

2005 SENATE BILL 515

1 **AN ACT** *to renumber* 560.035; *to amend* 560.035 (title); and *to create* 20.143
2 (1) (gr) and 560.035 (1) of the statutes; **relating to:** certification of
3 woman-owned businesses, providing an exemption from emergency rule
4 procedures, granting rule-making authority, and making an appropriation.

Analysis by the Legislative Reference Bureau

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

5 **SECTION 1.** 20.143 (1) (gr) of the statutes is created to read:

6 20.143 **(1)** (gr) *Woman-owned business certification processing fees.* All moneys
7 received from processing fees collected under s. 560.035 (1) (bm), for the costs of
8 certifying woman-owned businesses under s. 560.035 (1).

9 **SECTION 2.** 560.035 (title) of the statutes is amended to read:

10 **560.035** (title) ~~Database of women's~~ **Woman-owned businesses;**
11 **certification; database.**

SENATE BILL 515**SECTION 3**

1 **SECTION 3.** 560.035 of the statutes is renumbered 560.035 (2).

2 **SECTION 4.** 560.035 (1) of the statutes is created to read:

3 560.035 **(1)** (a) In this subsection, “woman-owned business” means a sole
4 proprietorship, partnership, limited liability company, joint venture, or corporation
5 that fulfills all of the following requirements:

6 1. It is at least 51 percent owned, controlled, and actively managed by a woman.

7 2. It is currently performing a useful business function in this state.

8 (b) The department shall implement a program for the certification of
9 woman-owned businesses. The department shall compile and periodically update
10 a list of businesses certified under this section and shall make the list available to
11 the public on the Internet.

12 (bm) The department may charge an applicant for certification under this
13 subsection a processing fee of not more than \$50.

14 (c) The department shall promulgate rules necessary to implement this
15 subsection.

16 **SECTION 5. Nonstatutory provisions.**

17 (1) (a) Using the procedure under section 227.24 of the statutes, the
18 department of commerce shall promulgate the rules required under section 560.035
19 (1) (c) of the statutes, as created by this act, for the period before the effective date
20 of the permanent rules required under section 560.035 (1) (c) of the statutes, as
21 created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
22 emergency rules promulgated under this paragraph remain in effect until the first
23 day of the 10th month beginning after the effective date of this paragraph or the date
24 on which permanent rules take effect, whichever is sooner. Notwithstanding section
25 227.24 (1) (a) and (3) of the statutes, the department is not required to provide

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1 evidence that promulgating a rule under this paragraph is necessary for the
2 preservation of the public peace, health, safety, or welfare and is not required to
3 provide a finding of emergency for a rule promulgated under this paragraph.

4 (b) The department of commerce shall submit in proposed form the rules
5 required under section 560.035 (1) (c) of the statutes, as created by this act, to the
6 legislative council staff under section 227.15 (1) of the statutes no later than the first
7 day of the 6th month beginning after the effective date of this paragraph.

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(END)