

1 “560.25 (2) GRANTS. (intro.) Subject to ~~subs. sub. (4) and (5)~~, the department
2 may make a grant from the appropriation under s. 20.143 (1) (ko) and a grant of up
3 to \$500,000 in each fiscal year from the appropriation under s. 20.143 (1) (ie) to a
4 technology-based nonprofit organization to provide support for a manufacturing
5 extension center if all of the following apply:

6 ***b1685/1.3* SECTION 3692c.** 560.25 (2) (intro.) of the statutes, as affected by
7 2001 Wisconsin Act (this act), is amended to read:

8 560.25 (2) GRANTS. (intro.) Subject to sub. (4), the department may make a
9 grant from the appropriation under s. 20.143 (1) (ko) ~~and a grant of up to \$500,000~~
10 ~~in each fiscal year from the appropriation under s. 20.143 (1) (ie)~~ to a
11 technology-based nonprofit organization to provide support for a manufacturing
12 extension center if all of the following apply:”.

13 ***b1801/2.7* 1723.** Page 1171, line 17: after that line insert:

14 ***b1801/2.7* “SECTION 3693m.** 560.26 (1) (intro.) of the statutes is amended to
15 read:

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

19 ***b1801/2.8* 1724.** Page 1172, line 22: after that line insert:

20 ***b1801/2.8* “SECTION 3698m.** 560.61 (1) of the statutes is amended to read:
21 560.61 (1) Make a grant or loan to an eligible recipient for a project that meets
22 the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.63,
23 560.65, or 560.66, whichever is appropriate, from the appropriations under s. 20.143
24 (1) (c), (cb) ~~and~~, (ie), and (kd).

1 ***b1801/2.8* SECTION 3698p.** 560.61 (3) of the statutes is amended to read:

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

5 ***b1478/3.22* 1725.** Page 1173, line 1: delete “par. (b)” and substitute “pars.
6 (b) and (c)”.

7 ***b1478/3.23* 1726.** Page 1173, line 8: after that line insert:

8 ***b1478/3.23* “SECTION 3700d.** 560.70 (7) (c) of the statutes is created to read:
9 560.70 (7) (c) In s. 560.798, “tax benefits” means the development zones capital
10 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the
11 development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx).”.

12 ***b1478/3.24* 1727.** Page 1175, line 24: after that line insert:

13 ***b1478/3.24* “SECTION 3708m.** 560.798 of the statutes is created to read:

14 **560.798 Agricultural development zones. (1)** In this section, “rural
15 municipality” means any of the following:

16 (a) A city, town, or village that is located in a county with a population density
17 of less than 150 persons per square mile.

18 (b) A city, town, or village with a population of 6,000 or less.

19 **(2)** (a) The department shall designate 2 areas in the state as agricultural
20 development zones. Each area must be located in a rural municipality. An
21 agricultural business that is located in an agricultural development zone and that
22 is certified by the department under sub. (3) is eligible for tax benefits as provided
23 in sub. (3).

1 (b) The designation of an area as an agricultural development zone shall be in
2 effect for 10 years from the time that the department first designates the area.
3 However, not more than \$5,000,000 in tax benefits may be claimed in an agricultural
4 development zone. The department may change the boundaries of an agricultural
5 development zone during the time that its designation is in effect. A change in the
6 boundaries of an agricultural development zone does not affect the duration of the
7 designation of the area or the maximum tax benefit amount that may be claimed in
8 the agricultural development zone.

9 (3) (a) The department may certify for tax benefits in an agricultural
10 development zone a new or expanding agricultural business that is located in the
11 agricultural development zone. In determining whether to certify a business under
12 this subsection, the department shall consider, among other things, the number of
13 jobs that will be created or retained by the business.

14 (b) When the department certifies an agricultural business under this
15 subsection, the department shall establish a limit on the amount of tax benefits that
16 the business may claim. The department shall enter into an agreement with the
17 business that specifies the limit on the amount of tax benefits that the business may
18 claim and reporting requirements with which the business must comply.

19 (4) (a) The department of commerce shall notify the department of revenue of
20 all the following:

- 21 1. An agricultural development zone's designation.
- 22 2. A business' certification and the limit on the amount of tax benefits that the
23 business may claim.
- 24 3. The revocation of a business' certification.

1 (b) The department shall annually verify information submitted to the
2 department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), or 71.47 (1dm) or
3 (1dx).

4 (5) The department shall promulgate rules for the operation of this section,
5 including rules related to all the following:

6 (a) Criteria for designating an area as an agricultural development zone.

7 (b) Criteria for certifying a business for tax benefits.

8 (c) Standards for establishing the limit on the amount of tax benefits that a
9 business may claim.

10 (d) Reporting requirements for certified businesses.

11 (e) The exchange of information between the department of commerce and the
12 department of revenue.

13 (f) Reasons for revoking a business' certification.

14 (g) Standards for changing the boundaries of an agricultural development
15 zone.”.

16 *b1692/1.1* **1728.** Page 1176, line 21: delete the material beginning with
17 “The department” and ending with “zones.” on line 23 and substitute “The
18 department shall designate the city of Marshfield as a technology zone and may
19 designate up to 2 more areas in the state as technology zones, for a total of 3
20 technology zones. The department may, with the approval of the joint committee on
21 finance, designate up to 15 more areas in the state as technology zones, for a total
22 of 18 technology zones.”.

23 *b1478/3.25* **1729.** Page 1176, line 23: delete “6” and substitute “15”.

1 ***b1478/3.26* 1730.** Page 1177, line 3: delete “\$3,000,000” and substitute
2 “\$5,000,000”.

3 ***b1719/2.3* 1731.** Page 1180, line 15: after that line insert:

4 ***b1719/2.3* “SECTION 3734.** 601.415 (13) of the statutes is created to read:

5 601.415 (13) SUBSTANTIALLY SIMILAR HEALTH CARE BENEFITS COVERAGE RULES. The
6 commissioner shall promulgate the rules required under s. 111.70 (4) (cm) 8s. b. and
7 (om), setting out a standardized summary of benefits provided under health care
8 coverage policies and plans for use in determining benefit similarities and
9 differences among policies and plans.”.

10 ***b1293/2.1* 1732.** Page 1180, line 21: after that line insert:

11 ***b1293/2.1* “SECTION 3737m.** 601.73 (2) (c) of the statutes is amended to read:

12 601.73 (2) (c) *Default judgment.* No plaintiff or complainant is entitled to a
13 judgment by default in any proceeding in which process is served under this section
14 and s. 601.72 until the expiration of 45 days after the date of mailing of the process
15 under par. (b). If the proceeding is to foreclose or otherwise enforce a lien or security
16 interest, the plaintiff or complainant is not entitled to a judgment by default under
17 this paragraph until the expiration of 20 days after the date of mailing of the process
18 under par. (b).”.

19 ***b1418/3.5* 1733.** Page 1180, line 21: after that line insert:

20 ***b1418/3.5* “SECTION 3741d.** 607.25 of the statutes is created to read:

21 **607.25 Loan to general fund.** No later than the first day of the 2nd month
22 after the effective date of this section ... [revisor inserts date], the life fund shall
23 make a loan of \$850,000 to the general fund. Interest shall accrue on the principle
24 balance at the average rate earned by the state on its deposits in the state investment

1 fund during the period of the loan. The general fund shall repay the loan from
2 moneys lapsed to the general fund from the appropriation under s. 20.515 (2) (a) at
3 the end of the 2001–03 fiscal biennium, if any, and from moneys lapsed to the general
4 fund from the appropriation under s. 20.515 (2) (g) in the amounts specified in s.
5 40.98 (6m). If the secretary of administration determines that the moneys lapsed
6 from these appropriations will not be sufficient to repay the loan within a reasonable
7 period of time, as determined by the secretary and the commissioner, the secretary
8 shall transfer from the general fund to the life fund an amount sufficient to repay the
9 loan.”.

10 *b1455/1.4* **1734.** Page 1180, line 21: after that line insert:

11 *b1455/1.4* “SECTION 3741m. 609.795 of the statutes is created to read:

12 **609.795 Prohibiting denial of payment for certain procedures.** Limited
13 service health organizations, preferred provider plans, and managed care plans are
14 subject to s. 632.872.”.

15 *b1457/1.3* **1735.** Page 1180, line 21: after that line insert:

16 *b1457/1.3* “SECTION 3741f. 609.10 (title) of the statutes, as affected by 1999
17 Wisconsin Act 9, is amended to read:

18 **609.10 (title) Standard plan and ~~point-of-service option plan~~ required.**

19 *b1457/1.3* SECTION 3741g. 609.10 (1) (ac) of the statutes, as created by 1999
20 Wisconsin Act 9, is repealed.

21 *b1457/1.3* SECTION 3741h. 609.10 (1) (am) of the statutes, as affected by 1999
22 Wisconsin Act 9, is amended to read:

23 609.10 (1) (am) Except as provided in subs. (2) to (4), an employer that offers
24 any of its employees a health maintenance organization or a preferred provider plan

1 that provides comprehensive health care services shall also offer the employees a
2 standard plan that provides at least substantially equivalent coverage of health care
3 expenses ~~and a point-of-service option plan~~, as provided in pars. (b) and (c).

4 ***b1457/1.3* SECTION 3741i.** 609.10 (1) (c) of the statutes, as affected by 1999
5 Wisconsin Act 9, is amended to read:

6 609.10 (1) (c) The employer shall provide the employees adequate notice of the
7 opportunity to enroll in the health care plans under par. (am) and shall provide the
8 employees complete and understandable information concerning the differences
9 among between the health maintenance organization or preferred provider plan, and
10 the standard plan ~~and the point-of-service option plan~~.

11 ***b1457/1.3* SECTION 3741j.** 609.10 (3) (intro.) and (a) of the statutes, as
12 affected by 1999 Wisconsin Act 9, are consolidated, renumbered 609.10 (3) and
13 amended to read:

14 609.10 (3) Subsection (1) does not apply to an employer that does ~~any of the~~
15 ~~following:~~ (a) ~~Employs~~ employs fewer than 25 full-time employees.

16 ***b1457/1.3* SECTION 3741k.** 609.10 (3) (b) of the statutes, as created by 1999
17 Wisconsin Act 9, is repealed.

18 ***b1457/1.3* SECTION 3741L.** 609.10 (6) of the statutes is repealed.

19 ***b1457/1.3* SECTION 3741m.** 609.20 (4) of the statutes, as affected by 1999
20 Wisconsin Act 9, is amended to read:

21 609.20 (4) To ensure that employees offered a health maintenance organization
22 or a preferred provider plan that provides comprehensive services under s. 609.10
23 (1) (am) are given adequate notice of the opportunity to enroll, as well as complete
24 and understandable information under s. 609.10 (1) (c) concerning the differences
25 among between the health maintenance organization or preferred provider plan, and

1 the standard plan and the point-of-service option plan, as defined in s. 609.10 (1)
2 (ae), including differences among between providers available and differences
3 resulting from special limitations or requirements imposed by an institutional
4 provider because of its affiliation with a religious organization.”.

5 *b1515/4.2* **1736.** Page 1180, line 21: after that line insert:

6 *b1515/4.2* **SECTION 3741amc.** Chapter 609 (title) of the statutes is amended
7 to read:

8 **CHAPTER 609**

9 **MANAGED CARE DEFINED NETWORK PLANS**

10 *b1515/4.2* **SECTION 3741amg.** 609.01 (1d) of the statutes is amended to read:

11 609.01 (1d) “Enrollee” means, with respect to a ~~managed-care~~ defined network
12 plan, preferred provider plan, or limited service health organization, a person who
13 is entitled to receive health care services under the plan.

14 *b1515/4.2* **SECTION 3741amp.** 609.01 (3c) of the statutes is renumbered
15 609.01 (1b) and amended to read:

16 609.01 (1b) “Managed care Defined network plan” means a health benefit plan
17 that requires an enrollee of the health benefit plan, or creates incentives, including
18 financial incentives, for an enrollee of the health benefit plan, to use providers that
19 are managed, owned, under contract with, or employed by the insurer offering the
20 health benefit plan.

21 *b1515/4.2* **SECTION 3741amt.** 609.01 (3m) of the statutes is amended to read:

22 609.01 (3m) “Participating” means, with respect to a physician or other
23 provider, under contract with a ~~managed-care~~ defined network plan, preferred
24 provider plan, or limited service health organization to provide health care services,

1 items or supplies to enrollees of the ~~managed care~~ defined network plan, preferred
2 provider plan, or limited service health organization.

3 *b1515/4.2* SECTION 3741bmg. 609.01 (4) of the statutes is amended to read:

4 609.01 (4) “Preferred provider plan” means a health care plan offered by an
5 organization established under ch. 185, 611, 613, or 614 or issued a certificate of
6 authority under ch. 618 that makes available to its enrollees, without referral and
7 for consideration other than predetermined periodic fixed payments, coverage of
8 either comprehensive health care services or a limited range of health care services,
9 regardless of whether the health care services are performed by participating or
10 nonparticipating providers participating in the plan.

11 *b1515/4.2* SECTION 3741bmp. 609.01 (5) of the statutes is amended to read:

12 609.01 (5) “Primary provider” means a participating primary care physician,
13 or other participating provider authorized by the ~~managed care~~ defined network
14 plan, preferred provider plan, or limited service health organization to serve as a
15 primary provider, who coordinates and may provide ongoing care to an enrollee.

16 *b1515/4.2* SECTION 3741bmt. 609.05 (1) of the statutes is amended to read:

17 609.05 (1) Except as provided in subs. (2) and (3), a limited service health
18 organization, preferred provider plan, or ~~managed care~~ defined network plan shall
19 permit its enrollees to choose freely among participating providers.

20 *b1515/4.2* SECTION 3741cmg. 609.05 (2) of the statutes is amended to read:

21 609.05 (2) Subject to s. 609.22 (4) and (4m), a limited service health
22 organization, preferred provider plan, or ~~managed care~~ defined network plan may
23 require an enrollee to designate a primary provider and to obtain health care services
24 from the primary provider when reasonably possible.

25 *b1515/4.2* SECTION 3741cmp. 609.05 (3) of the statutes is amended to read:

1 609.05 (3) Except as provided in ss. 609.22 (4m), 609.65, and 609.655, a limited
2 service health organization, preferred provider plan, or ~~managed care~~ defined
3 network plan may require an enrollee to obtain a referral from the primary provider
4 designated under sub. (2) to another participating provider prior to obtaining health
5 care services from that participating provider.

6 ***b1515/4.2* SECTION 3741cmr.** 609.10 (5) of the statutes is amended to read:

7 609.10 (5) The commissioner may establish by rule standards in addition to
8 these any established under s. 609.20 for what constitutes adequate notice and
9 complete and understandable information under sub. (1) (c).

10 ***b1515/4.2* SECTION 3741cmt.** 609.17 of the statutes is amended to read:

11 **609.17 Reports of disciplinary action.** Every limited service health
12 organization, preferred provider plan, and ~~managed care~~ defined network plan shall
13 notify the medical examining board or appropriate affiliated credentialing board
14 attached to the medical examining board of any disciplinary action taken against a
15 participating provider who holds a license or certificate granted by the board or
16 affiliated credentialing board.

17 ***b1515/4.2* SECTION 3741dmg.** 609.20 (title) of the statutes is amended to
18 read:

19 **609.20 (title) Rules for preferred provider and ~~managed care~~ defined**
20 **network plans.**

21 ***b1515/4.2* SECTION 3741dmp.** 609.20 (intro.) of the statutes is renumbered
22 609.20 (1m) (intro.) and amended to read:

23 609.20 (1m) (intro.) The commissioner ~~shall~~ may promulgate rules relating to
24 preferred provider plans and ~~managed care~~ defined network plans for ~~all~~ any of the
25 following purposes, as appropriate:

1 ***b1515/4.2* SECTION 3741dmt.** 609.20 (1) of the statutes is renumbered
2 609.20 (1m) (a).

3 ***b1515/4.2* SECTION 3741emg.** 609.20 (2) of the statutes is renumbered
4 609.20 (1m) (b).

5 ***b1515/4.2* SECTION 3741emp.** 609.20 (2m) of the statutes is created to read:
6 609.20 (2m) Any rule promulgated under this chapter shall recognize the
7 differences between preferred provider plans and other types of defined network
8 plans, take into account the fact that preferred provider plans provide coverage for
9 the services of nonparticipating providers, and be appropriate to the type of plan to
10 which the rule applies.

11 ***b1515/4.2* SECTION 3741emt.** 609.20 (3) of the statutes, as affected by 1999
12 Wisconsin Act 9, is renumbered 609.20 (1m) (c).

13 ***b1515/4.2* SECTION 3741fmg.** 609.20 (4) of the statutes, as affected by 2001
14 Wisconsin Act 9, is renumbered 609.20 (1m) (d).

15 ***b1515/4.2* SECTION 3741fmp.** 609.22 (1) of the statutes is amended to read:
16 609.22 (1) PROVIDERS. A ~~managed-care~~ defined network plan shall include a
17 sufficient number, and sufficient types, of qualified providers to meet the anticipated
18 needs of its enrollees, with respect to covered benefits, as appropriate to the type of
19 plan and consistent with normal practices and standards in the geographic area.

20 ***b1515/4.2* SECTION 3741fmt.** 609.22 (2) of the statutes is amended to read:
21 609.22 (2) ADEQUATE CHOICE. A ~~managed-care~~ defined network plan that is not
22 a preferred provider plan shall ensure that, with respect to covered benefits, each
23 enrollee has adequate choice among participating providers and that the providers
24 are accessible and qualified.

25 ***b1515/4.2* SECTION 3741gmg.** 609.22 (3) of the statutes is amended to read:

1 609.22 (3) PRIMARY PROVIDER SELECTION. A ~~managed-care~~ defined network plan
2 that is not a preferred provider plan shall permit each enrollee to select his or her
3 own primary provider from a list of participating primary care physicians and any
4 other participating providers that are authorized by the ~~managed-care~~ defined
5 network plan to serve as primary providers. The list shall be updated on an ongoing
6 basis and shall include a sufficient number of primary care physicians and any other
7 participating providers authorized by the plan to serve as primary providers who are
8 accepting new enrollees.

9 ***b1515/4.2* SECTION 3741gmp.** 609.22 (4) (a) 1. of the statutes is amended to
10 read:

11 609.22 (4) (a) 1. If a ~~managed-care~~ defined network plan that is not a preferred
12 provider plan requires a referral to a specialist for coverage of specialist services, the
13 ~~managed-care~~ defined network plan that is not a preferred provider plan shall
14 establish a procedure by which an enrollee may apply for a standing referral to a
15 specialist. The procedure must specify the criteria and conditions that must be met
16 in order for an enrollee to obtain a standing referral.

17 ***b1515/4.2* SECTION 3741gmt.** 609.22 (4) (a) 2. of the statutes is amended to
18 read:

19 609.22 (4) (a) 2. A ~~managed-care~~ defined network plan that is not a preferred
20 provider plan may require the enrollee's primary provider to remain responsible for
21 coordinating the care of an enrollee who receives a standing referral to a specialist.
22 A ~~managed-care~~ defined network plan that is not a preferred provider plan may
23 restrict the specialist from making any secondary referrals without prior approval
24 by the enrollee's primary provider. If an enrollee requests primary care services from
25 a specialist to whom the enrollee has a standing referral, the specialist, in agreement

1 with the enrollee and the enrollee's primary provider, may provide primary care
2 services to the enrollee in accordance with procedures established by the ~~managed~~
3 ~~care~~ defined network plan that is not a preferred provider plan.

4 *b1515/4.2* SECTION 3741hmg. 609.22 (4) (a) 3. of the statutes is amended to
5 read:

6 609.22 (4) (a) 3. A ~~managed care~~ defined network plan that is not a preferred
7 provider plan must include information regarding referral procedures in policies or
8 certificates provided to enrollees and must provide such information to an enrollee
9 or prospective enrollee upon request.

10 *b1515/4.2* SECTION 3741hmp. 609.22 (4m) (a) of the statutes is amended to
11 read:

12 609.22 (4m) (a) A ~~managed care~~ defined network plan that provides coverage
13 of obstetric or gynecologic services may not require a female enrollee of the ~~managed~~
14 ~~care~~ defined network plan to obtain a referral for covered obstetric or gynecologic
15 benefits provided by a participating provider who is a physician licensed under ch.
16 448 and who specializes in obstetrics and gynecology, regardless of whether the
17 participating provider is the enrollee's primary provider. Notwithstanding sub. (4),
18 the ~~managed care~~ defined network plan may not require the enrollee to obtain a
19 standing referral under the procedure established under sub. (4) (a) for covered
20 obstetric or gynecologic benefits.

21 *b1515/4.2* SECTION 3741hmt. 609.22 (4m) (b) (intro.) of the statutes is
22 amended to read:

23 609.22 (4m) (b) (intro.) A ~~managed care~~ defined network plan under par. (a)
24 may not do any of the following:

1 ***b1515/4.2* SECTION 3741img.** 609.22 (4m) (c) of the statutes is amended to
2 read:

3 609.22 (4m) (c) A ~~managed-care~~ defined network plan under par. (a) shall
4 provide written notice of the requirement under par. (a) in every policy or group
5 certificate issued by the ~~managed-care~~ defined network plan.

6 ***b1515/4.2* SECTION 3741imp.** 609.22 (5) of the statutes is amended to read:

7 609.22 (5) SECOND OPINIONS. A ~~managed-care~~ defined network plan shall
8 provide an enrollee with coverage for a 2nd opinion from another participating
9 provider.

10 ***b1515/4.2* SECTION 3741imt.** 609.22 (6) (intro.) of the statutes is amended
11 to read:

12 609.22 (6) EMERGENCY CARE. (intro.) Notwithstanding s. 632.85, if a managed
13 ~~care~~ defined network plan provides coverage of emergency services, with respect to
14 covered benefits, the ~~managed-care~~ defined network plan shall do all of the following:

15 ***b1515/4.2* SECTION 3741jmg.** 609.22 (7) of the statutes is amended to read:

16 609.22 (7) TELEPHONE ACCESS. A ~~managed-care~~ defined network plan that is not
17 a preferred provider plan shall provide telephone access for sufficient time during
18 business and evening hours to ensure that enrollees have adequate access to routine
19 health care services for which coverage is provided under the plan. A ~~managed-care~~
20 defined network plan that is not a preferred provider plan shall provide 24-hour
21 telephone access to the plan or to a participating provider for emergency care, or
22 authorization for care, for which coverage is provided under the plan.

23 ***b1515/4.2* SECTION 3741jmp.** 609.22 (8) of the statutes is amended to read:

24 609.22 (8) ACCESS PLAN FOR CERTAIN ENROLLEES. A ~~managed-care~~ defined
25 network plan shall develop an access plan to meet the needs, with respect to covered

1 benefits, of its enrollees who are members of underserved populations. If a
2 significant number of enrollees of the plan customarily use languages other than
3 English, the ~~managed care~~ defined network plan shall provide access to translation
4 services fluent in those languages to the greatest extent possible.

5 ***b1515/4.2* SECTION 3741jmt.** 609.24 (1) (a) (intro.) of the statutes is amended
6 to read:

7 609.24 (1) (a) (intro.) Subject to pars. (b) and (c) and except as provided in par.
8 (d), a ~~managed care~~ defined network plan shall, with respect to covered benefits,
9 provide coverage to an enrollee for the services of a provider, regardless of whether
10 the provider is a participating provider at the time the services are provided, if the
11 ~~managed care~~ defined network plan represented that the provider was, or would be,
12 a participating provider in marketing materials that were provided or available to
13 the enrollee at any of the following times:

14 ***b1515/4.2* SECTION 3741kmg.** 609.24 (1) (b) (intro.) of the statutes is
15 amended to read:

16 609.24 (1) (b) (intro.) Except as provided in par. (d), a ~~managed care~~ defined
17 network plan shall provide the coverage required under par. (a) with respect to the
18 services of a provider who is a primary care physician for the following period of time:

19 ***b1515/4.2* SECTION 3741kmp.** 609.24 (1) (c) (intro.) of the statutes is
20 amended to read:

21 609.24 (1) (c) (intro.) Except as provided in par. (d), if an enrollee is undergoing
22 a course of treatment with a participating provider who is not a primary care
23 physician and whose participation with the plan terminates, the ~~managed care~~
24 defined network plan shall provide the coverage under par. (a) with respect to the
25 services of the provider for the following period of time:

1 ***b1515/4.2* SECTION 3741kmt.** 609.24 (1) (d) 1. of the statutes is amended to
2 read:

3 609.24 (1) (d) 1. The provider no longer practices in the ~~managed care~~ defined
4 network plan's geographic service area.

5 ***b1515/4.2* SECTION 3741Lmg.** 609.24 (1) (d) 2. of the statutes is amended to
6 read:

7 609.24 (1) (d) 2. The insurer issuing the ~~managed care~~ defined network plan
8 terminates or terminated the provider's contract for misconduct on the part of the
9 provider.

10 ***b1515/4.2* SECTION 3471Lmp.** 609.24 (1) (e) 1. of the statutes is amended to
11 read:

12 609.24 (1) (e) 1. An insurer issuing a ~~managed care~~ defined network plan shall
13 include in its provider contracts provisions addressing reimbursement to providers
14 for services rendered under this section.

15 ***b1515/4.2* SECTION 3741Lmt.** 609.24 (1) (e) 2. of the statutes is amended to
16 read:

17 609.24 (1) (e) 2. If a contract between a ~~managed care~~ defined network plan and
18 a provider does not address reimbursement for services rendered under this section,
19 the insurer shall reimburse the provider according to the most recent contracted
20 rate.

21 ***b1515/4.2* SECTION 3741mmb.** 609.24 (4) of the statutes is created to read:

22 609.24 (4) NOTICE OF PROVISIONS. A defined network plan shall notify all plan
23 enrollees of the provisions under this section whenever a participating provider's
24 participation with the plan terminates, or shall, by contract, require a participating

1 provider to notify all plan enrollees of the provisions under this section if the
2 participating provider's participation with the plan terminates.

3 ***b1515/4.2* SECTION 3741mmd.** 609.30 (1) of the statutes is amended to read:

4 609.30 (1) PLAN MAY NOT CONTRACT. A ~~managed care~~ defined network plan may
5 not contract with a participating provider to limit the provider's disclosure of
6 information, to or on behalf of an enrollee, about the enrollee's medical condition or
7 treatment options.

8 ***b1515/4.2* SECTION 3741mmf.** 609.30 (2) of the statutes is amended to read:

9 609.30 (2) PLAN MAY NOT PENALIZE OR TERMINATE. A participating provider may
10 discuss, with or on behalf of an enrollee, all treatment options and any other
11 information that the provider determines to be in the best interest of the enrollee.
12 A ~~managed care~~ defined network plan may not penalize or terminate the contract of
13 a participating provider because the provider makes referrals to other participating
14 providers or discusses medically necessary or appropriate care with or on behalf of
15 an enrollee.

16 ***b1515/4.2* SECTION 3741mmh.** 609.32 (1) (intro.) of the statutes is amended
17 to read:

18 609.32 (1) ~~STANDARDS; OTHER THAN PREFERRED PROVIDER PLANS.~~ (intro.) A
19 ~~managed care~~ defined network plan that is not a preferred provider plan shall
20 develop comprehensive quality assurance standards that are adequate to identify,
21 evaluate, and remedy problems related to access to, and continuity and quality of,
22 care. The standards shall include at least all of the following:

23 ***b1515/4.2* SECTION 3741mmj.** 609.32 (1m) of the statutes is created to read:

24 609.32 (1m) PROCEDURE FOR REMEDIAL ACTION; PREFERRED PROVIDER PLANS. A
25 preferred provider plan shall develop a procedure for remedial action to address

1 quality problems, including written procedures for taking appropriate corrective
2 action.

3 ***b1515/4.2* SECTION 3741mmn.** 609.32 (2) (a) of the statutes is amended to
4 read:

5 609.32 (2) (a) A ~~managed care~~ defined network plan shall develop a process for
6 selecting participating providers, including written policies and procedures that the
7 plan uses for review and approval of providers. After consulting with appropriately
8 qualified providers, the plan shall establish minimum professional requirements for
9 its participating providers. The process for selection shall include verification of a
10 provider's license or certificate, including the history of any suspensions or
11 revocations, and the history of any liability claims made against the provider.

12 ***b1515/4.2* SECTION 3741mmp.** 609.32 (2) (b) (intro.) of the statutes is
13 amended to read:

14 609.32 (2) (b) (intro.) A ~~managed care~~ defined network plan shall establish in
15 writing a formal, ongoing process for reevaluating each participating provider
16 within a specified number of years after the provider's initial acceptance for
17 participation. The reevaluation shall include all of the following:

18 ***b1515/4.2* SECTION 3741mmr.** 609.32 (2) (c) of the statutes is amended to
19 read:

20 609.32 (2) (c) A ~~managed care~~ defined network plan may not require a
21 participating provider to provide services that are outside the scope of his or her
22 license or certificate.

23 ***b1515/4.2* SECTION 3741mmt.** 609.34 of the statutes is renumbered 609.34
24 (1) and amended to read:

1 609.34 (1) A ~~managed-care~~ defined network plan that is not a preferred
2 provider plan shall appoint a physician as medical director. The medical director
3 shall be responsible for clinical protocols, quality assurance activities, and
4 utilization management policies of the plan.

5 ***b1515/4.2* SECTION 3741mmx.** 609.34 (2) of the statutes is created to read:

6 609.34 (2) A preferred provider plan may contract for services related to clinical
7 protocols and utilization management. A preferred provider plan or its designee is
8 required to appoint a medical director only to the extent that the preferred provider
9 plan or its designee assumes direct responsibility for clinical protocols and
10 utilization management policies of the plan. The medical director, who shall be a
11 physician, shall be responsible for such protocols and policies of the plan.

12 ***b1515/4.2* SECTION 3741mmy.** 609.35 of the statutes is created to read:

13 **609.35 Applicability of requirements to preferred provider plans.**
14 Notwithstanding ss. 609.22 (2), (3), (4), and (7), 609.32 (1), and 609.34 (1), a preferred
15 provider plan that does not cover the same services when performed by a
16 nonparticipating provider that it covers when those services are performed by a
17 participating provider is subject to the requirements under ss. 609.22 (2), (3), (4), and
18 (7), 609.32 (1), and 609.34 (1).

19 ***b1515/4.2* SECTION 3741mmz.** 609.36 (1) (a) (intro.) of the statutes is
20 amended to read:

21 609.36 (1) (a) (intro.) A ~~managed-care~~ defined network plan shall provide to the
22 commissioner information related to all of the following:

23 ***b1515/4.2* SECTION 3741nmg.** 609.36 (2) of the statutes is amended to read:

24 609.36 (2) CONFIDENTIALITY. A ~~managed-care~~ defined network plan shall
25 establish written policies and procedures, consistent with ss. 51.30, 146.82, and

1 252.15, for the handling of medical records and enrollee communications to ensure
2 confidentiality.

3 ***b1515/4.2* SECTION 3741nmp.** 609.38 of the statutes is amended to read:

4 **609.38 Oversight.** The office shall perform examinations of insurers that
5 issue ~~managed care~~ defined network plans consistent with ss. 601.43 and 601.44.
6 The commissioner shall by rule develop standards for ~~managed care~~ defined network
7 plans for compliance with the requirements under this chapter.

8 ***b1515/4.2* SECTION 3741nmt.** 609.65 (1) (intro.) of the statutes is amended
9 to read:

10 609.65 (1) (intro.) If an enrollee of a limited service health organization,
11 preferred provider plan, or ~~managed care~~ defined network plan is examined,
12 evaluated, or treated for a nervous or mental disorder pursuant to an emergency
13 detention under s. 51.15, a commitment or a court order under s. 51.20 or 880.33 (4m)
14 or (4r) or ch. 980, then, notwithstanding the limitations regarding participating
15 providers, primary providers, and referrals under ss. 609.01 (2) to (4) and 609.05 (3),
16 the limited service health organization, preferred provider plan, or ~~managed care~~
17 defined network plan shall do all of the following:

18 ***b1515/4.2* SECTION 3741omg.** 609.65 (1) (a) of the statutes is amended to
19 read:

20 609.65 (1) (a) If the provider performing the examination, evaluation, or
21 treatment has a provider agreement with the limited service health organization,
22 preferred provider plan, or ~~managed care~~ defined network plan which covers the
23 provision of that service to the enrollee, make the service available to the enrollee in
24 accordance with the terms of the limited service health organization, preferred
25 provider plan, or ~~managed care~~ defined network plan and the provider agreement.

1 ***b1515/4.2* SECTION 3741omp.** 609.65 (1) (b) (intro.) of the statutes is
2 amended to read:

3 609.65 (1) (b) (intro.) If the provider performing the examination, evaluation
4 or treatment does not have a provider agreement with the limited service health
5 organization, preferred provider plan, or ~~managed care defined network~~ plan which
6 covers the provision of that service to the enrollee, reimburse the provider for the
7 examination, evaluation, or treatment of the enrollee in an amount not to exceed the
8 maximum reimbursement for the service under the medical assistance program
9 under subch. IV of ch. 49, if any of the following applies:

10 ***b1515/4.2* SECTION 3741omt.** 609.65 (1) (b) 1. of the statutes is amended to
11 read:

12 609.65 (1) (b) 1. The service is provided pursuant to a commitment or a court
13 order, except that reimbursement is not required under this subdivision if the limited
14 service health organization, preferred provider plan, or ~~managed care defined~~
15 network plan could have provided the service through a provider with whom it has
16 a provider agreement.

17 ***b1515/4.2* SECTION 3741pmg.** 609.65 (1) (b) 2. of the statutes is amended to
18 read:

19 609.65 (1) (b) 2. The service is provided pursuant to an emergency detention
20 under s. 51.15 or on an emergency basis to a person who is committed under s. 51.20
21 and the provider notifies the limited service health organization, preferred provider
22 plan, or ~~managed care defined network~~ plan within 72 hours after the initial
23 provision of the service.

24 ***b1515/4.2* SECTION 3741pmp.** 609.65 (2) of the statutes is amended to read:

1 609.65 (2) If after receiving notice under sub. (1) (b) 2. the limited service health
2 organization, preferred provider plan, or ~~managed care~~ defined network plan
3 arranges for services to be provided by a provider with whom it has a provider
4 agreement, the limited service health organization, preferred provider plan, or
5 ~~managed care~~ plan is not required to reimburse a provider under sub. (1) (b) 2. for
6 any services provided after arrangements are made under this subsection.

7 ***b1515/4.2* SECTION 3741pmt.** 609.65 (3) of the statutes is amended to read:

8 609.65 (3) A limited service health organization, preferred provider plan, or
9 ~~managed care~~ defined network plan is only required to make available, or make
10 reimbursement for, an examination, evaluation, or treatment under sub. (1) to the
11 extent that the limited service health organization, preferred provider plan, or
12 ~~managed care~~ defined network plan would have made the medically necessary
13 service available to the enrollee or reimbursed the provider for the service if any
14 referrals required under s. 609.05 (3) had been made and the service had been
15 performed by a participating provider.

16 ***b1515/4.2* SECTION 3741qmg.** 609.655 (1) (a) 1. of the statutes is amended
17 to read:

18 609.655 (1) (a) 1. Is covered as a dependent child under the terms of a policy
19 or certificate issued by a ~~managed care~~ defined network plan insurer.

20 ***b1515/4.2* SECTION 3741qmp.** 609.655 (1) (a) 2. of the statutes is amended
21 to read:

22 609.655 (1) (a) 2. Is enrolled in a school located in this state but outside the
23 geographical service area of the ~~managed care~~ defined network plan.

24 ***b1515/4.2* SECTION 3741qmt.** 609.655 (2) of the statutes is amended to read:

1 609.655 (2) If a policy or certificate issued by a ~~managed-care~~ defined network
2 plan insurer provides coverage of outpatient services provided to a dependent
3 student, the policy or certificate shall provide coverage of outpatient services, to the
4 extent and in the manner required under sub. (3), that are provided to the dependent
5 student while he or she is attending a school located in this state but outside the
6 geographical service area of the ~~managed-care~~ defined network plan,
7 notwithstanding the limitations regarding participating providers, primary
8 providers, and referrals under ss. 609.01 (2) and 609.05 (3).

9 ***b1515/4.2* SECTION 3741rmg.** 609.655 (3) (intro.) of the statutes is amended
10 to read:

11 609.655 (3) (intro.) Except as provided in sub. (5), a ~~managed-care~~ defined
12 network plan shall provide coverage for all of the following services:

13 ***b1515/4.2* SECTION 3741rmp.** 609.655 (3) (a) of the statutes is amended to
14 read:

15 609.655 (3) (a) A clinical assessment of the dependent student's nervous or
16 mental disorders or alcoholism or other drug abuse problems, conducted by a
17 provider described in s. 632.89 (1) (e) 2. or 3. who is located in this state and in
18 reasonably close proximity to the school in which the dependent student is enrolled
19 and who may be designated by the ~~managed-care~~ defined network plan.

20 ***b1515/4.2* SECTION 3741smg.** 609.655 (3) (b) (intro.) of the statutes is
21 amended to read:

22 609.655 (3) (b) (intro.) If outpatient services are recommended in the clinical
23 assessment conducted under par. (a), the recommended outpatient services
24 consisting of not more than 5 visits to an outpatient treatment facility or other
25 provider that is located in this state and in reasonably close proximity to the school

1 in which the dependent student is enrolled and that may be designated by the
2 ~~managed care~~ defined network plan, except as follows:

3 *b1515/4.2* SECTION 3741smp. 609.655 (3) (b) 1. of the statutes is amended
4 to read:

5 609.655 (3) (b) 1. Coverage is not required under this paragraph if the medical
6 director of the ~~managed care~~ defined network plan determines that the nature of the
7 treatment recommended in the clinical assessment will prohibit the dependent
8 student from attending school on a regular basis.

9 *b1515/4.2* SECTION 3741smt. 609.655 (4) (a) of the statutes is amended to
10 read:

11 609.655 (4) (a) Upon completion of the 5 visits for outpatient services covered
12 under sub. (3) (b), the medical director of the ~~managed care~~ defined network plan and
13 the clinician treating the dependent student shall review the dependent student's
14 condition and determine whether it is appropriate to continue treatment of the
15 dependent student's nervous or mental disorders or alcoholism or other drug abuse
16 problems in reasonably close proximity to the school in which the student is enrolled.
17 The review is not required if the dependent student is no longer enrolled in the school
18 or if the coverage limits under the policy or certificate for treatment of nervous or
19 mental disorders or alcoholism or other drug abuse problems have been exhausted.

20 *b1515/4.2* SECTION 3741tmg. 609.655 (4) (b) of the statutes is amended to
21 read:

22 609.655 (4) (b) Upon completion of the review under par. (a), the medical
23 director of the ~~managed care~~ defined network plan shall determine whether the
24 policy or certificate will provide coverage of any further treatment for the dependent
25 student's nervous or mental disorder or alcoholism or other drug abuse problems that

1 is provided by a provider located in reasonably close proximity to the school in which
2 the student is enrolled. If the dependent student disputes the medical director's
3 determination, the dependent student may submit a written grievance under the
4 ~~managed care defined network~~ plan's internal grievance procedure established
5 under s. 632.83.

6 *b1515/4.2* SECTION 3741tmp. 609.655 (5) (a) of the statutes is amended to
7 read:

8 609.655 (5) (a) A policy or certificate issued by a ~~managed care defined network~~
9 plan insurer is required to provide coverage for the services specified in sub. (3) only
10 to the extent that the policy or certificate would have covered the service if it had been
11 provided to the dependent student by a participating provider within the
12 geographical service area of the ~~managed care defined network~~ plan.

13 *b1515/4.2* SECTION 3741tmt. 609.655 (5) (b) of the statutes is amended to
14 read:

15 609.655 (5) (b) Paragraph (a) does not permit a ~~managed care defined network~~
16 plan to reimburse a provider for less than the full cost of the services provided or an
17 amount negotiated with the provider, solely because the reimbursement rate for the
18 service would have been less if provided by a participating provider within the
19 geographical service area of the ~~managed care defined network~~ plan.

20 *b1515/4.2* SECTION 3741ung. 609.70 of the statutes is amended to read:

21 **609.70 Chiropractic coverage.** Limited service health organizations,
22 preferred provider plans, and ~~managed care defined network~~ plans are subject to s.
23 632.87 (3).

24 *b1515/4.2* SECTION 3741ump. 609.75 of the statutes is amended to read:

1 **609.75 Adopted children coverage.** Limited service health organizations,
2 preferred provider plans, and ~~managed care~~ defined network plans are subject to s.
3 632.896. Coverage of health care services obtained by adopted children and children
4 placed for adoption may be subject to any requirements that the limited service
5 health organization, preferred provider plan, or ~~managed care~~ defined network plan
6 imposes under s. 609.05 (2) and (3) on the coverage of health care services obtained
7 by other enrollees.

8 ***b1515/4.2* SECTION 3741umt.** 609.77 of the statutes is amended to read:

9 **609.77 Coverage of breast reconstruction.** Limited service health
10 organizations, preferred provider plans, and ~~managed care~~ defined network plans
11 are subject to s. 632.895 (13).

12 ***b1515/4.2* SECTION 3741vmg.** 609.78 of the statutes is amended to read:

13 **609.78 Coverage of treatment for the correction of**
14 **temporomandibular disorders.** Limited service health organizations, preferred
15 provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895
16 (11).

17 ***b1515/4.2* SECTION 3741vmp.** 609.79 of the statutes is amended to read:

18 **609.79 Coverage of hospital and ambulatory surgery center charges**
19 **and anesthetics for dental care.** Limited service health organizations, preferred
20 provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895
21 (12).

22 ***b1515/4.2* SECTION 3741vmt.** 609.80 of the statutes is amended to read:

23 **609.80 Coverage of mammograms.** ~~Managed care~~ Defined network plans
24 are subject to s. 632.895 (8). Coverage of mammograms under s. 632.895 (8) may be
25 subject to any requirements that the ~~managed care~~ defined network plan imposes

1 under s. 609.05 (2) and (3) on the coverage of other health care services obtained by
2 enrollees.

3 *b1515/4.2* SECTION 3741wmg. 609.81 of the statutes is amended to read:

4 **609.81 Coverage related to HIV infection.** Limited service health
5 organizations, preferred provider plans, and ~~managed-care~~ defined network plans
6 are subject to s. 631.93. ~~Managed-care~~ Defined network plans are subject to s.
7 632.895 (9).

8 *b1515/4.2* SECTION 3741wmp. 609.82 of the statutes is amended to read:

9 **609.82 Coverage without prior authorization for emergency medical**
10 **condition treatment.** Limited service health organizations, preferred provider
11 plans, and ~~managed-care~~ defined network plans are subject to s. 632.85.

12 *b1515/4.2* SECTION 3741wmt. 609.83 of the statutes is amended to read:

13 **609.83 Coverage of drugs and devices.** Limited service health
14 organizations, preferred provider plans, and ~~managed-care~~ defined network plans
15 are subject to s. 632.853.

16 *b1515/4.2* SECTION 3741xmg. 609.84 of the statutes is amended to read:

17 **609.84 Experimental treatment.** Limited service health organizations,
18 preferred provider plans, and ~~managed-care~~ defined network plans are subject to s.
19 632.855.

20 *b1515/4.2* SECTION 3741xmp. 609.88 of the statutes is amended to read:

21 **609.88 Coverage of immunizations.** ~~Managed-care~~ Defined network plans
22 are subject to s. 632.895 (14).

23 *b1515/4.2* SECTION 3741xmr. 609.89 of the statutes is amended to read:

1 **609.89 Written reason for coverage denial.** Limited service health
2 organizations, preferred provider plans, and ~~managed care~~ defined network plans
3 are subject to s. 631.17.

4 ***b1515/4.2* SECTION 3741xmt.** 609.90 of the statutes is amended to read:

5 **609.90 Restrictions related to domestic abuse.** Limited service health
6 organizations, preferred provider plans, and ~~managed care~~ defined network plans
7 are subject to s. 631.95.”.

8 ***b1455/1.5* 1737.** Page 1181, line 3: after that line insert:

9 ***b1455/1.5* “SECTION 3760rm.** 632.872 of the statutes is created to read:

10 **632.872 Prohibiting denial of payment for certain procedures. (1)** In
11 this section:

12 (a) “Disability insurance policy” has the meaning given in s. 632.895 (1) (a).

13 (b) “Medicare Part B” means the federal supplementary medical insurance
14 program under 42 USC 1395j to 1395w–2.

15 **(2)** An insurer may not deny payment under an individual or group disability
16 insurance policy or a certificate of group disability insurance for a medical or surgical
17 service or procedure on the basis that the service or procedure is an integral
18 component of a 2nd medical or surgical service or procedure unless, under medicare
19 Part B, payment for the first service or procedure is included in the payment for the
20 2nd service or procedure.”.

21 ***b1418/3.6* 1738.** Page 1181, line 12: after that line insert:

22 ***b1418/3.6* “SECTION 3766e.** 635.02 (2) of the statutes is amended to read:

23 635.02 **(2)** “Case characteristics” means the demographic, actuarially based
24 characteristics of the employees of a small employer, and the employer, if covered,

1 such as age, sex, and geographic location ~~and occupation~~, used by a small employer
2 insurer to determine premium rates for a small employer. “Case characteristics”
3 does not include loss or claim history, health status, occupation, duration of coverage,
4 or other factors related to claim experience.

5 ***b1418/3.6* SECTION 3766ec.** 635.02 (3e) of the statutes is created to read:

6 635.02 (3e) “Eligible employee” has the meaning given in s. 632.745 (5) (a).

7 ***b1418/3.6* SECTION 3766ef.** 635.02 (7) of the statutes is amended to read:

8 635.02 (7) “Small employer” means, with respect to a calendar year and a plan
9 year, an employer that employed an average of at least 2 but not more than 50 eligible
10 employees on business days during the preceding calendar year, or that is reasonably
11 expected to employ an average of at least 2 but not more than 50 eligible employees
12 on business days during the current calendar year if the employer was not in
13 existence during the preceding calendar year, and that employs at least 2 eligible
14 employees on the first day of the plan year.

15 ***b1418/3.6* SECTION 3766f.** 635.05 (2) (a) 2. of the statutes is amended to read:

16 635.05 (2) (a) 2. An adjustment, not to exceed 15% per year, adjusted
17 proportionally for rating periods of less than one year, for such rating factors as claim
18 experience, health status, occupation, and duration of coverage, determined in
19 accordance with the small employer insurer’s rate manual or rating procedures.

20 ***b1418/3.6* SECTION 3766g.** 635.05 (7) of the statutes is created to read:

21 635.05 (7) Specifying the manner in which rates must be published under s.
22 635.12.

23 ***b1418/3.6* SECTION 3766j.** 635.12 of the statutes is created to read:

24 **635.12 Annual publication of rates.** Every small employer insurer shall
25 annually publish the small employer insurer’s current new business premium rates.

1 The rates shall be published in the manner and according to categories required by
2 rule under s. 635.05 (7). New business premium rates for coverage under the health
3 care coverage program under subch. X of ch. 40 shall be published as required under
4 s. 40.98 (2) (d).”

5 ***b1515/4.3* 1739.** Page 1181, line 12: after that line insert:

6 ***b1515/4.3* “SECTION 3763f.** 632.895 (14) (c) of the statutes is amended to
7 read:

8 632.895 (14) (c) The coverage required under par. (b) may not be subject to any
9 deductibles, copayments, or coinsurance under the policy or plan. This paragraph
10 applies to a ~~managed care~~ defined network plan, as defined in s. 609.01 (~~3e~~) (1b), only
11 with respect to appropriate and necessary immunizations provided by providers
12 participating, as defined in s. 609.01 (3m), in the plan.

13 ***b1515/4.3* SECTION 3763g.** 632.895 (14) (d) 3. of the statutes is amended to
14 read:

15 632.895 (14) (d) 3. A health care plan offered by a limited service health
16 organization, as defined in s. 609.01 (3), or by a preferred provider plan, as defined
17 in s. 609.01 (4), that is not a ~~managed care~~ defined network plan, as defined in s.
18 609.01 (~~3e~~) (1b).”

19 ***b1479/1.1* 1740.** Page 1182, line 2: after that line insert:

20 ***b1479/1.1* “SECTION 3768m.** 704.07 (5) of the statutes is created to read:

21 704.07 (5) CARPET CLEANING. (a) Notwithstanding subs. (1), (2) (a), and (3) (a),
22 a landlord may deduct from a tenant’s security deposit at the end of the tenant’s
23 tenancy carpet cleaning costs incurred by the landlord due to normal wear and tear
24 of the carpet if all of the following apply:

1 1. The landlord provided the tenant with a written document separate from the
2 lease regarding the deduction for carpet cleaning costs.

3 2. The document was entitled “Nonstandard Rental Provisions.”

4 3. The conditions required by rule under par. (b) are satisfied.

5 (b) The department of agriculture, trade and consumer protection shall
6 promulgate a rule that specifies conditions that must be satisfied in order for a
7 landlord to deduct from a security deposit the carpet cleaning costs specified in par.
8 (a).”.

9 ***b1333/1.1* 1741.** Page 1182, line 6: after that line insert:

10 ***b1333/1.1* “SECTION 3773m.** 753.075 (2) (a) and (b) of the statutes are
11 amended to read:

12 753.075 (2) (a) Any person who has served a total of 6 or more years as a
13 supreme court justice, a court of appeals judge or a circuit judge and who was not
14 defeated at the most recent time that he or she sought election to a circuit court
15 judgeship.

16 (b) Any person who was eligible to serve as a reserve judge before May 1, 1992,
17 and who was not defeated at the most recent time that he or she sought election to
18 a circuit court judgeship.”.

19 ***b1605/1.8* 1742.** Page 1182, line 6: after that line insert:

20 ***b1605/1.8* “SECTION 3770.** 704.90 (10) (c) of the statutes is amended to read:

21 704.90 (10) (c) Forfeitures under par. (a) shall be enforced by action on behalf
22 of the state by the department of justice agriculture, trade and consumer protection
23 or by the district attorney of the county where the violation occurs.”.

24 ***b1655/1.1* 1743.** Page 1182, line 6: after that line insert:

1 ***b1655/1.1*** “SECTION 3773m. 710.20 of the statutes is created to read:

2 **710.20 Nudity prohibited on state-owned or state-managed land. (1)**

3 In this section:

4 (a) “In public” means in a place where a person does not have a reasonable
5 expectation of privacy.

6 (b) “Nude” means not wearing a fully opaque covering over the genitals, pubic
7 area, or buttocks or not wearing a fully opaque covering over the female breast below
8 the top of the nipple.

9 (c) “State agency” has the meaning given for “agency” in s. 16.70 (1).

10 (2) No person may intentionally be nude in public on land that is owned,
11 managed, supervised, or controlled by a state agency.

12 (3) A person who violates sub. (2) shall forfeit not more than \$1,000.”

13 ***b1287/2.4* 1744.** Page 1185, line 6: after that line insert:

14 ***b1287/2.4*** “SECTION 3781d. 758.19 (8) of the statutes is created to read:

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

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

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

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

9 (a). The forms must include expenses for the preceding 3-month period and must
10 be submitted within 90 days after that 3-month period has ended. The director of
11 state courts may not reimburse a county for any expenses related to court
12 interpreters that are submitted after the 90-day period has ended. Reimbursement
13 under par. (a) first applies to court interpreter expenses incurred on the effective date
14 of this paragraph [revisor inserts date].”.

15 ***b1512/1.1* 1745.** Page 1186, line 25: after that line insert:

16 ***b1512/1.1* “SECTION 3785c.** 765.15 of the statutes is amended to read:

17 **765.15 Fee to county clerk.** Each county clerk shall receive as a fee for each
18 license granted the sum of \$49.50, of which \$24.50 shall become a part of the funds
19 of the county, and \$25, which shall be paid into the state treasury. ~~The county shall~~
20 ~~use \$20 of the amount that it retains from each license fee only for expenses incurred~~
21 ~~under s. 767.11.~~ Each county board may increase the license fee of \$49.50 by any
22 amount, which by up to \$40, for a total fee not exceeding \$65. The amount by which
23 the license fee is increased over \$25 shall become a part of the funds of the county.
24 ~~The clerk shall also receive a standard notary fee of 50 cents for each license granted~~

1 which may be retained by the clerk if operating on a fee or part fee basis, but which
2 otherwise shall become part of the funds of the county may but is not required to use
3 for expenses incurred under s. 767.11 any portion of the amount that it retains, if any,
4 from each license fee.”.

5 *b1511/2.1* **1746.** Page 1188, line 7: after that line insert:

6 *b1511/2.1* “SECTION 3786ec. 767.24 (4) (d) of the statutes is renumbered
7 767.24 (4) (d) (intro.) and amended to read:

8 767.24 (4) (d) (intro.) If the court grants periods of physical placement to more
9 than one parent, it shall ~~order~~ do all of the following:

10 1. Order a parent with legal custody and physical placement rights to provide
11 the notice required under s. 767.327 (1).

12 *b1511/2.1* SECTION 3786ed. 767.24 (4) (d) 2. of the statutes is created to read:

13 767.24 (4) (d) 2. Advise the parents of the prohibition under sub. (6) (f) 1.

14 *b1511/2.1* SECTION 3786ef. 767.24 (6) (f) of the statutes is created to read:

15 767.24 (6) (f) 1. Notwithstanding s. 767.327 (1) to (6), and except as provided
16 in subd. 2., if the court grants periods of physical placement with a child to both
17 parents, a parent may not take the child to a country that has not ratified or acceded
18 to the Hague Convention on the Civil Aspects of International Child Abduction
19 unless the other parent agrees in writing that the child may be taken to the country.
20 This prohibition shall be included in the order of physical placement.

21 2. If a parent who has physical placement with a child desires or intends to take
22 the child to a country specified in subd. 1. and the other parent refuses or fails to
23 agree in writing that the child may be taken to such country, the parent who desires
24 or intends to take the child may, with notice to the other parent, file a motion,

1 petition, or order to show cause with the court for permission to take the child. The
2 court may grant the parent permission to take the child after considering, among
3 other things, the likelihood that the parent will promptly return the child by the time
4 represented by that parent.”.

5 *b1453/1.3* **1747.** Page 1190, line 16: after that line insert:

6 *b1453/1.3* “SECTION 3788m. 767.27 (2) of the statutes is amended to read:
7 767.27 (2) ~~Except as provided in sub. (2m), disclosure~~ Disclosure forms
8 required under this section shall be filed within 90 days after the service of summons
9 or the filing of a joint petition or at such other time as ordered by the court or family
10 court commissioner. Information contained on such forms shall be updated on the
11 record to the date of hearing.

12 *b1453/1.3* SECTION 3788p. 767.27 (2m) of the statutes is amended to read:
13 767.27 (2m) In every action in which the court has ordered a party to pay child
14 support under s. 767.25, 767.51 or 767.62 (4) or family support under s. 767.261 and
15 the circumstances specified in s. 767.075 (1) apply this chapter, including an action
16 to revise a judgment or order under s. 767.32, the court shall require the party who
17 is ordered to pay the support to annually furnish the disclosure form required under
18 this section and may require that party to annually furnish a copy of his or her most
19 recently filed state and federal income tax returns to the county child support agency
20 under s. 59.53 (5) for the county in which the order was entered. In any action in
21 which the court has ordered a party to pay child support under s. 767.25, 767.51 or
22 767.62 (4) or family support under s. 767.261, the court may require the party who
23 is ordered to pay the support to annually furnish the disclosure form required under
24 this section and a copy of his or her most recently filed state and federal income tax

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

8 *b1519/2.289* **1748.** Page 1191, line 25: after that line insert:

9 *b1519/2.289* “SECTION 3793b. 767.30 (4) of the statutes is amended to read:

10 767.30 (4) Upon the request of a county, the department of ~~natural resources~~
11 fish, wildlife, parks, and forestry shall provide the county with a list of the names and
12 addresses of all of the owners of boats that have a valid certificate of number or
13 registration that has been issued by the department under s. 30.52. The department
14 shall prepare the list annually before May 31 of each year.”.

15 *b1511/2.2* **1749.** Page 1193, line 7: after that line insert:

16 *b1511/2.2* “SECTION 3793fm. 767.327 (6m) of the statutes is created to read:

17 767.327 (6m) TAKING A CHILD TO CERTAIN FOREIGN COUNTRIES. Section 767.24 (6)
18 (f) applies instead of subs. (1) to (6) if the court grants periods of physical placement
19 with a child to both parents and a parent desires or intends to take the child to a
20 country that has not ratified or acceded to the Hague Convention on the Civil Aspects
21 of International Child Abduction, regardless of the length of time that the parent
22 desires or intends to remove the child from this state.”.

23 *b1453/1.4* **1750.** Page 1195, line 22: delete lines 22 to 24 and substitute:

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

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

8 ***b1519/2.290* 1751.** Page 1198, line 16: after that line insert:

9 ***b1519/2.290*** “SECTION 3798v. 778.104 (title) of the statutes is amended to
10 read:

11 **778.104 (title) Department of natural resources fish, wildlife, parks**
12 **and forestry and department of environmental management forfeitures;**
13 **how recovered.**

14 ***b1519/2.290*** SECTION 3798w. 778.104 of the statutes is renumbered 778.104
15 (1) and amended to read:

16 778.104 (1) If there is a conflict with this chapter, the procedure in ss. 23.50 to
17 23.85 shall be followed in actions to recover forfeitures for the violation of those
18 ~~natural resources~~ laws enumerated in s. 23.50.

19 ***b1519/2.290*** SECTION 3798x. 778.104 (2) of the statutes is created to read:

20 778.104 (2) If there is a conflict with this chapter, the procedure in ss. 278.50
21 to 278.90 shall be followed in actions to recover forfeitures for the violation of the laws
22 enumerated in s. 278.51 (1).”.

23 ***b1281/1.14* 1752.** Page 1200, line 8: after that line insert:

24 ***b1281/1.14*** “SECTION 3816m. 779.41 (2) of the statutes is amended to read:

1 779.41 (2) Every keeper of a garage or repair shop who alters, repairs or does
2 any work on any detached accessory, fitting or part of an automobile, truck,
3 motorcycle, moped, low-speed vehicle, motor bicycle or similar motor vehicle or
4 bicycle at the request of the owner or legal possessor thereof, shall have a lien upon
5 and may retain possession of any such accessory, fitting or part until the charges for
6 such alteration, repairing or other work have been paid. If the detached article
7 becomes attached to such motor vehicle or bicycle while in the possession of the
8 keeper, the keeper has a lien on the motor vehicle or bicycle under sub. (1).”.

9 ***b1519/2.291* 1753.** Page 1200, line 8: after that line insert:

10 ***b1519/2.291*** “SECTION 3816f. 778.30 (1) (intro.) of the statutes is amended
11 to read:

12 778.30 (1) (intro.) In addition to the procedures under s. 23.795, 278.795, or
13 345.47 or under this chapter for the collection of forfeitures, costs, assessments,
14 surcharges or restitution payments if a defendant fails to pay the forfeiture, costs,
15 assessment, surcharge or restitution payment within the period specified by the
16 circuit court, the court may do any of the following:”.

17 ***b1293/2.2* 1754.** Page 1205, line 21: after that line insert:

18 ***b1293/2.2*** “SECTION 3828g. 801.09 (2) (a) of the statutes is amended to read:

19 801.09 (2) (a) ~~Within~~ Except as provided in par. (c), within 45 days, exclusive
20 of the day of service, after the summons has been served personally upon the
21 defendant or served by substitution personally upon another authorized to accept
22 service of the summons for the defendant; or

23 ***b1293/2.2* SECTION 3828i.** 801.09 (2) (c) of the statutes is created to read:

1 complaint. The court may reject or disregard an answer that does not follow the
2 requirements of the statutes. The answer must be sent or delivered to the court,
3 whose address is, and to, Plaintiff's attorney, whose address is, You may
4 have an attorney help or represent you.

5 If you do not provide a proper answer within ~~45~~ (20) (45) days, the court may
6 grant judgment against you for the award of money or other legal action requested
7 in the complaint, and you may lose your right to object to anything that is or may be
8 incorrect in the complaint. A judgment may be enforced as provided by law. A
9 judgment awarding money may become a lien against any real estate you own now
10 or in the future, and may also be enforced by garnishment or seizure of property.

11 Dated:, (year)

12 Signed:

13 A. B., Plaintiff

14 or

15 E. F., Plaintiff's Attorney

16 State Bar No.:

17 Address:

18 City, State Zip Code:

19 Phone No:

20 ***b1293/2.2* SECTION 3828je.** 801.095 (2) of the statutes is amended to read:

21 801.095 (2) PERSONAL SERVICE; NO COMPLAINT ATTACHED.

1 STATE OF WISCONSIN CIRCUIT COURT : COUNTY

2

3 A. B.

4 Address

5 City, State Zip Cod File No.

6 , Plaintiff

7 vs. S U M M O N S

8 C. D.

9 Address (Case Classification Type): (Code No.)

10 City, State Zip Code

11 , Defendant

12

13 THE STATE OF WISCONSIN, To each person named above as a Defendant:

14 You are hereby notified that the Plaintiff named above has filed a lawsuit or
15 other legal action against you.

16 Within ~~45~~ (20) (45) days of receiving this summons, you must respond with a
17 written demand for a copy of the complaint. The demand must be sent or delivered
18 to the court, whose address is, and to, Plaintiff’s attorney, whose address is

19 You may have an attorney help or represent you.
20 If you do not demand a copy of the complaint within ~~45~~ (20) (45) days, the court
21 may grant judgment against you for the award of money or other legal action
22 requested in the complaint, and you may lose your right to object to anything that
23 is or may be incorrect in the complaint. A judgment may be enforced as provided by

1 law. A judgment awarding money may become a lien against any real estate you own
2 now or in the future, and may also be enforced by garnishment or seizure of property.

3 Dated:, (year)

4 Signed:

5 A. B., Plaintiff

6 or

7 E. F., Plaintiff's Attorney

8 State Bar No.:

9 Address:

10 City, State Zip Code:

11 Phone No.:

12 ***b1293/2.2* SECTION 3828jg.** 801.095 (3) of the statutes is amended to read:

13 801.095 (3) No PERSONAL SERVICE; COMPLAINT SERVED AT THE SAME TIME.

1 STATE OF WISCONSIN CIRCUIT COURT : COUNTY

2

3 A. B.

4 Address

5 City, State Zip Code File No.

6 , Plaintiff

7 vs. S U M M O N S

8 C. D.

9 Address (Case Classification Type): (Code No.)

10 City, State Zip Code

11 , Defendant

12

13 THE STATE OF WISCONSIN, To each person named above as a Defendant:

14 You are hereby notified that the Plaintiff named above has filed a lawsuit or
15 other legal action against you. The complaint, which is also served upon you, states
16 the nature and basis of the legal action.

17 Within ~~45~~ (20) (45) days after, (year), you must respond with a written
18 answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the
19 complaint. The court may reject or disregard an answer that does not follow the
20 requirements of the statutes. The answer must be sent or delivered to the court,
21 whose address is, and to, Plaintiff’s attorney, whose address is, You may
22 have an attorney help or represent you.

23 If you do not provide a proper answer within ~~45~~ (20) (45) days, the court may
24 grant judgment against you for the award of money or other legal action requested

1 in the complaint, and you may lose your right to object to anything that is or may be
2 incorrect in the complaint. A judgment may be enforced as provided by law. A
3 judgment awarding money may become a lien against any real estate you own now
4 or in the future, and may also be enforced by garnishment or seizure of property.

5 Dated:, (year)

Signed:

7 A. B., Plaintiff

8 or

9 E. F., Plaintiff's Attorney

10 State Bar No.:

11 Address:

12 City, State Zip Code:

13 Phone No:

14 ***b1293/2.2* SECTION 3828jm.** 801.095 (4) of the statutes is amended to read:

15 801.095 (4) NO PERSONAL SERVICE; COMPLAINT NOT SERVED AT THE SAME TIME.

16 STATE OF WISCONSIN CIRCUIT COURT : COUNTY

17

18 A. B.

19 Address

20 City, State Zip Code File No.

21 , Plaintiff

22 vs. S U M M O N S

23 C. D.

24 Address (Case Classification Type): (Code No.)

1 City, State Zip Code
2 , Defendant

3

4 THE STATE OF WISCONSIN, To each person named above as a Defendant:
5 You are hereby notified that the plaintiff named above has filed a lawsuit or
6 other legal action against you.

7 Within ~~45~~ (20) (45) days after, (year), you must respond with a written
8 demand for a copy of the complaint. The demand must be sent or delivered to the
9 court, whose address is, and to, Plaintiff’s attorney, whose address is, You
10 may have an attorney help or represent you.

11 If you do not demand a copy of the complaint within ~~45~~ (20) (45) days, the court
12 may grant judgment against you for the award of money or other legal action
13 requested in the complaint, and you may lose your right to object to anything that
14 is or may be incorrect in the complaint. A judgment may be enforced as provided by
15 law. A judgment awarding money may become a lien against any real estate you own
16 now or in the future, and may also be enforced by garnishment or seizure of property.

17 Dated:, (year)

18

Signed:

19

A. B., Plaintiff

20

or

21

E. F., Plaintiff’s Attorney

22

State Bar No.:

23

Address:

24

City, State Zip Code:

Phone No:

1
2 ***b1293/2.2* SECTION 3828jr.** 802.06 (1) of the statutes is amended to read:

3 802.06 (1) **WHEN PRESENTED.** Except as provided in sub. (1m) or when a court
4 dismisses an action or special proceeding under s. 802.05 (3), a defendant shall serve
5 an answer within 45 days after the service of the complaint upon the defendant. ~~If~~
6 Except as provided in sub. (1m), if a guardian ad litem is appointed for a defendant,
7 the guardian ad litem shall have 45 days after appointment to serve the answer. A
8 party served with a pleading stating a cross-claim against the party shall serve an
9 answer thereto within 45 days after the service upon the party. The plaintiff shall
10 serve a reply to a counterclaim in the answer within 45 days after service of the
11 answer. The state or an agency of the state or an officer, employee or agent of the
12 state shall serve an answer to the complaint or to a cross-claim or a reply to a
13 counterclaim within 45 days after service of the pleading in which the claim is
14 asserted. If any pleading is ordered by the court, it shall be served within 45 days
15 after service of the order, unless the order otherwise directs. The service of a motion
16 permitted under sub. (2) alters these periods of time as follows, unless a different
17 time is fixed by order of the court: if the court denies the motion or postpones its
18 disposition until the trial on the merits, the responsive pleading shall be served
19 within 10 days after notice of the court's action; or if the court grants a motion for a
20 more definite statement, the responsive pleading shall be served within 10 days after
21 the service of the more definite statement.

22 ***b1293/2.2* SECTION 3828js.** 802.06 (1m) of the statutes is created to read:

23 802.06 (1m) **ENFORCEMENT OF LIEN OR SECURITY INTEREST.** If the proceeding is
24 to foreclose or otherwise enforce a lien or security interest, the defendant or guardian

1 ad litem shall serve an answer within 20 days after the service of the complaint upon
2 the defendant or 20 days after appointment of the guardian ad litem.

3 *b1293/2.2* SECTION 3828jt. 802.06 (6) of the statutes is amended to read:

4 802.06 (6) MOTION TO STRIKE. Upon motion made by a party before responding
5 to a pleading or, if no responsive pleading is permitted upon motion made by a party
6 within 45 days after the service of the pleading upon the party, or within 20 days after
7 the service if the proceeding is to foreclose or otherwise enforce a lien or security
8 interest, or upon the court's own initiative at any time, the court may order stricken
9 from any pleading any insufficient defense or any redundant, immaterial,
10 impertinent, scandalous or indecent matter.

11 *b1293/2.2* SECTION 3828jv. 802.09 (1) of the statutes is amended to read:

12 802.09 (1) AMENDMENTS. A party may amend the party's pleading once as a
13 matter of course at any time within 6 months after the summons and complaint are
14 filed or within the time set in a scheduling order under s. 802.10. Otherwise a party
15 may amend the pleading only by leave of court or by written consent of the adverse
16 party; and leave shall be freely given at any stage of the action when justice so
17 requires. A party shall plead in response to an amended pleading within 45 days
18 after service of the amended pleading, or within 20 days after the service if the
19 proceeding is to foreclose or otherwise enforce a lien or security interest, unless (a)
20 the court otherwise orders or (b) no responsive pleading is required or permitted
21 under s. 802.01 (1).”.

22 *b1512/1.2* 1755. Page 1208, line 2: after that line insert:

23 *b1512/1.2* “SECTION 3832j. 814.615 (1) (a) 1. of the statutes is amended to
24 read:

1 814.615 (1) (a) 1. For the first mediation session conducted upon referral under
2 s. 767.11 (5), ~~no a fee of \$100.~~”.

3 ***b1512/1.3* 1756.** Page 1208, line 4: after that line insert:

4 ***b1512/1.3* SECTION 3832L.** 814.615 (2) of the statutes is amended to read:

5 814.615 (2) In lieu of ~~the~~ any fee under sub. (1) ~~(a) 2. or 3.~~, a county may
6 establish a fee schedule to recover its reasonable costs of providing family court
7 counseling services under s. 767.11. A fee schedule established under this subsection
8 may apply in lieu of the fee any or all fees under sub. (1) (a) 2. or 3. or both, and shall
9 ~~require no fee for the first mediation session conducted upon referral under s. 767.11~~
10 ~~(5).~~ shall provide for payment for ~~any other~~ services based on the parties’ ability to
11 pay; ~~and,~~ and shall take into account the fees the county collects under s. 814.61 (1)
12 (b) and (7) (b). Fees shall be based on services actually provided. The county may
13 not collect a single fee applicable without regard to the number of sessions or services
14 provided. Subject to sub. (3), the county shall provide family court counseling
15 services to the parties even if both parties are unable to pay.”.

16 ***b1287/2.5* 1757.** Page 1208, line 14: delete lines 14 and 15 and substitute:

17 ***b1287/2.5* SECTION 3836dd.** 814.67 (1) (am) of the statutes is created to
18 read:

19 814.67 (1) (am) For witnesses attending before a circuit court, \$16 per day.

20 ***b1287/2.5* SECTION 3836f.** 814.67 (1) (b) (intro.) of the statutes is amended
21 to read:

22 814.67 (1) (b) (intro.) For attending before ~~any other court~~ the court of appeals
23 or the supreme court:

24 ***b1287/2.5* SECTION 3836g.** 814.67 (1) (b) 2. of the statutes is amended to read:

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

3 ***b1519/2.292* 1758.** Page 1209, line 3: after that line insert:

4 ***b1519/2.292* “SECTION 3838sg.** 823.08 (3) (c) 1. of the statutes is amended
5 to read:

6 823.08 (3) (c) 1. Subject to subd. 2., if a court requests the department of
7 agriculture, trade and consumer protection or the department of ~~natural resources~~
8 environmental management for suggestions under par. (b) 2. a., the department of
9 agriculture, trade and consumer protection or the department of ~~natural resources~~
10 environmental management shall advise the court concerning the relevant
11 provisions of the performance standards, prohibitions, conservation practices and
12 technical standards under s. 281.16 (3).

13 ***b1519/2.292* SECTION 3836sj.** 823.085 (2) (intro.) of the statutes is amended
14 to read:

15 823.085 (2) (intro.) In any action finding a solid waste facility or the operation
16 of a solid waste facility to be a public or private nuisance, if the solid waste facility
17 was licensed under s. 289.31 (1) and was operated in substantial compliance with the
18 license, the plan of operation for the solid waste facility approved by the department
19 of ~~natural resources~~ environmental management and the rules promulgated under
20 s. 289.05 (1) that apply to the facility, then all of the following apply:

21 ***b1519/2.292* SECTION 3836sk.** 823.085 (2) (b) of the statutes is amended to
22 read:

1 823.085 (2) (b) The department of ~~natural resources~~ environmental
2 management shall comply with a request by the court to provide suggestions for
3 practices to reduce the offensive aspects of the nuisance.”.

4 ***b1756/1.1* 1759.** Page 1209, line 3: after that line insert:

5 ***b1756/1.1*** “**SECTION 3836t.** 818.05 of the statutes is amended to read:

6 **818.05 Bond, liability of plaintiff for support.** Before making the order for
7 arrest the court or judge shall require a bond of the plaintiff, with or without sureties,
8 to the effect that if the plaintiff fails to recover, the plaintiff will pay all costs that may
9 be awarded to the defendant and all damages which the defendant may sustain by
10 reason of the arrest, not exceeding the sum specified in the bond, which shall be at
11 least \$100. If the bond be executed by the plaintiff without sureties the plaintiff shall
12 annex thereto an affidavit that the plaintiff is a resident and householder or
13 freeholder within the state and worth double the sum specified in the bond above all
14 of the plaintiff’s debts and liabilities in property in this state not exempt from
15 execution. ~~The plaintiff shall be liable for support of the defendant while the~~
16 ~~defendant is in jail, as specified in s. 898.14 (1).~~ This section does not apply to an
17 order for arrest in an action to determine paternity or to any action under ch. 767
18 brought by the state or its designee.”.

19 ***b1287/2.6* 1760.** Page 1211, line 9: delete the material beginning with that
20 line and ending with page 1214, line 15, and substitute:

21 ***b1287/2.6*** “**SECTION 3852d.** 885.37 (title) of the statutes is amended to read:

22 **885.37 (title) Interpreters for persons with language difficulties or**
23 **hearing or speaking impairments in municipal courts and administrative**
24 **agency contested cases.**

1 ***b1287/2.6* SECTION 3852g.** 885.37 (1) (a) of the statutes is repealed.

2 ***b1287/2.6* SECTION 3852m.** 885.37 (1) (b) of the statutes is amended to read:

3 885.37 (1) (b) If a municipal court has notice that a person who ~~fits any of the~~
4 ~~criteria under par. (a)~~ is a juvenile or parent subject to ch. 938, or who is a witness
5 in a proceeding under ch. 938, has a language difficulty because of the inability to
6 speak or understand English, has a hearing impairment, is unable to speak or has
7 a speech defect, the court shall make a factual determination of whether the
8 language difficulty or the hearing or speaking impairment is sufficient to prevent the
9 individual from communicating with his or her attorney, reasonably understanding
10 the English testimony or reasonably being understood in English. If the court
11 determines that an interpreter is necessary, the court shall advise the person that
12 he or she has a right to a qualified interpreter and that, if the person cannot afford
13 one, an interpreter will be provided for him or her at the public's expense. Any waiver
14 of the right to an interpreter is effective only if made voluntarily in person, in open
15 court and on the record.

16 ***b1287/2.6* SECTION 3852r.** 885.37 (2) of the statutes is amended to read:

17 885.37 (2) A municipal court may authorize the use of an interpreter in actions
18 or proceedings in addition to those specified in sub. (1) (b).

19 ***b1287/2.6* SECTION 3853g.** 885.37 (4) (a) of the statutes is repealed and
20 recreated to read:

21 885.37 (4) (a) The necessary expense of furnishing an interpreter for an
22 indigent person in a municipal court shall be paid by the municipality.

23 ***b1287/2.6* SECTION 3853m.** 885.37 (5) (a) of the statutes is amended to read:

1 885.37 (5) (a) If a municipal court under sub. (1) (b) or (2) or an agency under
2 sub. (3) decides to appoint an interpreter, the court or agency shall follow the
3 applicable procedure under par. (b) or (c).

4 *b1287/2.6* SECTION 3860m. 885.38 of the statutes is created to read:

5 **885.38 Interpreters in circuit and appellate courts. (1)** In this section:

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

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

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

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

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

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

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

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

22 (2) The supreme court shall establish the procedures and policies for the
23 recruitment, training, and certification of persons to act as qualified interpreters in
24 a court proceeding and for the coordination, discipline, retention, and training of
25 those interpreters.

1 (3) (a) In criminal proceedings and in proceedings under ch. 48, 51, 55, or 938,
2 if the court determines that the person has limited English proficiency and that an
3 interpreter is necessary, the court shall advise the person that he or she has the right
4 to a qualified interpreter and that, if the person cannot afford one, an interpreter will
5 be provided at the public's expense if the person is one of the following:

6 1. A party in interest.

7 2. A witness, while testifying in a court proceeding.

8 3. An alleged victim, as defined in s. 950.02 (4).

9 4. A parent or legal guardian of a minor party in interest or the legal guardian
10 of a party in interest.

11 5. Another person affected by the proceedings, if the court determines that the
12 appointment is necessary and appropriate.

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

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

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

21 (e) A qualified interpreter appointed under this subsection may, with the
22 approval of the court, provide interpreter services outside the court room that are
23 related to the court proceedings, including during court-ordered psychiatric or
24 medical exams or mediation.

1 (f) A court may authorize the use of a qualified interpreter in actions or
2 proceedings in addition to those specified in par. (a).

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 *b1519/2.293* **1761.** Page 1214, line 15: after that line insert:

11 *b1519/2.293* “SECTION 3862bp. 891.04 of the statutes is amended to read:

12 **891.04 Certificate as to public lands.** The certificate of the executive
13 secretary appointed under s. 24.55 under the official seal, that any specified piece or
14 tract of land belongs to or is mortgaged to the state, or that the state has any interest,
15 legal or equitable, in that land shall be presumptive evidence of the facts so stated.
16 The certificate of the secretary of ~~natural resources~~ fish, wildlife, parks, and forestry
17 under the official seal of the department that authority has been given to any person,
18 naming the person, to seize timber or other materials specified in ch. 26 shall be
19 presumptive evidence of the fact so stated.”.

20 *b1569/1.7* **1762.** Page 1214, line 15: after that line insert:

21 *b1569/1.7* “SECTION 3862. 889.29 (1) of the statutes is amended to read:

22 889.29 (1) If any business, institution or member of a profession or calling in
23 the regular course of business or activity has kept or recorded any memorandum,
24 writing, entry, print, representation or combination thereof, of any act, transaction,

1 occurrence or event, and in the regular course of business has caused any or all of the
2 same to be recorded, copied or reproduced by any photographic, photostatic,
3 microfilm, microcard, miniature photographic, or other process which accurately
4 reproduces or forms a durable medium for so reproducing the original, or to be
5 recorded on an optical disk or in electronic format, the original may be destroyed in
6 the regular course of business, unless its preservation is required by law. Such
7 reproduction or optical disk record, when reduced to comprehensible format and
8 when satisfactorily identified, is as admissible in evidence as the original itself in any
9 judicial or administrative proceeding whether the original is in existence or not and
10 an enlargement or facsimile of such reproduction of a record or an enlarged copy of
11 a record generated from an original record stored in optical disk or electronic format
12 is likewise admissible in evidence if the original reproduction is in existence and
13 available for inspection under direction of court. The introduction of a reproduced
14 record, enlargement or facsimile, does not preclude admission of the original. This
15 subsection does not apply to records governed by s. 137.20.”

16 ***b1336/1.1* 1763.** Page 1217, line 25: after that line insert:

17 ***b1336/1.1*** “SECTION 3862wg. 893.575 of the statutes is created to read:

18 **893.575 Actions concerning illegal drug use. (1)** Except as otherwise
19 provided in this section, an action under s. 895.92 shall be commenced within two
20 years after the cause of action accrues or be barred. A cause of action under s. 895.92
21 accrues when a person who may recover has reason to know of the harm from illegal
22 drug use that is the basis for the cause of action and has reason to know that the
23 illegal drug use is the cause of the harm.

1 (2) For a plaintiff, the time limit under this section is tolled while the individual
2 potential plaintiff is incapacitated by the use of an illegal drug to the extent that the
3 individual cannot reasonably be expected to seek recovery under s. 895.92. For a
4 defendant, the time limit under this section is tolled until six months after the
5 individual potential defendant is convicted of a criminal drug offense.

6 (3) The time limit under this section for an action under s. 895.92 based on
7 participation in the illegal drug market that occurred prior to the effective date of
8 this subsection [revisor inserts date], does not begin to run until the effective date
9 of this subsection [revisor inserts date].”.

10 ***b1541/2.5* 1764.** Page 1218, line 4: after “948.095” insert “against the
11 person who committed the act”.

12 ***b1519/2.294* 1765.** Page 1218, line 8: after that line insert:

13 ***b1519/2.294* “SECTION 3862y.** 893.73 (2) (a) of the statutes is amended to
14 read:

15 893.73 (2) (a) An action under s. 60.73 contesting an act of a town board or the
16 department of ~~natural resources~~ environmental management in the establishment
17 of a town sanitary district.”.

18 ***b1524/1.22* 1766.** Page 1218, line 8: after that line insert:

19 ***b1524/1.22* “SECTION 3862yg.** 893.66 (title) of the statutes is amended to
20 read:

21 893.66 (title) **Accountants Certified public accountants; limitations of**
22 **actions.**

23 ***b1524/1.22* SECTION 3862yr.** 893.66 (1) of the statutes is amended to read:

1 893.66 (1) Except as provided in subs. (1m) to (4), an action to recover damages,
2 based on tort, contract or other legal theory, against any certified public accountant
3 licensed or certified under ch. 442 for an act or omission in the performance of
4 professional accounting services shall be commenced within 6 years from the date
5 of the act or omission or be barred.”.

6 ***b1336/1.2* 1767.** Page 1219, line 4: after that line insert:

7 ***b1336/1.2* “SECTION 3871g.** 895.90 of the statutes is created to read:

8 **895.90 Short title.** Sections 895.90 to 895.95 shall be known as the “Drug
9 Dealer Liability Law.”

10 ***b1336/1.2* SECTION 3871j.** 895.91 of the statutes is created to read:

11 **895.91 Definitions.** In ss. 895.90 to 895.95:

12 (1) “Illegal drug” means a controlled substance or controlled substance analog
13 whose distribution is a violation of s. 961.41.

14 (2) “Illegal drug market” means the support system of illegal drug related
15 operations, from production to retail sales, through which an illegal drug reaches the
16 user.

17 (3) “Individual drug user” means the individual whose illegal drug use is the
18 basis of an action brought under s. 895.92.

19 (4) “Level 1 offense” means possession of 7 grams or more, but less than 113
20 grams, or distribution of less than 28 grams of a specified illegal drug other than
21 marijuana, or possession of 454 grams or more, but less than 1.8 kilograms, of
22 marijuana, or possession of 25 plants or more, but less than 50 plants, containing
23 tetrahydrocannabinols, or distribution of less than 454 grams of marijuana.

1 (5) “Level 2 offense” means possession of 113 grams or more, but less than 227
2 grams, or distribution of 28 grams or more, but less than 56 grams, of a specified
3 illegal drug other than marijuana, or possession of 1.8 kilograms or more, but less
4 than 3.6 kilograms of marijuana, or possession of 50 plants or more, but less than 75
5 plants, containing tetrahydrocannabinols, or distribution of more than 454 grams,
6 but less than 2.3 kilograms, of marijuana.

7 (6) “Level 3 offense” means possession of 227 grams or more, but less than 454
8 grams, or distribution of 56 grams or more, but less than 113 grams, of a specified
9 illegal drug other than marijuana, or possession of 3.6 kilograms or more, but less
10 than 7.3 kilograms of marijuana, or possession of 75 plants or more, but less than 100
11 plants, containing tetrahydrocannabinols, or distribution of more than 2.3
12 kilograms, but less than 4.5 kilograms, of marijuana.

13 (7) “Level 4 offense” means possession of 454 grams or more or distribution of
14 113 grams or more of a specified illegal drug other than marijuana, or possession of
15 7.3 kilograms or more of marijuana, or possession of 100 plants or more containing
16 tetrahydrocannabinols, or distribution of 4.5 kilograms or more of marijuana.

17 (8) “Marijuana” has the meaning given in s. 961.01 (14).

18 (9) “Participate in the illegal drug market” means to distribute, possess with
19 an intent to distribute, commit an act intended to facilitate the marketing or
20 distribution of, or agree to distribute, possess with an intent to distribute, or commit
21 an act intended to facilitate the marketing and distribution of an illegal drug.
22 “Participate in the illegal drug market” does not include the purchase or receipt of
23 an illegal drug for personal use only.

24 (10) “Period of illegal drug use” means, in relation to the individual drug user,
25 the time of the individual’s first use of an illegal drug to the accrual of the cause of

1 action under s. 895.92. The period of illegal drug use is presumed to commence 2
2 years before the cause of action accrues unless the defendant proves otherwise by
3 clear and convincing evidence.

4 (11) “Place of illegal drug activity” means, in relation to the individual drug
5 user and unless the defendant proves otherwise by clear and convincing evidence,
6 each assembly district in which a claim is made that the individual possesses or uses
7 an illegal drug or in which the individual resides, attends school, or is employed
8 during the period of the individual’s illegal drug use.

9 (12) “Place of participation” means, in relation to a defendant in an action
10 brought under s. 895.92, each assembly district in which the person participates in
11 the illegal drug market or in which the person resides, attends school, or is employed
12 during the period of the person’s participation in the illegal drug market.

13 *b1336/1.2* SECTION 3871k. 895.92 of the statutes is created to read:

14 **895.92 Liability for participation in the illegal drug market.** (1) A
15 person who knowingly participates in the illegal drug market within this state is
16 liable for civil damages as provided in this section. A person may recover damages
17 under this section for injury resulting from an individual’s use of an illegal drug.

18 (2) A law enforcement officer or agency, the state, or a person acting at the
19 direction of a law enforcement officer or agency or the state, is not liable for
20 participating in the illegal drug market, if the participation is in furtherance of an
21 official investigation.

22 (3) One or more of the following persons may bring an action for damages
23 caused by an individual’s use of an illegal drug:

24 (a) A parent, legal guardian, child, spouse, or sibling of the individual drug
25 user.