 (1) (e),~~ business certified by the department under s. 560.036 (2) that has its  
5           principal place of business in this state."

6           **\*b0777/1.14\* 1288.** Page 1176, line 18: delete the material beginning with  
7           that line and ending with page 1179, line 11.

8           **\*b0901/3.5\* 1289.** Page 1179, line 19: after that line insert:

9           **\*b0901/3.5\* "SECTION 3713jm.** 562.065 (4) of the statutes is amended to read:  
10           562.065 (4) UNCLAIMED PRIZES. Any A licensee under s. 562.05 (1) (b) may retain  
11           any winnings on a race which that are not claimed within 90 days after the end of  
12           the period authorized for racing in that year under s. 562.05 (9) ~~shall be paid to the~~  
13           ~~department. The department shall credit moneys received under this subsection to~~  
14           ~~the appropriation accounts under ss. 20.455 (2) (g) and 20.505 (8) (g)."~~

15           **\*b1026/1.6\* 1290.** Page 1180, line 21: after that line insert:

16           **\*b1026/1.6\* "SECTION 3741n.** 609.73 of the statutes is created to read:

17           **609.73 Coverage of contraceptive articles and services.** Managed care  
18           plans are subject to s. 632.895 (15)."

19           **\*b0785/1.1\* 1291.** Page 1181, line 3: after that line insert:

20           **\*b0785/1.1\* "SECTION 3755g.** 628.46 (2m) of the statutes is created to read:

21           628.46 (2m) Notwithstanding subs. (1) and (2), a claim for payment for  
22           chiropractic services is overdue if not paid within 30 days after the insurer receives  
23           clinical documentation from the chiropractor that the services were provided unless,

1 within those 30 days, the insurer provides to the insured and to the chiropractor the  
2 written statement under s. 632.875 (2).

3 \*b0785/1.1\* SECTION 3760m. 632.875 (2) (intro.) of the statutes is amended to  
4 read:

5 632.875 (2) (intro.) If, on the basis of an independent evaluation, an insurer  
6 restricts or terminates a patient's coverage for the treatment of a condition or  
7 complaint by a chiropractor acting within the scope of his or her license and the  
8 restriction or termination of coverage results in the patient becoming liable for  
9 payment for his or her treatment, the insurer shall, within the time required under  
10 s. 628.46 (2m), provide to the patient and to the treating chiropractor a written  
11 statement that contains all of the following:".

12 \*b0787/1.1\* **1292.** Page 1181, line 3: after that line insert:

13 \*b0787/1.1\* "SECTION 3755c. 628.46 (1) of the statutes is amended to read:

14 628.46 (1) Unless otherwise provided by law, an insurer shall promptly pay  
15 every insurance claim. A claim shall be overdue if not paid within 30 days after the  
16 insurer is furnished written notice of the fact of a covered loss and of the amount of  
17 the loss. If such written notice is not furnished to the insurer as to the entire claim,  
18 any partial amount supported by written notice is overdue if not paid within 30 days  
19 after such written notice is furnished to the insurer. Any part or all of the remainder  
20 of the claim that is subsequently supported by written notice is overdue if not paid  
21 within 30 days after written notice is furnished to the insurer. Any Except as  
22 provided in sub. (2c), any payment shall not be deemed overdue when the insurer has  
23 reasonable proof to establish that the insurer is not responsible for the payment,  
24 notwithstanding that written notice has been furnished to the insurer. For the

1 purpose of calculating the extent to which any claim is overdue, payment shall be  
2 treated as being made on the date a draft or other valid instrument which is  
3 equivalent to payment was placed in the U.S. mail in a properly addressed, postpaid  
4 envelope, or, if not so posted, on the date of delivery. All overdue payments shall bear  
5 simple interest at the rate of 12% per year.

6 \*b0787/1.1\* SECTION 3755e. 628.46 (2c) of the statutes is created to read:

7 628.46 (2c) An insurer issuing a health care plan, as defined in s. 628.36 (2)  
8 (a) 1., shall pay a claim that is covered under the health care plan within the time  
9 required under subs. (1) and (2), even if the claim may be payable under ch. 102 but  
10 has not yet been finally determined to be payable under ch. 102.”.

11 \*b0798/1.1\* **1293.** Page 1181, line 3: after that line insert:

12 \*b0798/1.1\* “SECTION 3755c. 632.38 (1) (c) of the statutes is amended to read:

13 632.38 (1) (c) “Motor vehicle” means any motor-driven vehicle required to be  
14 registered under ch. 341 or exempt from registration under s. 341.05 (2), including  
15 a demonstrator or executive vehicle not titled or titled by a manufacturer or a motor  
16 vehicle dealer. “Motor vehicle” does not ~~mean~~ include a moped, as defined in s. 340.01  
17 (29m), motorcycle, as defined in s. 340.01 (32), semitrailer, or trailer designed for use  
18 in combination with a truck or truck tractor.

19 \*b0798/1.1\* SECTION 3755e. 632.38 (2) (intro.) of the statutes is amended to  
20 read:

21 632.38 (2) NOTICE OF INTENDED USE; MOTOR VEHICLES OLDER THAN 5 MODEL YEARS.

22 (intro.) An insurer or the insurer’s representative may not require directly or  
23 indirectly the use of a nonoriginal manufacturer replacement part in the repair of an  
24 insured’s motor vehicle that is more than 5 model years of age when the damage for

1 which the repair is to be made occurs, unless the insurer or the insurer's  
2 representative provides to the insured the notice described in this subsection in the  
3 manner required in sub. (3) ~~or~~ (4). The notice shall be in writing and shall include  
4 all of the following information:

5 \*b0798/1.1\* SECTION 3755g. 632.38 (2m) of the statutes is created to read:

6 632.38 (2m) NOTICE AND AUTHORIZATION FOR USE; MOTOR VEHICLES 5 MODEL YEARS  
7 OLD OR NEWER. An insurer or the insurer's representative may not require directly  
8 or indirectly the use of a nonoriginal manufacturer replacement part in the repair  
9 of an insured's motor vehicle that is 5 model years of age or newer when the damage  
10 for which the repair is to be made occurs, unless the insurer or the insurer's  
11 representative provides to the insured the notice and authorization form described  
12 in this subsection in the manner required in sub. (3) and receives written  
13 authorization from the insured before any nonoriginal manufacturer replacement  
14 part is installed on the insured's motor vehicle. The notice must be given, and  
15 authorization must be obtained, on a form that is entitled "Replacement Parts Notice  
16 and Authorization Form" and that includes only the following information:

17 (a) A clear identification of each nonoriginal manufacturer replacement part  
18 that will be used in the repair of the insured's motor vehicle if the insured provides  
19 authorization for the part's use.

20 (b) A statement that the insured may choose to have replacement parts that  
21 are made by or for the manufacturer of the insured's motor vehicle used in the repair  
22 of the insured's motor vehicle.

23 (c) A statement that the insurer's obligation to cover repairs to the insured's  
24 motor vehicle will not be affected by the insured's choice under par. (b).

1 (d) A statement that nonoriginal manufacture replacement parts are not  
2 covered by the warranty of the manufacturer of the insured's motor vehicle.

3 (e) Two signature lines for the insured's signature, with one line designated as  
4 authorizing the use, in the repair, of nonoriginal manufacturer replacement parts  
5 and the other line designated as requiring the use, in the repair, of only replacement  
6 parts made by or for the manufacturer of the insured's motor vehicle. In addition,  
7 the form shall allow the insured to authorize the use of a nonoriginal manufacturer  
8 replacement part or to require the use of a replacement part made by or for the  
9 manufacturer of the insured's motor vehicle with respect to each replacement part  
10 to be used in the repair.

11 **\*b0798/1.1\* SECTION 3755k.** 632.38 (3) (title) of the statutes is amended to  
12 read:

13 632.38 (3) (title) DELIVERY OF NOTICE OR NOTICE AND AUTHORIZATION FORM.

14 **\*b0798/1.1\* SECTION 3755m.** 632.38 (3) (a) of the statutes is renumbered  
15 632.38 (3) (a) 1. and amended to read:

16 632.38 (3) (a) 1. The notice ~~described in~~ required under sub. (2) shall appear  
17 on or be attached to the estimate of the cost of repairing the insured's motor vehicle  
18 if the estimate is based on the use of one or more nonoriginal manufacturer  
19 replacement parts and is prepared by the insurer or the insurer's representative.

20 3. The insurer or the insurer's representative shall deliver the estimate and  
21 notice or notice and authorization form to the insured before the motor vehicle is  
22 repaired.

23 **\*b0798/1.1\* SECTION 3755n.** 632.38 (3) (a) 2. of the statutes is created to read:

24 632.38 (3) (a) 2. The notice and authorization form required under sub. (2m)  
25 shall be attached to the estimate of the cost of repairing the insured's motor vehicle

1 if the estimate is based on the use of one or more nonoriginal manufacturer  
2 replacement parts and is prepared by the insurer or the insurer's representative.

3 \*b0798/1.1\* SECTION 3755p. 632.38 (3) (b) of the statutes is amended to read:

4 632.38 (3) (b) If the insurer or the insurer's representative directs the insured  
5 to obtain one or more estimates of the cost of repairing the insured's motor vehicle  
6 and the estimate approved by the insurer or the insurer's representative clearly  
7 identifies one or more nonoriginal manufacturer replacement parts to be used in the  
8 repair, the insurer or the insurer's representative shall assure delivery of the notice  
9 described in required under sub. (2), or deliver the estimate approved by the insurer  
10 or the insurer's representative with the notice and authorization form required  
11 under sub. (2m) attached, to the insured before the motor vehicle is repaired.

12 \*b0798/1.1\* SECTION 3755q. 632.38 (3) (c) of the statutes is amended to read:

13 632.38 (3) (c) The insurer or the insurer's representative may not require the  
14 person repairing the motor vehicle to ~~give~~ provide to the insured the notice described  
15 in required under sub. (2) or the notice and authorization form required under sub.  
16 (2m).

17 \*b0798/1.1\* SECTION 3755s. 632.38 (3) (d) of the statutes is repealed.

18 \*b0798/1.1\* SECTION 3755u. 632.38 (4) of the statutes is repealed.”.

19 \*b0898/2.29\* **1294.** Page 1181, line 3: after that line insert:

20 \*b0898/2.29\* “SECTION 15759g. 632.745 (6) (a) 2p. of the statutes is created  
21 to read:

22 632.745 (6) (a) 2p. The Milwaukee County child welfare district under s.  
23 48.562.”.

24 \*b1035/1.1\* **1295.** Page 1181, line 3: after that line insert:

1           **\*b1035/1.1\*** “SECTION 3759m. 632.835 (1) (c) of the statutes is amended to  
2 read:

3           632.835 (1) (c) “Health benefit plan” has the meaning given in s. 632.745 (11),  
4 except that “health benefit plan” includes the types of coverage specified in s. 632.745  
5 (11) (b) 1., 2., 3., 5., and 10.”.

6           **\*b0887/1.7\* 1296.** Page 1181, line 12: after that line insert:

7           **\*b0887/1.7\*** “SECTION 3766r. 635.19 (6) of the statutes is repealed.”.

8           **\*b0960/1.5\* 1297.** Page 1181, line 12: after that line insert:

9           **\*b0960/1.5\*** “SECTION 3766m. 635.02 (4m) of the statutes is repealed.

10          **\*b0960/1.5\* SECTION 3766p.** 635.05 (1) of the statutes is amended to read:

11          635.05 (1) Establishing restrictions on premium rates that a small employer  
12 insurer may charge a small employer such that the premium rates charged to small  
13 employers with similar case characteristics for the same or similar benefit design  
14 characteristics ~~do not vary from the midpoint rate for those small employers by more~~  
15 ~~than 35% of that midpoint rate are the same.~~”.

16          **\*b1026/1.7\* 1298.** Page 1181, line 12: after that line insert:

17          **\*b1026/1.7\*** “SECTION 3763c. 632.895 (15) of the statutes is created to read:

18          632.895 (15) CONTRACEPTIVE ARTICLES AND SERVICES. (a) In this subsection:

19          1. “Contraceptive article” means any of the following:

20          a. A drug, medicine, mixture, preparation, instrument, article, or device of any  
21 nature that is approved by the federal food and drug administration for use to  
22 prevent a pregnancy, that is prescribed by a licensed health care provider for use to  
23 prevent a pregnancy, and that may not be obtained without a prescription from a  
24 licensed health care provider. “Contraceptive article” does not include any drug,

1 medicine, mixture, preparation, instrument, article, or device of any nature  
2 prescribed for use in terminating the pregnancy of a woman who is known by the  
3 prescribing licensed health care provider to be pregnant.

4 b. A hormonal compound that is taken orally and that is approved by the federal  
5 food and drug administration for use to prevent a pregnancy.

6 2. “Religious employer” means an entity that satisfies all of the following  
7 criteria:

8 a. The inculcation of religious values is the purpose of the entity.

9 b. The entity employs primarily persons who share the religious tenets of the  
10 entity.

11 c. The entity serves primarily persons who share the religious tenets of the  
12 entity.

13 d. The entity is exempt from filing a federal annual information return under  
14 section 6033 (a) (2) (A) (i) and (iii) and (C) (i) of the Internal Revenue Code.

15 (b) Every disability insurance policy, and every self-insured health plan of a  
16 county, city, village, or school district, that provides coverage of outpatient health  
17 care services, preventive treatments and services, or prescription drugs and devices  
18 shall provide coverage for all of the following:

19 1. Contraceptive articles.

20 2. Medical services, including counseling and physical examinations, for the  
21 prescription or use of a contraceptive article or of a procedure to prevent a pregnancy.

22 3. Medical procedures performed to prevent a pregnancy.

23 (c) Coverage under this subsection may be subject to exclusions or limitations,  
24 including copayments and deductibles, that apply generally to the benefits that are  
25 provided under the policy or self-insured health plan.

1 (d) This subsection does not apply to any of the following:

2 1. A disability insurance policy that covers only certain specified diseases.

3 2. A health care plan offered by a limited service health organization, as defined  
4 in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not  
5 a managed care plan, as defined in s. 609.01 (3c).

6 3. A medicare replacement policy, a medicare supplement policy, or a long-term  
7 care insurance policy.

8 4. A disability insurance policy that is issued to a religious employer, if the  
9 religious employer requests that the insurer issuing the policy not provide the  
10 coverage specified in par. (b) 1. to 3. on the basis that the articles and services covered  
11 are contrary to the religious employer's religious tenets. A religious employer that  
12 makes a request under this subdivision shall provide written notice to a prospective  
13 insured under the policy, prior to that person's coverage under the policy, that  
14 specifies the articles and services under par. (b) 1. to 3. that will not be covered on  
15 the basis of the employer's request."

16 \*b0829/2.46\* **1299.** Page 1182, line 3: delete lines 3 to 6.

17 \*b1010/1.2\* **1300.** Page 1182, line 6: after that line insert:

18 \*b1010/1.2\* "SECTION 3773m. 753.015 of the statutes is created to read:

19 **753.015 Election of circuit judges.** (1) Except as provided in sub. (2), circuit  
20 judges shall be elected by the qualified electors of the circuit on a countywide basis.  
21 Except as provided in sub. (2), a circuit judge shall reside in the circuit in which he  
22 or she is elected.

23 (2) The circuit judges for branches 1 to 24 in the 1st judicial administrative  
24 district shall be elected from a judicial subdistrict, composed of whole supervisory

1 districts, designated as judicial subdistrict “A”. The circuit judges for branches 25  
2 to 47 in the 1st judicial administrative district shall be elected from a judicial  
3 subdistrict, composed of whole supervisory districts, designated as judicial  
4 subdistrict “B”. A circuit judge in the 1st judicial administrative district shall reside  
5 in the judicial subdistrict from which he or she is elected. Within 30 days after  
6 Milwaukee County adopts a final plan adjusting its supervisory districts under s.  
7 59.10 (2) (a), the Milwaukee County board of supervisors shall, to the extent possible,  
8 adjust the designation of the supervisory districts that the judicial subdistricts are  
9 composed of so that substantially the same territory exists in judicial subdistricts “A”  
10 and “B” as existed before the supervisory districts were adjusted. The adjusted  
11 subdistricts shall apply to the election of a circuit judge at the spring election  
12 following the adjustment.”.

13 \*b1029/2.24\* **1301.** Page 1182, line 6: after that line insert:

14 \*b1029/2.24\* “SECTION 3769m. 704.90 (9) of the statutes is amended to read:  
15 704.90 (9) RULES. The department of ~~agriculture, trade and consumer~~  
16 ~~protection~~ justice may promulgate rules necessary to carry out the purposes of this  
17 section.

18 \*b1029/2.24\* SECTION 3770d. 704.90 (11) (title) of the statutes is amended to  
19 read:

20 704.90 (11) (title) DUTIES OF THE DEPARTMENT OF AGRICULTURE, ~~TRADE AND~~  
21 ~~CONSUMER PROTECTION~~ JUSTICE.

22 \*b1029/2.24\* SECTION 3770f. 704.90 (11) (a) of the statutes is amended to read:

23 704.90 (11) (a) Except as provided in par. (c), the department of ~~agriculture,~~  
24 ~~trade and consumer protection~~ justice shall investigate alleged violations of this

1 section and rules promulgated under sub. (9). To facilitate its investigations, the  
2 department may subpoena persons and records and may enforce compliance with the  
3 subpoenas as provided in s. 885.12.

4 **\*b1029/2.24\* SECTION 3770h.** 707.49 (4) of the statutes is amended to read:

5 707.49 (4) SURETY BOND AND OTHER OPTIONS. Instead of placing deposits in an  
6 escrow account, a developer may obtain a surety bond issued by a company  
7 authorized to do business in this state, an irrevocable letter of credit or a similar  
8 arrangement, in an amount which at all times is not less than the amount of the  
9 deposits otherwise subject to the escrow requirements of this section. The bond,  
10 letter of credit or similar arrangement shall be filed with the department of  
11 ~~agriculture, trade and consumer protection~~ justice and made payable to the  
12 department of ~~agriculture, trade and consumer protection~~ justice for the benefit of  
13 aggrieved parties.

14 **\*b1029/2.24\* SECTION 3770k.** 707.57 (2) of the statutes is amended to read:

15 707.57 (2) DEPARTMENT OF AGRICULTURE, ~~TRADE AND CONSUMER PROTECTION~~  
16 JUSTICE AUTHORITY. (a) The department of ~~agriculture, trade and consumer~~  
17 ~~protection~~ justice, or any district attorney upon informing the department of  
18 ~~agriculture, trade and consumer protection~~ justice, may commence an action in  
19 circuit court in the name of the state to restrain by temporary or permanent  
20 injunction any violation of this chapter. Before entry of final judgment, the court may  
21 make such orders or judgments as may be necessary to restore to any person any  
22 pecuniary loss suffered because of the acts or practices involved in the action if proof  
23 of these acts or practices is submitted to the satisfaction of the court.

1 (b) The department of ~~agriculture, trade and consumer protection~~ justice may  
2 conduct hearings, administer oaths, issue subpoenas and take testimony to aid in its  
3 investigation of violations of this chapter.

4 \*b1029/2.24\* **SECTION 3770m.** 707.57 (3) of the statutes is amended to read:

5 707.57 (3) PENALTY. Any person who violates this chapter shall be required to  
6 forfeit not more than \$5,000 for each offense. Forfeitures under this subsection shall  
7 be enforced by action on behalf of the state by the department of ~~agriculture, trade~~  
8 ~~and consumer protection~~ justice or by the district attorney of the county where the  
9 violation occurs.”.

10 \*b1056/1.4\* **1302.** Page 1184, line 3: after that line insert:

11 \*b1056/1.4\* **SECTION 3780c.** 757.54 of the statutes is renumbered 757.54 (1)  
12 and amended to read:

13 757.54 (1) The Except as provided in sub. (2), the retention and disposal of all  
14 court records and exhibits in any civil or criminal action or proceeding or probate  
15 proceeding of any nature in a court of record shall be determined by the supreme  
16 court by rule.

17 \*b1056/1.4\* **SECTION 3780d.** 757.54 (2) of the statutes is created to read:

18 757.54 (2) (a) In this subsection:

- 19 1. “Custody” has the meaning given in s. 968.205 (1) (a).
- 20 2. “Discharge date” has the meaning given in s. 968.205 (1) (b).

21 (b) Except as provided in par. (c), if an exhibit in a criminal action or a  
22 delinquency proceeding under ch. 938 includes any biological material that was  
23 collected in connection with the action or proceeding, the court presiding over the  
24 action or proceeding shall ensure that the exhibit is preserved until every person in

1 custody as a result of the action or proceeding, or as a result of commitment under  
2 s. 980.06 that is based on a judgment of guilty or not guilty by reason of mental  
3 disease or defect in the action or proceeding, has reached his or her discharge date.

4 (c) Subject to par. (e), the court may destroy biological material before the  
5 expiration of the time period specified in par. (b) if all of the following apply:

6 1. The court sends a notice of its intent to destroy the biological material to all  
7 persons who remain in custody as a result of the criminal action, delinquency  
8 proceeding, or commitment under s. 980.06 and to either the attorney of record for  
9 each person in custody or the state public defender.

10 2. No person who is notified under subd. 1. does either of the following within  
11 90 days after the date on which the person received the notice:

12 a. Files a motion for testing of the biological material under s. 974.07 (2).

13 b. Submits a written request to preserve the biological material to the court.

14 3. No other provision of federal or state law requires the court to preserve the  
15 biological material.

16 (d) A notice provided under par. (c) 1. shall clearly inform the recipient that the  
17 biological material will be destroyed unless, within 90 days after the date on which  
18 the person receives the notice, either a motion for testing of the material is filed  
19 under s. 974.07 (2) or a written request to preserve the material is submitted to the  
20 court.

21 (e) If, after providing notice under par. (c) 1. of its intent to destroy biological  
22 material, a court receives a written request to preserve the material, the court shall  
23 preserve the material until the discharge date of the person who made the request  
24 or on whose behalf the request was made, subject to a court order issued under s.

1 974.07 (7), (9) (a), or (10) (a) 5., unless the court authorizes destruction of the  
2 biological material under s. 974.07 (9) (b) or (10) (a) 5.”.

3 \*b1094/2.107\* **1303.** Page 1184, line 19: delete lines 19 to 25.

4 \*b1094/2.108\* **1304.** Page 1185, line 1: delete lines 1 to 6.

5 \*b0995/2.4\* **1305.** Page 1185, line 6: after that line insert:

6 \*b0995/2.4\* “SECTION 3781d. 758.19 (8) of the statutes is created to read:

7 758.19 (8) (a) From the appropriation under s. 20.625 (1) (c), the director of  
8 state courts shall reimburse counties up to 4 times each year for the actual expenses  
9 paid for interpreters required by circuit courts to assist persons with limited English  
10 proficiency under s. 885.38 (8) (a) 1. The amount of the reimbursement for mileage  
11 shall be 20 cents per mile going and returning from his or her residence if within the  
12 state; or, if without the state, from the point where he or she crosses the state  
13 boundary to the place of attendance, and returning by the usually traveled route  
14 between such points. The amount of the maximum hourly reimbursement for court  
15 interpreters shall be as follows:

16 1. Forty dollars for the first hour and \$20 for each additional 0.5 hour for  
17 qualified interpreters certified under the requirements and procedures approved by  
18 the supreme court.

19 2. Thirty dollars for the first hour and \$15 for each additional 0.5 hour for  
20 qualified interpreters, as defined in s. 885.38 (1) (c).

21 (b) To receive reimbursement under par. (a), a county must submit, on forms  
22 provided by the director of state courts, an accounting of the amount paid for  
23 expenses related to court interpreters that are eligible for reimbursement under par.

24 (a). The forms must include expenses for the preceding 3-month period and must

1 be submitted within 90 days after that 3-month period has ended. The director of  
2 state courts may not reimburse a county for any expenses related to court  
3 interpreters that are submitted after the 90-day period has ended. Reimbursement  
4 under par. (a) first applies to court interpreter expenses incurred on the effective date  
5 of this paragraph .... [revisor inserts date].”.

6 \*b0789/1.3\* **1306.** Page 1190, line 16: after that line insert:

7 \*b0789/1.3\* “SECTION 3788m. 767.27 (2) of the statutes is amended to read:

8 767.27 (2) ~~Except as provided in sub. (2m), disclosure~~ Disclosure forms  
9 required under this section shall be filed within 90 days after the service of summons  
10 or the filing of a joint petition or at such other time as ordered by the court or family  
11 court commissioner. Information contained on such forms shall be updated on the  
12 record to the date of hearing.

13 \*b0789/1.3\* SECTION 3788p. 767.27 (2m) of the statutes is amended to read:

14 767.27 (2m) In every action in which the court has ordered a party to pay child  
15 support under s. 767.25, 767.51 or 767.62 (4) or family support under s. 767.261 and  
16 the circumstances specified in s. 767.075 (1) apply this chapter, including an action  
17 to revise a judgment or order under s. 767.32, the court shall require the party who  
18 is ordered to pay the support to annually furnish the disclosure form required under  
19 this section and may require that party to annually furnish a copy of his or her most  
20 recently filed state and federal income tax returns to the county child support agency  
21 under s. 59.53 (5) for the county in which the order was entered. In any action in  
22 which the court has ordered a party to pay child support under s. 767.25, 767.51 or  
23 767.62 (4) or family support under s. 767.261, the court may require the party who  
24 is ordered to pay the support to annually furnish the disclosure form required under

1 ~~this section and a copy of his or her most recently filed state and federal income tax~~  
2 ~~returns to the party for whom the support has been awarded~~ parties annually to  
3 exchange financial information. A party who fails to furnish the information as  
4 required by the court under this subsection may be proceeded against for contempt  
5 of court under ch. 785. If the court finds that a party has failed to furnish the  
6 information required under this subsection, the court may award to the party  
7 bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney  
8 fees.”.

9 \*b0789/1.4\* **1307.** Page 1195, line 22: delete lines 22 to 24 and substitute:

10 “(5) (a) Nothing in this section affects a party’s right to file at any time a motion,  
11 petition, or order to show cause under s. 767.32 for revision of a judgment or order  
12 with respect to an amount of child or family support.

13 (b) Nothing in this section affects a party’s right to move the court for a finding  
14 of contempt of court or for remedial sanctions under ch. 785 if the other party  
15 unreasonably fails to provide or disclose information required under this section or  
16 unreasonably fails or refuses to sign a stipulation for an annual adjustment.”.

17 \*b0784/1.1\* **1308.** Page 1195, line 24: after that line insert:

18 \*b0784/1.1\* “SECTION 3793m. 767.51 (3m) of the statutes is created to read:

19 767.51 (3m) (a) Upon the request of both parents, the court shall include in the  
20 judgment or order determining paternity an order changing the name of the child to  
21 a name agreed upon by the parents.

22 (b) Except as provided in par. (a), the court may include in the judgment or order  
23 determining paternity an order changing the surname of the child to a surname that  
24 consists of the surnames of both parents separated by a hyphen or, if one or both

1 parents have more than one surname, of one of the surnames of each parent  
2 separated by a hyphen, if all of the following apply:

3 1. Only one parent requests that the child's name be changed, or both parents  
4 request that the child's name be changed but each parent requests a different name  
5 change.

6 2. The court finds that such a name change is in the child's best interest.

7 (c) Section 786.36 does not apply to a name change under this subsection.”

8 **\*b1029/2.25\* 1309.** Page 1200, line 8: after that line insert:

9 **\*b1029/2.25\* “SECTION 3816g.** 779.41 (1m) of the statutes is amended to read:

10 779.41 (1m) Annually, on January 1, the department of agriculture, trade and  
11 consumer protection justice shall adjust the dollar amounts identified under sub. (1)  
12 (intro.), (a), (b) and (c) 1. to 4. by the annual change in the consumer price index, as  
13 determined under s. 16.004 (8) (e) 1., and publish the adjusted figures.

14 **\*b1029/2.25\* SECTION 3816j.** 779.93 (title) of the statutes is amended to read:

15 **779.93 (title) Duties of the department of agriculture, trade and**  
16 **consumer protection justice.**

17 **\*b1029/2.25\* SECTION 3816m.** 779.93 (1) of the statutes is amended to read:

18 779.93 (1) The department of agriculture, trade and consumer protection  
19 justice shall investigate violations of this subchapter and attempts to circumvent  
20 this subchapter. The department of agriculture, trade and consumer protection  
21 justice may subpoena persons and records to facilitate its investigations, and may  
22 enforce compliance with such subpoenas as provided in s. 885.12.

23 **\*b1029/2.25\* SECTION 3816p.** 779.93 (2) (intro.) of the statutes is amended to  
24 read:

1           779.93 (2) (intro.) The department of agriculture, ~~trade and consumer~~  
2     ~~protection~~ justice may ~~in on~~ behalf of the state or ~~in on~~ behalf of any person who holds  
3     a prepaid maintenance lien.”

4           **\*b0954/1.4\* 1310.** Page 1203, line 23: after that line insert:

5           **\*b0954/1.4\* “SECTION 3823k.** 800.09 (1) (b) of the statutes is amended to read:

6           800.09 (1) (b) If the defendant agrees to perform community service work in  
7     lieu of making restitution or paying the forfeiture, assessments, and costs, or both,  
8     the court may order that the defendant perform community service work for a public  
9     agency or a nonprofit charitable organization that is designated by the court.  
10    Community service work may be in lieu of restitution only if also agreed to by the  
11    public agency or nonprofit charitable organization and by the person to whom  
12    restitution is owed. The court may utilize any available resources, including any  
13    community service work program, in ordering the defendant to perform community  
14    service work. The number of hours of community service work required may not  
15    exceed the number determined by dividing the amount owed on the forfeiture by the  
16    minimum wage established under ~~ch. 104 for adults in nonagriculture, nontipped~~  
17    ~~employment~~ s. 104.035 (2). The court shall ensure that the defendant is provided a  
18    written statement of the terms of the community service order and that the  
19    community service order is monitored.”

20           **\*b0954/1.5\* 1311.** Page 1204, line 16: after that line insert:

21           **\*b0954/1.5\* “SECTION 3824q.** 800.095 (4) (b) 3. of the statutes is amended to  
22     read:

23           800.095 (4) (b) 3. That the defendant perform community service work for a  
24     public agency or a nonprofit charitable organization designated by the court, except

1 that the court may not order the defendant to perform community service work  
2 unless the defendant agrees to perform community service work and, if the  
3 community service work is in lieu of restitution, unless the person to whom the  
4 restitution is owed agrees. The court may utilize any available resources, including  
5 any community service work program, in ordering the defendant to perform  
6 community service work. The number of hours of community service work required  
7 may not exceed the number determined by dividing the amount owed on the  
8 forfeiture, or restitution, or both, by the minimum wage established under ~~eh. 104~~  
9 ~~for adults in nonagriculture, nontipped employment s. 104.035 (2)~~. The court shall  
10 ensure that the defendant is provided a written statement of the terms of the  
11 community service order and that the community service order is monitored.”

12 \*b0987/1.1\* **1312.** Page 1205, line 14: delete lines 14 to 21.

13 \*b1056/1.5\* **1313.** Page 1205, line 21: after that line insert:

14 \*b1056/1.5\* “SECTION 3828c. 801.02 (7) (a) 2. c. of the statutes is amended to  
15 read:

16 801.02 (7) (a) 2. c. A person bringing an action seeking relief from a judgment  
17 of conviction or a sentence of a court, including an action for an extraordinary writ  
18 or a supervisory writ seeking relief from a judgment of conviction or a sentence of a  
19 court or an action under s. 809.30, 809.40, 973.19 ~~or~~, 974.06 or 974.07.

20 \*b1056/1.5\* SECTION 3828f. 805.15 (3) (intro.) of the statutes is amended to  
21 read:

22 805.15 (3) (intro.) ~~A- Except as provided in ss. 974.07 (10) (b) and 980.101 (2)~~  
23 (b), a new trial shall be ordered on the grounds of newly-discovered evidence if the  
24 court finds that:

1           **\*b1056/1.5\* SECTION 3828h.** 805.16 (4) of the statutes is amended to read:  
2           805.16 (4) Notwithstanding sub. (1), and except as provided in s. 974.02 (1m),  
3 a motion for a new trial based on newly discovered evidence may be made at any time  
4 within one year after verdict. Unless an order granting or denying the motion is  
5 entered within 90 days after the motion is made, it shall be deemed denied.

6           **\*b1056/1.5\* SECTION 3828j.** 805.16 (5) of the statutes is created to read:  
7           805.16 (5) The time limits in this section for filing motions do not apply to  
8 motions made under s. 974.07 (2) or 980.101.”.

9           **\*b0936/1.8\* 1314.** Page 1206, line 2: delete lines 2 to 4.

10          **\*b1056/1.6\* 1315.** Page 1206, line 4: after that line insert:

11          **\*b1056/1.6\* “SECTION 3829d.** 808.075 (4) (h) of the statutes is amended to  
12 read:

13          808.075 (4) (h) Commitment, supervised release, recommitment and,  
14 discharge, and postcommitment relief under ss. 980.06, 980.08, 980.09 and, 980.10,  
15 and 980.101 of a person found to be a sexually violent person under ch. 980.

16          **\*b1056/1.6\* SECTION 3829n.** 809.30 (1) (a) of the statutes is amended to read:

17          809.30 (1) (a) “Postconviction relief” means, in a felony or misdemeanor case,  
18 an appeal or a motion for postconviction relief other than a motion under s. 805.15  
19 (1) based on newly discovered evidence, or under s. 973.19 or, 974.06, or 974.07 (2).

20 In a ch. 48, 51, 55 or 938 case, other than a termination of parental rights case under  
21 s. 48.43, it means an appeal or a motion for reconsideration by the trial court of its  
22 final judgment or order; in such cases a notice of intent to pursue such relief or a  
23 motion for such relief need not be styled as seeking “postconviction” relief.

24          **\*b1056/1.6\* SECTION 3829p.** 809.30 (2) (L) of the statutes is amended to read:

1           809.30 (2) (L) An appeal under s. 974.06 or 974.07 is governed by the  
2 procedures for civil appeals.”.

3           **\*b0987/1.2\* 1316.** Page 1206, line 5: delete lines 5 to 12.

4           **\*b0940/1.3\* 1317.** Page 1207, line 19: substitute “~~100.30 (5m),~~” for “100.30  
5 (5m),”.

6           **\*b0825/1.4\* 1318.** Page 1207, line 22: after that line insert:

7           **\*b0825/1.4\* “SECTION 3830p.** 814.245 (2) (d) of the statutes is amended to  
8 read:

9           814.245 (2) (d) “State agency” does not include the public intervenor or citizens  
10 utility board.”.

11           **\*b0872/2.2\* 1319.** Page 1208, line 13: after that line insert:

12           **\*b0872/2.2\* “SECTION 3835g.** 814.66 (1) (a) 2. of the statutes is amended to  
13 read:

14           814.66 (1) (a) 2. For filing a petition whereby any proceeding in estates of  
15 deceased persons is commenced, if the value of the property subject to  
16 administration, less encumbrances, liens or charges, is \$10,000 or less, a fee of \$10  
17 \$20 and, if more than \$10,000, a fee of ~~0.1%~~ 0.2% of the value of the property subject  
18 to administration, less encumbrances, liens or charges. The register in probate may  
19 not base a fee under this subdivision upon the value of property that is not subject  
20 to administration.

21           **\*b0872/2.2\* SECTION 3835h.** 814.66 (1) (b) 2. of the statutes is amended to  
22 read:

23           814.66 (1) (b) 2. For filing a petition for guardianship of the estate under ch.  
24 880 or an application for conservatorship under ch. 880, if the value of the property,

1 less encumbrances, liens or charges, is \$10,000 or less, a fee of \$10 ~~\$20~~ and, if more  
2 than \$10,000, a fee of ~~0.1%~~ 0.2% of the value of the property, less encumbrances, liens  
3 or charges.

4 \*b0872/2.2\* SECTION 3835i. 814.66 (3) of the statutes is amended to read:

5 814.66 (3) The register in probate shall, on the first Monday of each month, pay  
6 into the office of the county treasurer all fees collected by him or her and in his or her  
7 hands and still unclaimed as of that day. Each county treasurer shall make a report  
8 under oath to the state treasurer on or before the 5th day of January, April, July and  
9 October of all fees received by him or her under sub. (1) (a) to (f) up to the first day  
10 of each of those months and shall at the same time pay ~~50%~~ 66.67% of the fees to the  
11 state treasurer for deposit in the general fund. Each county treasurer shall retain  
12 the balance of fees received by him or her under this section for the use of the county.”.

13 \*b0995/2.5\* **1320.** Page 1208, line 14: delete lines 14 and 15 and substitute:

14 \*b0995/2.5\* “SECTION 3836dd. 814.67 (1) (am) of the statutes is created to  
15 read:

16 814.67 (1) (am) For witnesses attending before a circuit court, \$16 per day.

17 \*b0995/2.5\* SECTION 3836f. 814.67 (1) (b) (intro.) of the statutes is amended  
18 to read:

19 814.67 (1) (b) (intro.) For attending before ~~any other court~~ the court of appeals  
20 or the supreme court:

21 \*b0995/2.5\* SECTION 3836g. 814.67 (1) (b) 2. of the statutes is amended to read:

22 814.67 (1) (b) 2. For interpreters, ~~\$35 per one-half day~~ a fee determined by the  
23 supreme court.”.

24 \*b0896/1.1\* **1321.** Page 1209, line 3: after that line insert:

1           **\*b0896/1.1\*** **SECTION 3842d.** 865.08 (1) (intro.) of the statutes is renumbered  
2 865.08 (1) (ac) and amended to read:

3           865.08 (1) (ac) Upon receipt of an application and making the determinations  
4 required by s. 865.07, the probate registrar may enter a statement of informal  
5 administration, admit a will to informal probate, and ~~may~~ appoint the personal  
6 representative nominated by the will or requested by the interested parties, subject  
7 to qualification and acceptance.

8           **\*b0896/1.1\*** **SECTION 3842f.** 865.08 (1) (a) (intro.) of the statutes is  
9 renumbered 865.08 (1) (am) (intro.) and amended to read:

10           865.08 (1) (am) (intro.) ~~Where~~ If no personal representative is named or ~~where~~  
11 if the named personal representative fails to qualify, the personal representative  
12 shall be ~~either a~~ any of the following:

13           1. A bank or trust company that is entitled to exercise fiduciary powers in this  
14 state ~~which~~ and that has the consent of all interested persons, other than creditors  
15 of the deceased, ~~or a~~.

16           2. A natural person who has the consent of all interested parties, other than  
17 creditors of the deceased, and is: who is not disqualified under s. 856.23.

18           **\*b0896/1.1\*** **SECTION 3842h.** 865.08 (1) (a) 1., 2. and 3. of the statutes are  
19 repealed.”.

20           **\*b0995/2.6\*** **1322.** Page 1211, line 9: delete the material beginning with that  
21 line and ending with page 1214, line 15, and substitute:

22           **\*b0995/2.6\*** **SECTION 3852d.** 885.37 (title) of the statutes is amended to read:

1           **885.37 (title) ~~Interpreters for persons with language difficulties or~~**  
2           **~~hearing or speaking impairments in municipal courts and administrative~~**  
3           **~~agency contested cases.~~**

4           **\*b0995/2.6\* SECTION 3852g.** 885.37 (1) (a) of the statutes is repealed.

5           **\*b0995/2.6\* SECTION 3852m.** 885.37 (1) (b) of the statutes is amended to read:

6           885.37 (1) (b) If a municipal court has notice that a person who ~~fits any of the~~  
7           ~~criteria under par. (a) is a juvenile or parent subject to ch. 938, or who is a witness~~  
8           in a proceeding under ch. 938, has a language difficulty because of the inability to  
9           speak or understand English, has a hearing impairment, is unable to speak or has  
10          a speech defect, the court shall make a factual determination of whether the  
11          language difficulty or the hearing or speaking impairment is sufficient to prevent the  
12          individual from communicating with his or her attorney, reasonably understanding  
13          the English testimony or reasonably being understood in English. If the court  
14          determines that an interpreter is necessary, the court shall advise the person that  
15          he or she has a right to a qualified interpreter and that, if the person cannot afford  
16          one, an interpreter will be provided for him or her at the public's expense. Any waiver  
17          of the right to an interpreter is effective only if made voluntarily in person, in open  
18          court and on the record.

19          **\*b0995/2.6\* SECTION 3852r.** 885.37 (2) of the statutes is amended to read:

20          885.37 (2) A municipal court may authorize the use of an interpreter in actions  
21          or proceedings in addition to those specified in sub. (1) (b).

22          **\*b0995/2.6\* SECTION 3853g.** 885.37 (4) (a) of the statutes is repealed and  
23          recreated to read:

24          885.37 (4) (a) The necessary expense of furnishing an interpreter for an  
25          indigent person in a municipal court shall be paid by the municipality.

1           **\*b0995/2.6\* SECTION 3853m.** 885.37 (5) (a) of the statutes is amended to read:  
2           885.37 (5) (a) If a municipal court under sub. (1) (b) or (2) or an agency under  
3 sub. (3) decides to appoint an interpreter, the court or agency shall follow the  
4 applicable procedure under par. (b) or (c).

5           **\*b0995/2.6\* SECTION 3860m.** 885.38 of the statutes is created to read:

6           **885.38 Interpreters in circuit and appellate courts. (1)** In this section:

7           (a) “Court proceeding” means any proceeding before a court of record.

8           (b) “Limited English proficiency” means any of the following:

9           1. The inability, because of the use of a language other than English, to  
10 adequately understand or communicate effectively in English in a court proceeding.

11           2. The inability, due to a speech impairment, hearing loss, deafness,  
12 deaf-blindness, or other disability, to adequately hear, understand, or communicate  
13 effectively in English in a court proceeding.

14           (c) “Qualified interpreter” means a person who is able to do all of the following:

15           1. Readily communicate with a person who has limited English proficiency.

16           2. Orally transfer the meaning of statements to and from English and the  
17 language spoken by a person who has limited English proficiency in the context of  
18 a court proceeding.

19           3. Readily and accurately interpret for a person who has limited English  
20 proficiency, without omissions or additions, in a manner that conserves the meaning,  
21 tone, and style of the original statement, including dialect, slang, and specialized  
22 vocabulary.

23           (2) The supreme court shall establish the procedures and policies for the  
24 recruitment, training, and certification of persons to act as qualified interpreters in

1 a court proceeding and for the coordination, discipline, retention, and training of  
2 those interpreters.

3 (3) (a) *In criminal proceedings and in proceedings under*  
4 ~~If a person is charged with a crime, is a child or parent subject to ch. 48,~~  
5 ~~or 938, or is subject to ch. 51, or 55, and~~ the court determines that the person has  
6 limited English proficiency, and an interpreter is necessary, the court shall advise the  
7 person that he or she has the right to a qualified interpreter and that, if the person  
8 cannot afford one, an interpreter will be provided at the public's expense if the person  
9 is one of the following:

- 10 1. A party in interest.
- 11 2. A witness, while testifying in a court proceeding.
- 12 3. An alleged victim, as defined in s. 950.02 (4).
- 13 4. A parent or legal guardian of a minor party in interest or the legal guardian  
14 of a party in interest.
- 15 5. Another person affected by the proceedings, if the court determines that the  
16 appointment is necessary and appropriate.

17 (b) The court may appoint more than one qualified interpreter in a court  
18 proceeding when necessary.

19 (c) If a person with limited English proficiency, as defined in sub. (1) (b) 2., is  
20 part of a jury panel in a court proceeding, the court shall appoint a qualified  
21 interpreter for that person.

22 (d) If a person with limited English proficiency requests the assistance of the  
23 clerk of circuit courts regarding a legal proceeding, the clerk may provide the  
24 assistance of a qualified interpreter to respond to the person's inquiry.

25 (e) A qualified interpreter appointed under this subsection may, with the  
approval of the court, provide interpreter services outside the court room that are

1 related to the court proceedings, including during court-ordered psychiatric or  
2 medical exams or mediation.

3 (4) (a) The court may accept the waiver of the right to a qualified interpreter  
4 by a person with limited English proficiency at any point in the court proceeding if  
5 the court advises the person of the nature and effect of the waiver and determines  
6 on the record that the waiver has been made knowingly, intelligently, and  
7 voluntarily.

8 (b) At any point in the court proceeding, for good cause, the person with limited  
9 English proficiency may retract his or her waiver and request that a qualified  
10 interpreter be appointed.

11 (5) Every qualified interpreter, before commencing his or her duties in a court  
12 proceeding, shall take a sworn oath that he or she will make a true and impartial  
13 interpretation. The supreme court may approve a uniform oath for qualified  
14 interpreters.

15 (6) Any party to a court proceeding may object to the use of any qualified  
16 interpreter for good cause. The court may remove a qualified interpreter for good  
17 cause.

18 (7) The delay resulting from the need to locate and appoint a qualified  
19 interpreter may constitute good cause for the court to toll the time limitations in the  
20 court proceeding.

21 (8) (a) Except as provided in par. (b), the necessary expenses of providing  
22 qualified interpreters to indigent persons with limited English proficiency under  
23 this section shall be paid as follows:

24 1. The county in which the circuit court is located shall pay the expenses in all  
25 proceedings before a circuit court and when the clerk of circuit court uses a qualified

1 interpreter under sub. (3) (d). The county shall be reimbursed as provided in s.  
2 758.19 (8) for expenses paid under this subdivision.

3 2. The court of appeals shall pay the expenses in all proceedings before the court  
4 of appeals.

5 3. The supreme court shall pay the expenses in all proceedings before the  
6 supreme court.

7 (b) The state public defender shall pay the expenses for interpreters assisting  
8 the state public defender in representing an indigent person in preparing for court  
9 proceedings.”.

10 \*b0980/1.1\* **1323.** Page 1216, line 11: delete the material beginning with  
11 that line and ending with page 1217, line 25.

12 \*b0954/1.6\* **1324.** Page 1218, line 8: after that line insert:

13 \*b0954/1.6\* “SECTION 3862y. 895.035 (2m) (c) of the statutes is amended to  
14 read:

15 895.035 (2m) (c) The court assigned to exercise jurisdiction under chs. 48 and  
16 938 may order that the juvenile perform community service work for a public agency  
17 or nonprofit charitable organization that is designated by the court in lieu of making  
18 restitution or paying the forfeiture or surcharge. If the parent agrees to perform  
19 community service work in lieu of making restitution or paying the forfeiture or  
20 surcharge, the court may order that the parent perform community service work for  
21 a public agency or a nonprofit charitable organization that is designated by the court.  
22 Community service work may be in lieu of restitution only if also agreed to by the  
23 public agency or nonprofit charitable organization and by the person to whom  
24 restitution is owed. The court may utilize any available resources, including any

1 community service work program, in ordering the juvenile or parent to perform  
2 community service work. The number of hours of community service work required  
3 may not exceed the number determined by dividing the amount owed on the  
4 restitution, forfeiture, or surcharge by the minimum wage established under ~~ch. 104~~  
5 ~~for adults in nonagriculture, nontipped employment~~ s. 104.035 (2). The court shall  
6 ensure that the juvenile or parent is provided with a written statement of the terms  
7 of the community service order and that the community service order is monitored.”.

8 \*b0984/1.2\* **1325.** Page 1219, line 4: after that line insert:

9 \*b0984/1.2\* “SECTION 3871c. 895.59 of the statutes is created to read:

10 **895.59 Liability exemption; outdoor lighting.** Outdoor lighting may not  
11 be found to be a nuisance or trespass if all of the following apply:

12 (1) The outdoor lighting complies with the guidelines promulgated under s.  
13 101.815 (1).

14 (2) The outdoor lighting meets the requirements for self-certification under s.  
15 101.815 (2).

16 (3) The outdoor lighting does not present a substantial threat to public health  
17 or safety.”.

18 \*b0995/2.7\* **1326.** Page 1219, line 9: substitute “885.38 (1)(b),” for “885.37  
19 (1g)”.

20 \*b0974/1.1\* **1327.** Page 1219, line 15: after that line insert:

21 \*b0974/1.1\* “SECTION 3872v. 908.03 (6m) (b) (intro.) of the statutes is amended  
22 to read:

23 908.03 (6m) (b) *Authentication witness unnecessary.* (intro.) ~~A~~ The testimony  
24 of a custodian or other qualified witness required by sub. (6) is unnecessary if the

1 party who intends to offer health care provider records into evidence at a trial or  
2 hearing does one of the following at least 40 20 days before the trial or hearing.”

3 \*b1039/1.2\* **1328.** Page 1219, line 15: after that line insert:

4 \*b1039/1.2\* “SECTION 3872x. 908.03 (6m) (d) of the statutes is amended to  
5 read:

6 908.03 (6m) (d) *Fees.* ~~The~~ Before July 1, 2002, the department of health and  
7 family services shall, by rule, prescribe uniform fees that are based on an  
8 approximation of the actual costs. The fees, plus applicable state tax, are the  
9 maximum amount that a health care provider may charge ~~under par. (e) 3.~~ for  
10 certified duplicate patient health care records. The rule shall also allow the health  
11 care provider to charge for actual postage or other actual delivery costs. The  
12 commencement of an action is not a prerequisite for the application of this  
13 paragraph.

14 \*b1039/1.2\* SECTION 3872y. 908.03 (6m) (d) of the statutes, as affected by 2001  
15 Wisconsin Act .... (this act), is amended to read:

16 908.03 (6m) (d) *Fees.* ~~Before July 1~~ After June 30, 2002 the department of  
17 health and family services shall, by rule, prescribe uniform fees that are based on an  
18 approximation of actual costs. The fees, plus applicable state tax, are the maximum  
19 amount that a health care provider may charge for certified duplicate patient health  
20 care records. The rule shall also allow the health care provider to charge for actual  
21 postage or other actual delivery costs. ~~The commencement of an action is not a~~  
22 ~~prerequisite for the application of this paragraph~~ For duplicate patient health care  
23 records and duplicate X-ray reports or the referral of X-rays to another health care

1 provider that are requested before commencement of an action, s. 146.83 (1) (b) and  
2 (c) and (3m) applies.”.

3 \*b1070/2.9\* **1329.** Page 1219, line 16: delete lines 16 to 21.

4 \*b0929/1.3\* **1330.** Page 1219, line 21: after that line insert:

5 \*b0929/1.3\* “SECTION 3878e. 938.17 (2) (h) 1. of the statutes is amended to  
6 read:

7 938.17 (2) (h) 1. If a juvenile who has violated a municipal ordinance, other  
8 than an ordinance enacted under s. 118.163 (1m) or (2), violates a condition of his or  
9 her dispositional order, the municipal court may impose on the juvenile any of the  
10 sanctions specified in s. 938.355 (6) (d) 2. to 4. 5. that are authorized under par. (cm)  
11 except for monitoring by an electronic monitoring system or may petition the court  
12 assigned to exercise jurisdiction under this chapter and ch. 48 to impose on the  
13 juvenile the sanction specified in s. 938.355 (6) (d) 1. or home detention with  
14 monitoring by an electronic monitoring system as specified in s. 938.355 (6) (d) 3., if  
15 authorized under par. (cm), if at the time of judgment the court explained the  
16 conditions to the juvenile and informed the juvenile of the possible sanctions under  
17 s. 938.355 (6) (d) that are authorized under par. (cm) for a violation or if before the  
18 violation the juvenile has acknowledged in writing that he or she has read, or has had  
19 read to him or her, those conditions and possible sanctions and that he or she  
20 understands those conditions and possible sanctions.”.

21 \*b0924/2.4\* **1331.** Page 1219, line 22: delete lines 22 to 25.

22 ~~\*b0936/1.9\* **1332.** Page 1219, line 22: delete lines 22 to 25.~~ ✓

23 \*b0924/2.5\* **1333.** Page 1220, line 1: delete lines 1 to 7 and substitute:

24 \*b0924/2.5\* “SECTION 3879d. 938.183 (3) of the statutes is amended to read:

1           938.183 (3) When a juvenile who is subject to a criminal penalty under sub.  
2 (1m) or (2) attains the age of 17 years, the department may place the juvenile in a  
3 state prison named in s. 302.01, except that the department may not place any person  
4 under the age of 18 years in the correctional institution authorized in s. 301.16 (1n).  
5 If a juvenile who is subject to a criminal penalty under sub. (1m) or (2) is 15 years  
6 of age or over, the department may transfer the juvenile to the Racine youthful  
7 offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). A  
8 juvenile who is subject to a criminal penalty under sub. (1m) or (2) for an act  
9 committed before December 31, 1999, is eligible for parole under s. 304.06.”

10

\*b0936/1.10\* **1334.** Page 1220, line 4: delete lines 1 to 25.

11

\*b0936/1.11\* **1335.** Page 1221, line 1: delete lines 1 to 25.

12

\*b0936/1.12\* **1336.** Page 1222, line 1: delete lines 1 to 25.

13

\*b0936/1.13\* **1337.** Page 1223, line 1: delete lines 1 to 4.

14

\*b0929/1.4\* **1338.** Page 1223, line 4: after that line insert:

15

\*b0929/1.4\* “SECTION 3889e. 938.245 (2) (a) 9m. of the statutes is created to  
16 read:

17

938.245 (2) (a) 9m. That the juvenile report to a youth report center after  
18 school, in the evening, on weekends, on other nonschool days, or at any other time  
19 that the juvenile is not under immediate adult supervision, for participation in the  
20 social, behavioral, academic, community service, and other programming of the  
21 center. Section 938.34 (5g) applies to any community service work performed by a  
22 juvenile under this subdivision.

23

\*b0929/1.4\* SECTION 3889g. 938.245 (5) of the statutes is amended to read:

1           938.245 (5) A deferred prosecution agreement under sub. (2) (a) 1. to 8., (2g)  
2 or (2v), may be terminated upon the request of the juvenile, parent, guardian, or legal  
3 custodian.”.

4           **\*b1056/1.7\* 1339.** Page 1223, line 4: after that line insert:

5           **\*b1056/1.7\* SECTION 3889p.** 938.293 (2) of the statutes is amended to read:

6           938.293 (2) All records relating to a juvenile which are relevant to the subject  
7 matter of a proceeding under this chapter shall be open to inspection by a guardian  
8 ad litem or counsel for any party, upon demand and upon presentation of releases  
9 where necessary, at least 48 hours before the proceeding. Persons entitled to inspect  
10 the records may obtain copies of the records with the permission of the custodian of  
11 the records or with the permission of the court. The court may instruct counsel not  
12 to disclose specified items in the materials to the juvenile or the parent if the court  
13 reasonably believes that the disclosure would be harmful to the interests of the  
14 juvenile. ~~Sections~~ Section 971.23 and 972.11 (5) shall be applicable in all delinquency  
15 proceedings under this chapter, except that the court shall establish the timetable  
16 for the disclosures required under ss. s. 971.23 (1), (2m) and, (8), and 972.11 (5) (9).

17           **\*b1056/1.7\* SECTION 3889r.** 938.299 (4) (a) of the statutes is amended to read:

18           938.299 (4) (a) Chapters 901 to 911 govern the presentation of evidence at the  
19 fact-finding hearing under s. 938.31. ~~Section 972.11 (5) applies at fact-finding~~  
20 ~~proceedings in all delinquency proceedings under this chapter.”.~~

21           **\*b0929/1.5\* 1340.** Page 1223, line 7: after that line insert:

22           **\*b0929/1.5\* SECTION 3890e.** 938.32 (1) (a) of the statutes is amended to read:

23           938.32 (1) (a) At any time after the filing of a petition for a proceeding relating  
24 to s. 938.12 or 938.13 and before the entry of judgment, the judge or juvenile court

1 commissioner may suspend the proceedings and place the juvenile under  
2 supervision in the juvenile's own home or present placement. The court may  
3 establish terms and conditions applicable to the parent, guardian, or legal custodian,  
4 and to the juvenile, including any of the conditions specified in subs. (1d), (1g), (1m),  
5 (1p), (1t), (1v), and (1x). The order under this section shall be known as a consent  
6 decree and must be agreed to by the juvenile; the parent, guardian, or legal  
7 custodian; and the person filing the petition under s. 938.25. If the consent decree  
8 includes any conditions specified in sub. (1g), the consent decree shall include  
9 provisions for payment of the services as specified in s. 938.361. The consent decree  
10 shall be reduced to writing and given to the parties.

11 \*b0929/1.5\* SECTION 3890g. 938.32 (1p) of the statutes is created to read:

12 938.32 (1p) The judge or juvenile court commissioner may establish as a  
13 condition under sub. (1) that the juvenile report to a youth report center after school,  
14 in the evening, on weekends, on other nonschool days, or at any other time that the  
15 juvenile is not under immediate adult supervision, for participation in the social,  
16 behavioral, academic, community service, and other programming of the center.  
17 Section 938.34 (5g) applies to any community service work performed by a juvenile  
18 under this subsection.

19 \*b0929/1.5\* SECTION 3893t. 938.34 (7j) of the statutes is created to read:

20 938.34 (7j) YOUTH REPORT CENTER. Order the juvenile to report to a youth report  
21 center after school, in the evening, on weekends, on other nonschool days, or at any  
22 other time that the juvenile is not under immediate adult supervision, for  
23 participation in the social, behavioral, academic, community service, and other  
24 programming of the center. Subsection (5g) applies to any community service work  
25 performed by a juvenile under this subsection.

1           **\*b0929/1.5\* SECTION 3894s.** 938.342 (1d) (c) of the statutes is created to read:  
2           938.342 (1d) (c) Order the person to report to a youth report center after school,  
3           in the evening, on weekends, on other nonschool days, or at any other time that the  
4           person is not under immediate adult supervision, for participation in the social,  
5           behavioral, academic, community service, and other programming of the center.  
6           Section 938.34 (5g) applies to any community service work performed by a person  
7           under this paragraph.

8           **\*b0929/1.5\* SECTION 3894t.** 938.342 (1g) (k) of the statutes is created to read:  
9           938.342 (1g) (k) Order the person to report to a youth report center after school,  
10          in the evening, on weekends, on other nonschool days, or at any other time that the  
11          juvenile is not under immediate adult supervision, for participation in the social,  
12          behavioral, academic, community service, and other programming of the center.  
13          Section 938.34 (5g) applies to any community service work performed by a person  
14          under this paragraph.

15          **\*b0929/1.5\* SECTION 3895f.** 938.343 (3m) of the statutes is created to read:  
16          938.343 (3m) Order the juvenile to report to a youth report center after school,  
17          in the evening, on weekends, on other nonschool days, or at any other time that the  
18          juvenile is not under immediate adult supervision, for participation in the social,  
19          behavioral, academic, community service, and other programming of the center.  
20          Section 938.34 (5g) applies to any community service work performed by a juvenile  
21          under this subsection.

22          **\*b0929/1.5\* SECTION 3895j.** 938.344 (2g) (a) 5. of the statutes is created to  
23          read:  
24          938.344 (2g) (a) 5. Report to a youth report center after school, in the evening,  
25          on weekends, on other nonschool days, or at any other time that the juvenile is not

1 under immediate adult supervision, for participation in the social, behavioral,  
2 academic, community service, and other programming of the center. Section 938.34  
3 (5g) applies to any community service work performed by a juvenile under this  
4 subdivision.

5 \*b0929/1.5\* SECTION 3897v. 938.355 (6) (d) 5. of the statutes is created to read:  
6 938.355 (6) (d) 5. Participation after school, in the evening, on weekends, on  
7 other nonschool days, or at any other time that the juvenile is not under immediate  
8 adult supervision, in the social, behavioral, academic, community service, and other  
9 programming of a youth report center. Subdivision 4. and s. 938.34 (5g) apply to any  
10 community service work performed by a juvenile under this subdivision.”.

11 \*b0936/1.14\* **1341.** Page 1223, line 8: delete lines 8 to 20.

12 \*b0929/1.6\* **1342.** Page 1223, line 20: after that line insert:

13 \*b0929/1.6\* “SECTION 3900k. 938.355 (6m) (a) (intro.) of the statutes is  
14 amended to read:

15 938.355 (6m) (a) (intro.) If the court finds by a preponderance of the evidence  
16 that a juvenile who has been found to have violated a municipal ordinance enacted  
17 under s. 118.163 (2) or who has been found to be in need of protection or services  
18 under s. 938.13 (6) has violated a condition specified under sub. (2) (b) 7., the court  
19 may order as a sanction any combination of the sanctions specified in subds.1g. to  
20 ~~3. 4.~~ and the dispositions specified in s. 938.342 (1g) (d) to (j) and (1m), regardless of  
21 whether the disposition was imposed in the order violated by the juvenile, if at the  
22 dispositional hearing under s. 938.335 the court explained those conditions to the  
23 juvenile and informed the juvenile of the possible sanctions under this paragraph for  
24 a violation or if before the violation the juvenile has acknowledged in writing that

1 he or she has read, or has had read to him or her, those conditions and possible  
2 sanctions and that he or she understands those conditions and possible sanctions.

3 The court may order as a sanction under this paragraph any of the following:

4 **\*b0929/1.6\* SECTION 3900n.** 938.355 (6m) (a) 4. of the statutes is created to  
5 read:

6 938.355 (6m) (a) 4. Participation after school, in the evening, on weekends, on  
7 other nonschool days, or at any other time that the juvenile is not under immediate  
8 adult supervision, in the social, behavioral, academic, community service, and other  
9 programming of a youth report center. Subdivision 2. and s. 938.34 (5g) apply to any  
10 community service work performed by a juvenile under this subdivision.

11 **\*b0929/1.6\* SECTION 3900p.** 938.355 (6m) (ag) of the statutes is amended to  
12 read:

13 938.355 (6m) (ag) If the court finds by a preponderance of the evidence that a  
14 juvenile who has been found to have violated a municipal ordinance enacted under  
15 s. 118.163 (1m) has violated a condition specified under sub. (2) (b) 7., the court may  
16 order as a sanction any combination of the operating privilege suspension specified  
17 in par. (a) and the dispositions specified in s. 938.342 (1g) (b) to ~~(j)~~ (k) and (1m),  
18 regardless of whether the disposition was imposed in the order violated by the  
19 juvenile, if at the dispositional hearing under s. 938.335 the court explained those  
20 conditions to the juvenile and informed the juvenile of the possible sanctions under  
21 this paragraph for a violation or if before the violation the juvenile has acknowledged  
22 in writing that he or she has read, or has had read to him or her, those conditions and  
23 possible sanctions and that he or she understands those conditions and possible  
24 sanctions.”.

1           **\*b1056/1.8\* 1343.** Page 1224, line 13: after that line insert:

2           **\*b1056/1.8\* "SECTION 3908r.** 938.46 of the statutes is renumbered 938.46 (1)  
3 and amended to read:

4           938.46 (1) ~~A juvenile~~ Except as provided in sub. (2), a juvenile whose status  
5 is adjudicated by the court under this chapter, or the juvenile's parent, guardian, or  
6 legal custodian, may at any time within one year after the entering of the court's  
7 order petition the court for a rehearing on the ground that new evidence has been  
8 discovered affecting the advisability of the court's original adjudication. Upon a  
9 showing that such evidence does exist, the court shall order a new hearing.

10           **\*b1056/1.8\* SECTION 3908s.** 938.46 (2) of the statutes is created to read:

11           938.46 (2) If a juvenile is adjudged delinquent under s. 938.12, the juvenile or  
12 the juvenile's parent, guardian, or legal custodian, may at any time after the entering  
13 of the court's order petition the court for a rehearing on the ground that new evidence  
14 has been discovered affecting the advisability of the court's original adjudication.  
15 Upon a showing that such evidence does exist, the court shall order a new hearing.

16           **\*b1056/1.8\* SECTION 3908t.** 938.46 (3) of the statutes is created to read:

17           938.46 (3) This section does not apply to motions made under s. 974.07 (2).".

18           **\*b0936/1.15\* 1344.** Page 1224, line 13: delete that line.

19           **\*b0936/1.16\* 1345.** Page 1225, line 21: delete lines 21 to 25.

20           **\*b0936/1.17\* 1346.** Page 1226, line 1: delete lines 1 to 25.

21           **\*b0936/1.18\* 1347.** Page 1227, line 1: delete lines 1 to 25.

22           **\*b0936/1.19\* 1348.** Page 1228, line 1: delete lines 1 to 24.

23           **\*b0936/1.20\* 1349.** Page 1229, line 1: delete lines 1 to 25.

1           **\*b0936/1.21\* 1350.** Page 1230, line 1: delete lines 1 to 25.

2           **\*b0936/1.22\* 1351.** Page 1231, line 1: delete lines 1 to 11. *(6) ✓*

3           **\*b0813/1.2\* 1352.** Page 1231, line 6: after that line insert:

4           **\*b0813/1.2\* "SECTION 3928r.** 938.78 (2) (e) of the statutes is amended to read:

5           938.78 (2) (e) Paragraph (a) does not prohibit the department from disclosing  
6 information about an individual adjudged delinquent under s. 938.183 or 938.34 for  
7 a sexually violent offense, as defined in s. 980.01 (6), to the department of justice, or  
8 a district attorney or a judge acting under ch. 980 or to an attorney who represents  
9 a person subject to a petition under ch. 980. The court in which the petition under  
10 s. 980.02 is filed or, if an action filed under s. 980.02 is transferred to another court  
11 under s. 980.02 (6), the court to which the action is transferred, may issue any  
12 protective orders that it determines are appropriate concerning information  
13 disclosed under this paragraph." *FF. Page 1231, line 7: delete lines 7 to 11. ✓*

14           **\*b1070/2.10\* 1353.** Page 1231, line 12: delete the material beginning with  
15 that line and ending with page 1232, line 7.

16           **\*b1056/1.9\* 1354.** Page 1232, line 19: delete the material beginning with  
17 that line and ending with page 1233, line 13, and substitute:

18           **\*b1056/1.9\* "SECTION 3936c.** 939.74 (2d) of the statutes is created to read:

19           939.74 (2d) (a) In this subsection, "deoxyribonucleic acid profile" means an  
20 individual's patterned chemical structure of genetic information identified by  
21 analyzing biological material that contains the individual's deoxyribonucleic acid.

22           (b) If before the time limitation under sub. (1) expired, the state collected  
23 biological material that is evidence of the identity of the person who committed a  
24 violation of s. 940.225 (1) or (2), the state identified a deoxyribonucleic acid profile

1 from the biological material, and comparisons of that deoxyribonucleic acid profile  
2 to deoxyribonucleic acid profiles of known persons did not result in a probable  
3 identification of the person who is the source of the biological material, the state may  
4 commence prosecution of the person who is the source of the biological material for  
5 violation of s. 940.225 (1) or (2) within 12 months after comparison of the  
6 deoxyribonucleic acid profile relating to the violation results in a probable  
7 identification of the person, if there is probable cause to believe that the biological  
8 material was left by the person at the time the violation was committed.

9 (c) If before the time limitation under sub. (2) (c) expired, the state collected  
10 biological material that is evidence of the identity of the person who committed a  
11 violation of s. 948.02 (1) or (2) or 948.025, the state identified a deoxyribonucleic acid  
12 profile from the biological material, and comparisons of that deoxyribonucleic acid  
13 profile to deoxyribonucleic acid profiles of known persons did not result in a probable  
14 identification of the person who is the source of the biological material, the state may  
15 commence prosecution of the person who is the source of the biological material for  
16 violation of s. 948.02 (1) or (2) or 948.025 within 12 months after comparison of the  
17 deoxyribonucleic acid profile relating to the violation results in a probable  
18 identification of the person, if there is probable cause to believe that the biological  
19 material was left by the person at the time the violation was committed.”.

20 \*b1049/1.1\* **1355.** Page 1241, line 19: delete the material beginning with  
21 that line and ending with page 1243, line 18, and substitute:

22 \*b1049/1.1\* **SECTION 3956f.** 944.205 (2) (a) of the statutes is amended to read:  
23 944.205 (2) (a) Takes a photograph or makes a motion picture, videotape, or  
24 other visual representation ~~or reproduction~~ that depicts nudity without the

1     knowledge and consent of the person who is depicted nude while that person is nude  
2     in a place and circumstance in which he or she has a reasonable expectation of  
3     privacy, if the person taking the photograph or making the motion picture, videotape,  
4     or other visual representation knows or has reason to know that the person who is  
5     depicted nude does not know of and consent to the taking ~~or making~~ of the  
6     photograph or the making of the motion picture, videotape, or other visual  
7     representation ~~or reproduction~~.

8           **\*b1049/1.1\* SECTION 3956h.** 944.205 (2) (am) of the statutes is created to read:

9           944.205 (2) (am) Makes a reproduction of a photograph, motion picture,  
10          videotape, or other visual representation that the person knows or has reason to  
11          know was made in violation of par. (a) and that depicts the nudity depicted in the  
12          representation made in violation of par. (a), if the person depicted nude in the  
13          reproduction did not consent to the making of the reproduction.

14           **\*b1049/1.1\* SECTION 3957f.** 944.205 (2) (b) of the statutes is amended to read:

15          944.205 (2) (b) Possesses or distributes a photograph, motion picture,  
16          videotape, or other visual representation or reproduction that depicts nudity and  
17          that was taken or made ~~without the knowledge and consent of the person who is~~  
18          depicted nude in violation of par. (a) or (am), if the person possessing or distributing  
19          the representation or reproduction knows or has reason to know that the photograph,  
20          motion picture, videotape, or other visual representation or reproduction was taken  
21          or made ~~without the knowledge and consent of the person who is depicted nude in~~  
22          violation of par. (a) or (am) and if the person who is depicted nude in the  
23          representation or reproduction did not consent to the possession or distribution.

24           **\*b1049/1.1\* SECTION 3958f.** 944.205 (3) of the statutes is amended to read:

1           944.205 (3) Notwithstanding sub. (2) (a), ~~(am)~~, and (b), if the person in a  
2           photograph, motion picture, videotape, or other visual representation or  
3           reproduction is a child and the taking of the photograph or the making, possession,  
4           or distribution of the photograph, motion picture, videotape, or other visual  
5           representation or reproduction does not violate s. 948.05 or 948.12, a parent,  
6           guardian, or legal custodian of the child may do any of the following:

7           (a) ~~Make~~ Take and possess the photograph or make and possess the  
8           ~~photograph,~~ motion picture, videotape, or other visual representation reproduction  
9           of the child.

10          (b) Distribute a photograph, taken or possessed, or a motion picture, videotape  
11          or other visual representation or reproduction made or possessed, under par. (a) if  
12          the distribution is not for commercial purposes.”.

13           **\*b1056/1.10\* 1356.** Page 1250, line 5: after that line insert:

14           **\*b1056/1.10\* “SECTION 3984j.** 950.04 (1v) (s) of the statutes is amended to  
15           read:

16           950.04 (1v) (s) To have any stolen or other personal property expeditiously  
17           returned by law enforcement agencies when no longer needed as evidence, subject  
18           to s. 968.205. If feasible, all such property, except weapons, currency, contraband,  
19           property subject to evidentiary analysis, property subject to preservation under s.  
20           968.205, and property the ownership of which is disputed, shall be returned to the  
21           person within 10 days of being taken.”.

22           **\*b0783/2.12\* 1357.** Page 1250, line 14: after that line insert:

23           **\*b0783/2.12\* “SECTION 3984r.** 950.04 (1v) (ve) of the statutes is created to  
24           read:

1           950.04 (1v) (ve) If a hearing is scheduled in response to a petition filed by the  
2 department of corrections under s. 973.032 (4m) (b) for permission to release a person  
3 from a placement in the intensive supervision program under s. 301.048 (3) (a) 1., to  
4 have the appropriate clerk of court send the victim a copy of a petition and  
5 notification of the hearing on that petition under s. 973.032 (4m) (c).”

6           **\*b1056/1.11\* 1358.** Page 1250, line 14: after that line insert:

7           **\*b1056/1.11\* “SECTION 3984p.** 950.04 (1v) (yd) of the statutes is created to  
8 read:

9           950.04 (1v) (yd) To have the appropriate clerk of court make a reasonable  
10 attempt to send the victim a copy of a motion made under s. 974.07 (2) for  
11 postconviction deoxyribonucleic acid testing of certain evidence and notification of  
12 any hearing on that motion, as provided under s. 974.07 (4).”

13           **\*b1070/2.11\* 1359.** Page 1255, line 22: delete the material beginning with  
14 that line and ending with page 1256, line 4.

15           **\*b1056/1.12\* 1360.** Page 1256, line 4: after that line insert:

16           **\*b1056/1.12\* “SECTION 3998c.** 968.20 (1) (intro.) of the statutes is amended to  
17 read:

18           968.20 (1) (intro.) Any person claiming the right to possession of property  
19 seized pursuant to a search warrant or seized without a search warrant may apply  
20 for its return to the circuit court for the county in which the property was seized or  
21 where the search warrant was returned. The court shall order such notice as it  
22 deems adequate to be given the district attorney and all persons who have or may  
23 have an interest in the property and shall hold a hearing to hear all claims to its true  
24 ownership. If the right to possession is proved to the court’s satisfaction, it shall

1 order the property, other than contraband or property covered under sub. (1m) or (1r)  
2 or s. 173.12 ~~or~~, 173.21 (4), or 968.205, returned if:

3 \*b1056/1.12\* SECTION 3998e. 968.20 (2) of the statutes is amended to read:  
4 968.20 (2) Property not required for evidence or use in further investigation,  
5 unless contraband or property covered under sub. (1m) or (1r) or s. 173.12 or 968.205,  
6 may be returned by the officer to the person from whom it was seized without the  
7 requirement of a hearing.

8 \*b1056/1.12\* SECTION 3998g. 968.20 (4) of the statutes is amended to read:  
9 968.20 (4) Any property seized, other than property covered under s. 968.205,  
10 ~~which that~~ poses a danger to life or other property in storage, transportation or use  
11 and ~~which that~~ is not required for evidence or further investigation shall be safely  
12 disposed of upon command of the person in whose custody they are committed. The  
13 city, village, town or county shall by ordinance or resolution establish disposal  
14 procedures. Procedures may include provisions authorizing an attempt to return to  
15 the rightful owner substances which have a commercial value in normal business  
16 usage and do not pose an immediate threat to life or property. If enacted, any such  
17 provision shall include a presumption that if the substance appears to be or is  
18 reported stolen an attempt will be made to return the substance to the rightful owner.

19 \*b1056/1.12\* SECTION 3998i. 968.205 of the statutes is created to read:

20 **968.205 Preservation of certain evidence.** (1) In this section:

21 (a) "Custody" means actual custody of a person under a sentence of  
22 imprisonment, custody of a probationer, parolee, or person on extended supervision  
23 by the department of corrections, actual or constructive custody of a person pursuant  
24 to a dispositional order under ch. 938, supervision of a person, whether in  
25 institutional care or on conditional release, pursuant to a commitment order under

1 s. 971.17 and supervision of a person under ch. 980, whether in detention before trial  
2 or while in institutional care or on supervised release pursuant to a commitment  
3 order.

4 (b) “Discharge date” means the date on which a person is released or discharged  
5 from custody that resulted from a criminal action, a delinquency proceeding under  
6 ch. 938, or a commitment proceeding under s. 971.17 or ch. 980 or, if the person is  
7 serving consecutive sentences of imprisonment, the date on which the person is  
8 released or discharged from custody under all of the sentences.

9 (2) Except as provided in sub. (3), if physical evidence that is in the possession  
10 of a law enforcement agency includes any biological material that was collected in  
11 connection with a criminal investigation that resulted in a criminal conviction,  
12 delinquency adjudication, or commitment under s. 971.17 or 980.06, the law  
13 enforcement agency shall preserve the physical evidence until every person in  
14 custody as a result of the conviction, adjudication, or commitment has reached his  
15 or her discharge date.

16 (3) Subject to sub. (5), a law enforcement agency may destroy biological  
17 material before the expiration of the time period specified in sub. (2) if all of the  
18 following apply:

19 (a) The law enforcement agency sends a notice of its intent to destroy the  
20 biological material to all persons who remain in custody as a result of the criminal  
21 conviction, delinquency adjudication, or commitment, and to either the attorney of  
22 record for each person in custody or the state public defender.

23 (b) No person who is notified under par. (a) does either of the following within  
24 90 days after the date on which the person received the notice:

25 1. Files a motion for testing of the biological material under s. 974.07 (2).

1           2. Submits a written request to preserve the biological material to the law  
2 enforcement agency or district attorney.

3           (c) No other provision of federal or state law requires the law enforcement  
4 agency to preserve the biological material.

5           (4) A notice provided under sub. (3) (a) shall clearly inform the recipient that  
6 the biological material will be destroyed unless, within 90 days after the date on  
7 which the person receives the notice, either a motion for testing of the material is  
8 filed under s. 974.07 (2) or a written request to preserve the material is submitted  
9 to the law enforcement agency.

10           (5) If, after providing notice under sub. (3) (a) of its intent to destroy biological  
11 material, a law enforcement agency receives a written request to preserve the  
12 material, the law enforcement agency shall preserve the material until the discharge  
13 date of the person who made the request or on whose behalf the request was made,  
14 subject to a court order issued under s. 974.07 (7), (9) (a), or (10) (a) 5., unless the court  
15 authorizes destruction of the biological material under s. 974.07 (9) (b) or (10) (a) 5.

16           **\*b1056/1.12\* SECTION 3998n.** 971.04 (3) of the statutes is amended to read:

17           971.04 (3) If the defendant is present at the beginning of the trial and  
18 thereafter, during the progress of the trial or before the verdict of the jury has been  
19 returned into court, voluntarily absents himself or herself from the presence of the  
20 court without leave of the court, the trial or return of verdict of the jury in the case  
21 shall not thereby be postponed or delayed, but the trial or submission of said case to  
22 the jury for verdict and the return of verdict thereon, if required, shall proceed in all  
23 respects as though the defendant were present in court at all times. A defendant  
24 need not be present at the pronouncement or entry of an order granting or denying  
25 relief under s. 974.02 ~~or~~, 974.06, or 974.07. If the defendant is not present, the time

1 for appeal from any order under ss. 974.02 and, 974.06, and 974.07 shall commence  
2 after a copy has been served upon the attorney representing the defendant, or upon  
3 the defendant if he or she appeared without counsel. Service of such an order shall  
4 be complete upon mailing. A defendant appearing without counsel shall supply the  
5 court with his or her current mailing address. If the defendant fails to supply the  
6 court with a current and accurate mailing address, failure to receive a copy of the  
7 order granting or denying relief shall not be a ground for tolling the time in which  
8 an appeal must be taken.”.

9 \*b1070/2.12\* **1361.** Page 1256, line 14: delete the material beginning with  
10 that line and ending with page 1258, line 7.

11 \*b1056/1.13\* **1362.** Page 1258, line 7: after that line insert:

12 \*b1056/1.13\* “SECTION 4002r. 971.23 (1) (e) of the statutes is amended to read:  
13 971.23 (1) (e) Any relevant written or recorded statements of a witness named  
14 on a list under par. (d), including any videotaped oral statement of a child under s.  
15 908.08, any reports or statements of experts made in connection with the case or, if  
16 an expert does not prepare a report or statement, a written summary of the expert’s  
17 findings or the subject matter of his or her testimony, and the results of any physical  
18 or mental examination, scientific test, experiment or comparison that the district  
19 attorney intends to offer in evidence at trial. ~~This paragraph does not apply to~~  
20 ~~reports subject to disclosure under s. 972.11 (5).~~

21 \*b1056/1.13\* SECTION 4002t. 971.23 (2m) (am) of the statutes is amended to  
22 read:

23 971.23 (2m) (am) Any relevant written or recorded statements of a witness  
24 named on a list under par. (a), including any reports or statements of experts made

1 in connection with the case or, if an expert does not prepare a report or statement,  
2 a written summary of the expert's findings or the subject matter of his or her  
3 testimony, and including the results of any physical or mental examination, scientific  
4 test, experiment or comparison that the defendant intends to offer in evidence at  
5 trial. ~~This paragraph does not apply to reports subject to disclosure under s. 972.11~~  
6 (5).

7 \*b1056/1.13\* SECTION 4002v. 971.23 (9) of the statutes is created to read:

8 971.23 (9) DEOXYRIBONUCLEIC ACID EVIDENCE. (a) In this subsection  
9 "deoxyribonucleic acid profile" has the meaning given in s. 939.74 (2d) (a).

10 (b) Notwithstanding sub. (1) (e) or (2m) (am), if either party intends to submit  
11 deoxyribonucleic acid profile evidence at a trial to prove or disprove the identity of  
12 a person, the party seeking to introduce the evidence shall notify the other party of  
13 the intent to introduce the evidence in writing by mail at least 45 days before the date  
14 set for trial; and shall provide the other party, within 15 days of request, the material  
15 identified under sub. (1) (e), or par. (2m) (am), whichever is appropriate, that relates  
16 to the evidence.

17 (c) The court shall exclude deoxyribonucleic acid profile evidence at trial, if the  
18 notice and production deadlines under par. (b) are not met, except the court may  
19 waive the 45 day notice requirement or may extend the 15 day production  
20 requirement upon stipulation of the parties, or for good cause, if the court finds that  
21 no party will be prejudiced by the waiver or extension. The court may in appropriate  
22 cases grant the opposing party a recess or continuance."

23 \*b1056/1.14\* 1363. Page 1258, line 15: after that line insert:

24 \*b1056/1.14\* "SECTION 4003r. 972.11 (1) of the statutes is amended to read:

1           972.11 (1) Except as provided in subs. (2) to ~~(5)~~ (4), the rules of evidence and  
2 practice in civil actions shall be applicable in all criminal proceedings unless the  
3 context of a section or rule manifestly requires a different construction. No guardian  
4 ad litem need be appointed for a defendant in a criminal action. Chapters 885 to 895,  
5 except ss. 804.02 to 804.07 and 887.23 to 887.26, shall apply in all criminal  
6 proceedings.

7           **\*b1056/1.14\* SECTION 4003t.** 972.11 (5) of the statutes is repealed.”.

8           **\*b1070/2.13\* 1364.** Page 1258, line 16: delete the material beginning with  
9 that line and ending with page 1260, line ~~9~~ (6)

10           **\*b0783/2.13\* 1365.** Page 1260, line 6: after that line insert:

11           **\*b0783/2.13\* “SECTION 4012b.** 973.01 (4) of the statutes is amended to read:

12           973.01 (4) NO GOOD TIME; EXTENSION OR REDUCTION OF TERM OF IMPRISONMENT. A  
13 person sentenced to a bifurcated sentence under sub. (1) shall serve the term of  
14 confinement in prison portion of the sentence without reduction for good behavior.

15           The term of confinement in prison portion is subject to extension under s. 302.113 (3)

16           and, <sup>Page</sup> if applicable, to reduction under s. 302.045 (3m) or 301.048 (6) (c).”.

~~17~~ ~~1260, line 7: delete lines 7 to 9.~~

17           **\*b0924/2.6\* 1366.** Page 1260, line 10: delete lines 10 to 24.

18           ~~**\*b0936/1.23\* 1367.** Page 1260, line 10: delete lines 10 to 24.~~

19           **\*b0924/2.7\* 1368.** Page 1261, line 1: delete lines 1 and 2 and substitute:

20           **\*b0924/2.7\* “SECTION 4014d.** 973.013 (3m) of the statutes is amended to read:

21           973.013 (3m) If a person who has not attained the age of 16 years is sentenced  
22 to the Wisconsin state prisons, the department of corrections shall place the person  
23 at a secured juvenile correctional facility or a secured child caring institution, unless  
24 the department of corrections determines that placement in an institution under s.

1 302.01 is appropriate based on the person's prior record of adjustment in a  
2 correctional setting, if any; the person's present and potential vocational and  
3 educational needs, interests and abilities; the adequacy and suitability of available  
4 facilities; the services and procedures available for treatment of the person within  
5 the various institutions; the protection of the public; and any other considerations  
6 promulgated by the department of corrections by rule. The department may not  
7 place any person under the age of 18 years in the correctional institution authorized  
8 in s. 301.16 (1n). This subsection does not preclude the department of corrections  
9 from designating an adult correctional institution, other than the correctional  
10 institution authorized in s. 301.16 (1n), as a reception center for the person and  
11 subsequently transferring the person to a secured juvenile correctional facility or a  
12 secured child caring institution. Section 302.11 and ch. 304 apply to all persons  
13 placed in a secured juvenile correctional facility or a secured child caring institution  
14 under this subsection.”.

15 ~~\*b0936/1.24\* 1369. Page 1261, line 1: delete lines 1 and 2.~~

16 \*b0783/2.14\* 1370. Page 1261, line 2: after that line insert:

17 \*b0783/2.14\* “SECTION 4014p. 973.032 (title) of the statutes is amended to  
18 read:

19 973.032 (title) ~~Sentence to~~ Required participation in intensive  
20 sanctions program.

21 \*b0783/2.14\* SECTION 4014pb. 973.032 (1) of the statutes is amended to read:

22 973.032 (1) ~~SENTENCE AUTHORITY TO ORDER. Beginning July 1, 1992, Except as~~  
23 provided in sub. (2), a court may sentence order a person who is convicted of a felony  
24 ~~occurring on or after August 15, 1991, but before December 31, 1999, to participate~~

1 in the intensive sanctions program under s. 301.048. ~~If a person is convicted of a~~  
2 ~~felony occurring on or after December 31, 1999, a court may not sentence the person~~  
3 ~~to participate in the intensive sanctions program under s. 301.048~~ during the entire  
4 term of confinement in prison portion of the bifurcated sentence.

5 \*b0783/2.14\* SECTION 4014q. 973.032 (2) (a) of the statutes is amended to  
6 read:

7 973.032 (2) (a) A court may sentence order a person to participate in the  
8 intensive sanctions program under sub. (1) if the department provides a presentence  
9 investigation report recommending that the person be sentenced to ordered to  
10 participate in the program. If the department does not make the recommendation,  
11 a court may order the department to assess and evaluate the person. After that  
12 assessment and evaluation, the court may sentence order the person to participate  
13 in the program unless the department objects on the ground that it recommends that  
14 the person be placed on probation.

15 \*b0783/2.14\* SECTION 4014r. 973.032 (2) (b) of the statutes is amended to read:

16 973.032 (2) (b) Notwithstanding par. (a), the court may not sentence order a  
17 person to participate in the intensive sanctions program under sub. (1) if he or she  
18 is convicted of a felony punishable by life imprisonment or has at any time been  
19 convicted, adjudicated delinquent, or found not guilty or not responsible by reason  
20 of insanity or mental disease, defect, or illness for committing a violent offense, as  
21 defined in s. 301.048 (2) (bm).

22 \*b0783/2.14\* SECTION 4014s. 973.032 (3) (intro.) of the statutes is repealed.

23 \*b0783/2.14\* SECTION 4014t. 973.032 (3) (a) of the statutes is repealed.

24 \*b0783/2.14\* SECTION 4014u. 973.032 (3) (b) of the statutes is renumbered  
25 973.032 (3) (b) (intro.) and amended to read:

1           973.032 (3) (b) (intro.) ~~The~~ If the court orders a person to participate in the  
2 intensive sanctions program under sub. (1), the court shall provide a maximum  
3 period for placements do all of the following:

4           1. Order that the person be placed under s. 301.048 (3) (a) 1., which may not  
5 exceed for at least one year unless the defendant waives this requirement.

6           **\*b0783/2.14\* SECTION 4014um.** 973.032 (3) (b) 2. of the statutes is created to  
7 read:

8           973.032 (3) (b) 2. Subject to the limitation imposed under s. 301.048 (3) (bm)  
9 2., specify the date on which the person is eligible for release from that placement  
10 under sub. (4m).

11           **\*b0783/2.14\* SECTION 4014v.** 973.032 (3) (c) 2. of the statutes is amended to  
12 read:

13           973.032 (3) (c) 2. The court may prescribe reasonable and necessary conditions  
14 ~~of the sentence in accordance with s. 301.048 (3) in an order issued under sub. (1),~~  
15 except the court may not specify a particular Type 1 prison, jail, camp, or facility  
16 where the offender is to be placed under s. 301.048 (3) (a) and the court may not  
17 restrict the department's authority under s. 301.048 (3) (b) or (c).

18           **\*b0783/2.14\* SECTION 4014w.** 973.032 (4) of the statutes is repealed.

19           **\*b0783/2.14\* SECTION 4014wh.** 973.032 (4m) of the statutes is created to read:  
20           973.032 (4m) RELEASE TO COMMUNITY. (a) In this subsection, "victim" has the  
21 meaning given in s. 950.02 (4).

22           (b) No earlier than 30 days before the date specified by the court under sub. (3)  
23 (b) 2., the department may petition the court for permission to release a person  
24 subject to an order under sub. (1) from a placement described under s. 301.048 (3) (a)  
25 1.

1           (c) Upon the filing of a petition under par. (b), the court, with or without a  
2 hearing, may authorize the department to release the person from his or her  
3 placement any time after the date specified under sub. (3) (b) 2. If the court schedules  
4 a hearing on the petition, the clerk of the circuit court in which the petition is filed  
5 shall send a copy of the petition and a notice of hearing to the victim of the crime  
6 committed by the inmate, if the victim has submitted a card under par. (e) requesting  
7 notification, at least 10 days before the date of the hearing.

8           (d) The notice under par. (c) shall inform the victim that he or she may appear  
9 at the hearing and shall inform the victim of the manner in which he or she may  
10 provide written statements concerning the inmate's petition for release to extended  
11 supervision.

12           (e) The director of state courts shall design and prepare cards for a victim to  
13 send to the clerk of the circuit court in which the inmate is convicted and sentenced.  
14 The cards shall have space for a victim to provide his or her name and address, the  
15 name of the applicable inmate and any other information the director of state courts  
16 determines is necessary. The director of state courts shall provide the cards, without  
17 charge, to clerks of circuit court. Clerks of circuit court shall provide the cards,  
18 without charge, to victims. Victims may send completed cards to the clerk of the  
19 circuit court in which the inmate was convicted and sentenced. All court records or  
20 portions of records that relate to mailing addresses of victims are not subject to  
21 inspection or copying under s. 19.35 (1).

22           (f) If the court schedules a hearing on a petition filed under par. (b), the clerk  
23 of the court shall provide a copy of the petition and a notice of the hearing to the  
24 district attorney at least 10 days before the hearing.

25           **\*b0783/2.14\* SECTION 4014x.** 973.032 (5) of the statutes is repealed.