

1 *-0388/3.8* SECTION 3643. 601.45 (4) of the statutes is amended to read:

2 601.45 (4) EXEMPTIONS. On the examinee's request or on the commissioner's
3 own motion, the commissioner may pay all or part of the costs of an examination from
4 the appropriation under s. 20.145 (1) (g) 1, whenever the commissioner finds that
5 because of the frequency of examinations or other factors, imposition of the costs
6 would place an unreasonable burden on the examinee. The commissioner shall
7 include in his or her annual report information about any instance in which the
8 commissioner applied this subsection.

9 *-0388/3.9* SECTION 3644. 601.47 (1) of the statutes is amended to read:

10 601.47 (1) GENERAL. The commissioner may prepare books, pamphlets, and
11 other publications relating to insurance and sell them in the manner and at the
12 prices the commissioner determines. The cost of publication and distribution may
13 be paid from the appropriation under s. 20.145 (1) (g) 1.

14 *-0388/3.10* SECTION 3645. 601.47 (3) of the statutes is amended to read:

15 601.47 (3) FREE DISTRIBUTION. The commissioner may furnish free copies of the
16 publications prepared under subs. (1) and (2) to public officers and libraries in this
17 state and elsewhere. The cost of free distribution shall be charged to the
18 appropriation under s. 20.145 (1) (g) 1.

19 *-0388/3.11* SECTION 3646. 601.48 (1) of the statutes is amended to read:

20 601.48 (1) NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. The
21 commissioner and the office of the commissioner shall maintain close relations with
22 the commissioners of other states and shall participate in the activities and affairs
23 of the National Association of Insurance Commissioners and other organizations so
24 far as it will, in the judgment of the commissioner, enhance the purposes of chs. 600

1 to 655. The actual and necessary expenses incurred thereby shall be reimbursed out
2 of the appropriation under s. 20.145 (1) (g) 1.

3 ***-0388/3.12* SECTION 3647.** 601.62 (4) of the statutes is amended to read:

4 **601.62 (4) FEES IN INVESTIGATIONS AND HEARINGS.** The fees for stenographic
5 services in investigations, examinations, and hearings may not exceed the sum
6 provided for like services in the circuit court. The fees of officers, witnesses,
7 interpreters, and stenographers on behalf of the commissioner or the state shall be
8 paid by the secretary of administration, authorized by the certificate of the
9 commissioner, and shall be charged to the appropriation under s. 20.145 (1) (g) 1.

10 ***-0388/3.13* SECTION 3648.** 604.04 (3) of the statutes is amended to read:

11 **604.04 (3) EXPENSES.** No full-time state officer or employee may receive
12 additional compensation for services under chs. 604 to 607. Appropriate portions of
13 the salaries of such persons who do work for the funds or supervise them, and other
14 expenses including reasonable charges for state-owned or state-rented office space
15 and the use of state-owned or state-rented office equipment shall be charged against
16 each fund. Each fund shall pay to the commissioner amounts charged for
17 organizational support services, which shall be credited to the appropriation account
18 under s. 20.145 (1) (g) 2. Each fund shall also be charged a sum equivalent to the state
19 premium tax that would be paid by a domestic mutual insurer organized or operating
20 under ch. 611 and doing the same kind of insurance business, except that no such
21 charge shall be made for the insurance of governmental units.

22 ***-1553/P2.8* SECTION 3649.** 609.87 of the statutes is created to read:

23 **609.87 Coverage of treatment for autism spectrum disorders.** Defined
24 network plans are subject to s. 632.895 (15).

1 ***-1261/5.906*** ***-1267/P1.379*** SECTION 3650. 628.095 (4) (a) of the statutes
2 is amended to read:

3 628.095 (4) (a) The commissioner shall disclose a social security number
4 obtained under sub. (1) or (3) to the department of ~~workforce development~~ children
5 and families in the administration of s. 49.22, as provided in a memorandum of
6 understanding entered into under s. 49.857.

7 ***-1261/5.907*** ***-1267/P1.380*** SECTION 3651. 628.095 (5) of the statutes is
8 amended to read:

9 628.095 (5) IF APPLICANT OR INTERMEDIARY HAS NO SOCIAL SECURITY NUMBER. If an
10 applicant who is a natural person does not have a social security number, the
11 applicant shall provide to the commissioner, along with the application for a license
12 and on a form prescribed by the department of ~~workforce development~~ children and
13 families, a statement made or subscribed under oath or affirmation that the
14 applicant does not have a social security number. If an intermediary who is a natural
15 person does not have a social security number, the intermediary shall provide to the
16 commissioner, each time that the annual fee is paid under s. 601.31 (1) (m) and on
17 a form prescribed by the department of ~~workforce development~~ children and
18 families, a statement made or subscribed under oath or affirmation that the
19 applicant does not have a social security number.

20 ***-1261/5.908*** ***-1267/P1.381*** SECTION 3652. 628.097 (1m) of the statutes is
21 amended to read:

22 628.097 (1m) FOR FAILURE TO PAY SUPPORT OR TO COMPLY WITH SUBPOENA OR
23 WARRANT. The commissioner shall refuse to issue to a natural person a license,
24 including a temporary license, under this subchapter if the natural person is
25 delinquent in court-ordered payments of child or family support, maintenance, birth

1 expenses, medical expenses or other expenses related to the support of a child or
2 former spouse, or if the natural person fails to comply, after appropriate notice, with
3 a subpoena or warrant issued by the department of ~~workforce development~~ children
4 and families or a county child support agency under s. 59.53 (5) and related to
5 paternity or child support proceedings, as provided in a memorandum of
6 understanding entered into under s. 49.857.

7 ***-1261/5.909* *-1267/P1.382* SECTION 3653.** 628.10 (2) (c) of the statutes is
8 amended to read:

9 628.10 (2) (c) *For failure to pay support or to comply with subpoena or warrant.*

10 The commissioner shall suspend or limit the license of an intermediary who is a
11 natural person, or a temporary license of a natural person under s. 628.09, if the
12 natural person is delinquent in court-ordered payments of child or family support,
13 maintenance, birth expenses, medical expenses or other expenses related to the
14 support of a child or former spouse, or if the natural person fails to comply, after
15 appropriate notice, with a subpoena or warrant issued by the department of
16 ~~workforce development~~ children and families or a county child support agency under
17 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
18 memorandum of understanding entered into under s. 49.857.

19 ***-0011/3.144* SECTION 3654.** 631.37 (4) (e) of the statutes is amended to read:

20 631.37 (4) (e) *Motor vehicle liability policy.* Section 344.34 applies to motor
21 vehicle liability policies certified under s. 344.31 ~~and to policies certified under s.~~
22 ~~344.32.~~

23 ***-0266/3.34* SECTION 3655.** 632.48 (3) of the statutes is created to read:

24 632.48 (3) NOTICE OF CHANGES. An insurer that receives a request from the
25 department of health and family services under s. 49.47 (4) (cr) 2. for notification

1 shall comply with the request and notify the department of any changes to or
2 payments made under the annuity contract to which the request for notification
3 relates.

4 ***-1261/5.910* *-1267/P1.383* SECTION 3656.** 632.68 (2) (b) 3m. of the statutes
5 is amended to read:

6 632.68 (2) (b) 3m. If a natural person who does not have a social security
7 number, provides on a form prescribed by the department of workforce development
8 children and families a statement made or subscribed under oath or affirmation that
9 the applicant does not have a social security number.

10 ***-1261/5.911* *-1267/P1.384* SECTION 3657.** 632.68 (2) (bc) 1. of the statutes
11 is amended to read:

12 632.68 (2) (bc) 1. The commissioner shall disclose a social security number
13 obtained under par. (b) to the department of workforce development children and
14 families in the administration of s. 49.22, as provided in a memorandum of
15 understanding entered into under s. 49.857.

16 ***-1261/5.912* *-1267/P1.385* SECTION 3658.** 632.68 (2) (bm) 1. of the statutes
17 is amended to read:

18 632.68 (2) (bm) 1. Notwithstanding par. (b), the commissioner may not issue
19 a license under this subsection to a natural person who is delinquent in
20 court-ordered payments of child or family support, maintenance, birth expenses,
21 medical expenses or other expenses related to the support of a child or former spouse,
22 or who fails to comply, after appropriate notice, with a subpoena or warrant issued
23 by the department of workforce development children and families or a county child
24 support agency under s. 59.53 (5) and related to paternity or child support

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1 proceedings, as provided in a memorandum of understanding entered into under s.
2 49.857.

3 *-1261/5.913* *-1267/P1.386* SECTION 3659. 632.68 (2) (e) of the statutes is
4 amended to read:

5 632.68 (2) (e) Except as provided in sub. (3), a license issued under this
6 subsection shall be renewed annually on July 1 upon payment of the fee specified in
7 s. 601.31 (1) (mp) and upon providing the licensee's social security number, unless
8 the licensee does not have a social security number, or federal employer
9 identification number, as applicable, if not previously provided on the application for
10 the license or at a previous renewal of the license. If the licensee is a natural person
11 who does not have a social security number, the license shall be renewed annually
12 on July 1 upon payment of the fee specified in s. 601.31 (1) (mp) and upon providing
13 to the commissioner a statement made or subscribed under oath or affirmation, on
14 a form prescribed by the department of workforce development children and
15 families, that the licensee does not have a social security number.

16 *-1261/5.914* *-1267/P1.387* SECTION 3660. 632.68 (3) (b) 1. of the statutes
17 is amended to read:

18 632.68 (3) (b) 1. The commissioner shall suspend, limit or refuse to renew a
19 viatical settlement provider license issued to a natural person if the natural person
20 is delinquent in court-ordered payments of child or family support, maintenance,
21 birth expenses, medical expenses or other expenses related to the support of a child
22 or former spouse, or if the natural person fails to comply, after appropriate notice,
23 with a subpoena or warrant issued by the department of workforce development
24 children and families or a county child support agency under s. 59.53 (5) and related

1 to paternity or child support proceedings, as provided in a memorandum of
2 understanding entered into under s. 49.857.

3 ***-1261/5.915* *-1267/P1.388* SECTION 3661.** 632.68 (4) (b) of the statutes is
4 amended to read:

5 **632.68 (4) (b)** A person may apply to the commissioner for a viatical settlement
6 broker license on a form prescribed by the commissioner for that purpose. The
7 application form shall require the applicant to provide the applicant's social security
8 number, if the applicant is a natural person unless the applicant does not have a
9 social security number, or the applicant's federal employer identification number, if
10 the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall
11 accompany the application. The commissioner may not issue a license under this
12 subsection unless the applicant provides his or her social security number, unless the
13 applicant does not have a social security number, or its federal employer
14 identification number, whichever is applicable. If the applicant is a natural person
15 who does not have a social security number, the commissioner may not issue a license
16 under this subsection unless the applicant provides, on a form prescribed by the
17 department of ~~workforce development~~ children and families, a statement made or
18 subscribed under oath or affirmation that the applicant does not have a social
19 security number.

20 ***-1261/5.916* *-1267/P1.389* SECTION 3662.** 632.68 (4) (bc) 1. of the statutes
21 is amended to read:

22 **632.68 (4) (bc) 1.** The commissioner shall disclose a social security number
23 obtained under par. (b) to the department of ~~workforce development~~ children and
24 families in the administration of s. 49.22, as provided in a memorandum of
25 understanding entered into under s. 49.857.

1 *-1261/5.917* *-1267/P1.390* SECTION 3663. 632.68 (4) (bm) 1. of the statutes
2 is amended to read:

3 632.68 (4) (bm) 1. The commissioner may not issue a license under this
4 subsection to a natural person who is delinquent in court-ordered payments of child
5 or family support, maintenance, birth expenses, medical expenses or other expenses
6 related to the support of a child or former spouse, or who fails to comply, after
7 appropriate notice, with a subpoena or warrant issued by the department of
8 workforce development children and families or a county child support agency under
9 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
10 memorandum of understanding entered into under s. 49.857.

11 *-1261/5.918* *-1267/P1.391* SECTION 3664. 632.68 (4) (c) of the statutes is
12 amended to read:

13 632.68 (4) (c) Except as provided in sub. (5), a license issued under this
14 subsection shall be renewed annually on July 1 upon payment of the fee specified in
15 s. 601.31 (1) (ms) and upon providing the licensee's social security number, unless the
16 licensee does not have a social security number, or federal employer identification
17 number, as applicable, if not previously provided on the application for the license
18 or at a previous renewal of the license. If the licensee is a natural person who does
19 not have a social security number, the license shall be renewed annually, except as
20 provided in sub. (5), on July 1 upon payment of the fee specified in s. 601.31 (1) (ms)
21 and upon providing to the commissioner a statement made or subscribed under oath
22 or affirmation, on a form prescribed by the department of workforce development
23 children and families, that the licensee does not have a social security number.

24 *-1261/5.919* *-1267/P1.392* SECTION 3665. 632.68 (5) (b) 1. of the statutes
25 is amended to read:

1 632.68 (5) (b) 1. The commissioner shall suspend, limit or refuse to renew a
2 viatical settlement broker license issued to a natural person if the natural person is
3 delinquent in court-ordered payments of child or family support, maintenance, birth
4 expenses, medical expenses or other expenses related to the support of a child or
5 former spouse, or if the natural person fails to comply, after appropriate notice, with
6 a subpoena or warrant issued by the department of ~~workforce development~~ children
7 and families or a county child support agency under s. 59.53 (5) and related to
8 paternity or child support proceedings, as provided in a memorandum of
9 understanding entered into under s. 49.857.

10 ***-1457/3.1*** ***-3434/1.1*** **SECTION 3666.** 632.726 of the statutes is created to
11 read:

12 **632.726 Current procedural terminology code changes.** (1) In this
13 section, "current procedural terminology code" means a number established by the
14 American Medical Association that a health care provider puts on a health insurance
15 claim form to describe the services that he or she performed.

16 (2) If an insurer changes a current procedural terminology code that was
17 submitted by a health care provider on a health insurance claim form, the insurer
18 shall include on the explanation of benefits form the reason for the change to the
19 current procedural terminology code and shall cite on the explanation of benefits
20 form the source for the change.

21 ***-1524/P3.94*** **SECTION 3667.** 632.745 (6) (a) 2m. of the statutes is amended
22 to read:

23 632.745 (6) (a) 2m. A family long-term care district under s. 46.2895.

24 ***-0905/3.85*** **SECTION 3668.** 632.746 (7m) (b) 1. of the statutes is amended to
25 read:

1 632.746 (7m) (b) 1. The employee or dependent is eligible for benefits under the
2 Medical Assistance program under s. 49.471 or 49.472 or for coverage under the
3 Badger Care health care program under s. 49.665.

4 ***-1457/3.2*** SECTION 3669. 632.857 of the statutes is created to read:

5 **632.857 Explanation required for restriction or termination of**
6 **coverage.** If an insurer restricts or terminates an insured's coverage for the
7 treatment of a condition or complaint and, as a result, the insured becomes liable for
8 payment for all of his or her treatment for the condition or complaint, the insurer
9 shall provide on the explanation of benefits form a detailed explanation of the clinical
10 rationale and of the basis in the policy, plan, or contract or in applicable law for the
11 insurer's restriction or termination of coverage.

12 ***-1457/3.3*** ***-3090/4.6*** SECTION 3670. 632.875 (2) (g) of the statutes is
13 amended to read:

14 632.875 (2) (g) A reasonable detailed explanation of the factual basis clinical
15 rationale and of the basis in the policy, plan, or contract or in applicable law for the
16 insurer's restriction or termination of coverage.

17 ***-1561/1.1*** SECTION 3671. 632.89 (1) (am) of the statutes is created to read:

18 632.89 (1) (am) "Consumer price index" means the consumer price index for all
19 urban consumers, U.S. city average, as determined by the U.S. department of labor.

20 ***-1561/1.2*** SECTION 3672. 632.89 (2) (b) 1. of the statutes is amended to read:

21 632.89 (2) (b) 1. Except as provided in subd. 2., if a group or blanket disability
22 insurance policy issued by an insurer provides coverage of inpatient hospital
23 treatment or outpatient treatment or both, the policy shall provide coverage in every
24 policy year as provided in pars. (c) to (dm), as appropriate, except that the total

1 coverage under the policy for a policy year need not exceed \$7,000 \$20,250 or the
2 equivalent benefits measured in services rendered.

3 ***-1561/1.3* SECTION 3673.** 632.89 (2) (c) 2. b. of the statutes is amended to
4 read:

5 632.89 (2) (c) 2. b. ~~Seven thousand~~ Twenty thousand two hundred fifty dollars
6 minus any applicable cost sharing at the level charged under the policy for inpatient
7 hospital services or the equivalent benefits measured in services rendered or, if the
8 policy does not use cost sharing, ~~\$6,300~~ \$18,250 in equivalent benefits measured in
9 services rendered.

10 ***-1561/1.4* SECTION 3674.** 632.89 (2) (d) 2. of the statutes is amended to read:

11 632.89 (2) (d) 2. Except as provided in par. (b), a policy under subd. 1. shall
12 provide coverage in every policy year for not less than ~~\$2,000~~ \$3,450 minus any
13 applicable cost sharing at the level charged under the policy for outpatient services
14 or the equivalent benefits measured in services rendered or, if the policy does not use
15 cost sharing, ~~\$1,800~~ \$3,100 in equivalent benefits measured in services rendered.

16 ***-1561/1.5* SECTION 3675.** 632.89 (2) (dm) 2. of the statutes is amended to
17 read:

18 632.89 (2) (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall
19 provide coverage in every policy year for not less than ~~\$3,000~~ \$5,200 minus any
20 applicable cost sharing at the level charged under the policy for transitional
21 treatment arrangements or the equivalent benefits measured in services rendered
22 or, if the policy does not use cost sharing, ~~\$2,700~~ \$4,650 in equivalent benefits
23 measured in services rendered.

24 ***-1561/1.6* SECTION 3676.** 632.89 (2) (f) of the statutes is created to read:

1 632.89 (2) (f) *Report on coverage limits.* The department of health and family
2 services shall report annually to the governor and the legislature on revising the
3 coverage limits specified in this subsection based on the change in the consumer price
4 index for medical costs.

5 *-1553/P2.9* SECTION 3677. 632.895 (15) of the statutes is created to read:

6 632.895 (15) TREATMENT FOR AUTISM SPECTRUM DISORDERS. (a) In this subsection,
7 “autism spectrum disorder” means any of the following:

- 8 1. Autism disorder.
- 9 2. Asperger’s syndrome.
- 10 3. Pervasive developmental disorder not otherwise specified.

11 (b) 1. Subject to subd. 2., and except as provided in par. (d), every disability
12 insurance policy, and every self-insured health plan of the state or a county, city,
13 town, village, or school district, shall provide coverage for an insured of treatment
14 for an autism spectrum disorder if the treatment is provided by any of the following:

- 15 a. A psychiatrist, as defined in s. 146.34 (1) (h).
- 16 b. A psychologist, as defined in s. 146.34 (1) (i).
- 17 c. A social worker, as defined in s. 252.15 (1) (er), who is certified or licensed
18 to practice psychotherapy, as defined in s. 457.01 (8m).

19 2. A disability insurance policy or self-insured health plan is not required to
20 cover the cost of more than 4 hours per month of the treatment specified in subd. 1.

21 (c) The coverage required under par. (b) may be subject to any limitations,
22 exclusions, and cost-sharing provisions that apply generally under the disability
23 insurance policy or self-insured health plan.

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

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

1 2. A health care plan offered by a limited service health organization, as defined
2 in s. 609.01 (3), or by a preferred provider plan, as defined in s. 609.01 (4), that is not
3 a defined network plan, as defined in s. 609.01 (1b).

4 3. A long-term care insurance policy.

5 4. A medicare replacement policy or a medicare supplement policy.

6 ***-1261/5.920* *-1267/P1.393* SECTION 3678.** 632.897 (10) (am) 2. of the
7 statutes is amended to read:

8 632.897 (10) (am) 2. Provide family coverage under the group policy or
9 individual policy for the individual's child, if eligible for coverage, upon application
10 by the individual, the child's other parent, the department of ~~workforce development~~
11 children and families or the county child support agency under s. 59.53 (5).

12 ***-1261/5.921* *-1267/P1.394* SECTION 3679.** 633.14 (1) (e) of the statutes is
13 amended to read:

14 633.14 (1) (e) If an individual who does not have a social security number,
15 provides on a form prescribed by the department of ~~workforce development~~ children
16 and families a statement made or subscribed under oath or affirmation that he or she
17 does not have a social security number.

18 ***-1261/5.922* *-1267/P1.395* SECTION 3680.** 633.14 (2c) (a) of the statutes
19 is amended to read:

20 633.14 (2c) (a) The commissioner shall disclose a social security number
21 obtained under sub. (1) (d) to the department of ~~workforce development~~ children and
22 families in the administration of s. 49.22, as provided in a memorandum of
23 understanding entered into under s. 49.857.

24 ***-1261/5.923* *-1267/P1.396* SECTION 3681.** 633.14 (2m) (a) of the statutes
25 is amended to read:

1 633.14 (2m) (a) Notwithstanding sub. (1), the commissioner may not issue a
2 license under this section if the individual applying for the license is delinquent in
3 court-ordered payments of child or family support, maintenance, birth expenses,
4 medical expenses or other expenses related to the support of a child or former spouse,
5 or if the individual fails to comply, after appropriate notice, with a subpoena or
6 warrant issued by the department of ~~workforce development~~ children and families
7 or a county child support agency under s. 59.53 (5) and related to paternity or child
8 support proceedings, as provided in a memorandum of understanding entered into
9 under s. 49.857.

10 ***-1261/5.924*** ***-1267/P1.397*** SECTION 3682. 633.15 (1m) of the statutes is
11 amended to read:

12 633.15 (1m) SOCIAL SECURITY NUMBER, FEDERAL EMPLOYER IDENTIFICATION
13 NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or
14 her social security number, if the administrator is an individual unless he or she does
15 not have a social security number, or its federal employer identification number, if
16 the administrator is a corporation, limited liability company or partnership, if the
17 social security number or federal employer identification number was not previously
18 provided on the application for the license or at a previous renewal of the license. If
19 an administrator who is an individual does not have a social security number, the
20 individual shall provide to the commissioner, at each annual renewal and on a form
21 prescribed by the department of ~~workforce development~~ children and families, a
22 statement made or subscribed under oath or affirmation that the administrator does
23 not have a social security number.

24 ***-1261/5.925*** ***-1267/P1.398*** SECTION 3683. 633.15 (2) (c) of the statutes is
25 amended to read:

1 633.15 (2) (c) *Failure to pay support or to comply with subpoena or warrant.*
2 The commissioner shall suspend, limit or refuse to renew a license issued under this
3 section to an individual if the individual is delinquent in court-ordered payments of
4 child or family support, maintenance, birth expenses, medical expenses or other
5 expenses related to the support of a child or former spouse, or if the individual fails
6 to comply, after appropriate notice, with a subpoena or warrant issued by the
7 department of workforce-development children and families or a county child
8 support agency under s. 59.53 (5) and related to paternity or child support
9 proceedings, as provided in a memorandum of understanding entered into under s.
10 49.857.

11 *-0388/3.14* SECTION 3684. 645.09 (2) (a) of the statutes is amended to read:

12 645.09 (2) (a) *Causes of delinquency.* The commissioner may include in his or
13 her annual report, not later than the 2nd annual report following the initiation of any
14 formal proceedings under this chapter, a detailed analysis of the basic causes and the
15 contributing factors making the initiation of formal proceedings necessary, and may
16 make recommendations for remedial legislation. For this purpose the commissioner
17 may appoint a special assistant qualified in insurance, finance, and accounting to
18 conduct the study and prepare the analysis, and may determine the special
19 assistant's compensation, which shall be paid from the appropriation under s. 20.145
20 (1) (g) 1.

21 *-0388/3.15* SECTION 3685. 645.09 (2) (b) of the statutes is amended to read:

22 645.09 (2) (b) *Final study.* The commissioner may include in his or her annual
23 report, not later than the 2nd annual report following discharge of the receiver, a
24 detailed study of the delinquency proceeding for each insurer subjected to a formal
25 proceeding, with an analysis of the problems faced and their solutions. The

1 commissioner may also suggest alternative solutions, as well as other material of
2 interest, for the purpose of assisting and guiding liquidators or rehabilitators in the
3 future. For this purpose the commissioner may appoint a special assistant qualified
4 to conduct the study and prepare the analysis, and may determine his or her
5 compensation, which shall be paid from the appropriation under s. 20.145 (1) (g) 1.

6 ***-0388/3.16* SECTION 3686.** 645.46 (4) of the statutes is amended to read:

7 645.46 (4) Defray all expenses of taking possession of, conserving, conducting,
8 liquidating, disposing of, or otherwise dealing with the business and property of the
9 insurer. If the property of the insurer does not contain sufficient cash or liquid assets
10 to defray the costs incurred, the liquidator may advance the costs so incurred out of
11 the appropriation under s. 20.145 (1) (g) 1. Any amounts so paid shall be deemed
12 expense of administration and shall be repaid for the credit of the office of the
13 commissioner of insurance out of the first available moneys of the insurer.

14 ***-0266/3.35* SECTION 3687.** 647.02 (2) (g) of the statutes is amended to read:

15 647.02 (2) (g) The figure to be used by the provider as the actual or projected
16 length of a resident's stay in the facility in the formula in the contract provision
17 required under s. 647.05 (9) (1m) (i) and supporting information showing how the
18 figure was determined.

19 ***-0266/3.36* SECTION 3688.** 647.04 (5) of the statutes is amended to read:

20 647.04 (5) Inform the commissioner of any change in the figure used by the
21 provider as the actual or projected length of a resident's stay in the facility in the
22 formula in the contract provision required under s. 647.05 (9) (1m) (i) within 30 days
23 after the change is made and submit supporting information showing how the
24 change was determined.

1 ***-0266/3.37* SECTION 3689.** 647.05 of the statutes is renumbered 647.05 (1m),
2 and 647.05 (1m) (g), as renumbered, is amended to read:

3 647.05 (1m) (g) Provides that if a resident dies or the continuing care contract
4 is terminated after the first 30 days of occupancy, but within the first 90 days of
5 occupancy, the provider will refund at least 90% of the amount computed under sub-
6 (6) par. (f).

7 ***-0266/3.38* SECTION 3690.** 647.05 (2m) of the statutes is created to read:

8 647.05 (2m) Subject to s. 49.455, a continuing care contract may require that,
9 before a resident applies for medical assistance, the resident must spend on his or
10 her care the resources declared for purposes of admission to the facility.

11 ***-0388/3.17* SECTION 3691.** 655.27 (2) of the statutes is amended to read:

12 655.27 (2) FUND ADMINISTRATION AND OPERATION. Management of the fund shall
13 be vested with the board of governors. The commissioner shall either provide staff
14 services necessary for the operation of the fund or, with the approval of the board of
15 governors, contract for all or part of these services. Such a contract is subject to ss.
16 16.753 and, 16.765, and 16.771, but is otherwise exempt from subch. IV of ch. 16. The
17 commissioner shall adopt rules governing the procedures for creating and
18 implementing these contracts before entering into the contracts. At least annually,
19 the contractor shall report to the commissioner and to the board of governors
20 regarding all expenses incurred and subcontracting arrangements. If the board of
21 governors approves, the contractor may hire legal counsel as needed to provide staff
22 services. The cost of contracting for staff services shall be funded from the
23 appropriation under s. 20.145 (2) (u). The fund shall pay to the commissioner
24 amounts charged for organizational support services, which shall be credited to the
25 appropriation account under s. 20.145 (1) (g) 2.

****NOTE: This is reconciled s. 655.27 (2). This SECTION has been affected by drafts with the following LRB numbers: LRB-0388/2 and LRB-0444/P2.

cmk

1 ***-0444/P2.18*** SECTION 3692. 655.27 (2) of the statutes is amended to read:
2 655.27 (2) FUND ADMINISTRATION AND OPERATION. Management of the fund shall
3 be vested with the board of governors. The commissioner shall either provide staff
4 services necessary for the operation of the fund or, with the approval of the board of
5 governors, contract for all or part of these services. Such a contract is subject to ss.
6 16.753 and, 16.765, and 16.771, but is otherwise exempt from subch. IV of ch. 16. The
7 commissioner shall adopt rules governing the procedures for creating and
8 implementing these contracts before entering into the contracts. At least annually,
9 the contractor shall report to the commissioner and to the board of governors
10 regarding all expenses incurred and subcontracting arrangements. If the board of
11 governors approves, the contractor may hire legal counsel as needed to provide staff
12 services. The cost of contracting for staff services shall be funded from the
13 appropriation under s. 20.145 (2) (u).

14 ***-1261/5.926*** ***-1261/P3.574*** SECTION 3693. 701.06 (5) (intro.) of the
15 statutes is amended to read:

16 701.06 (5) CLAIMS FOR PUBLIC SUPPORT. (intro.) Notwithstanding any provision
17 in the creating instrument or subs. (1) and (2), if the settlor is legally obligated to pay
18 for the public support of a beneficiary under s. 46.10, 49.345, or 301.12 or the
19 beneficiary is legally obligated to pay for the beneficiary's public support or that
20 furnished the beneficiary's spouse or minor child under s. 46.10, 49.345, or 301.12,
21 upon application by the appropriate state department or county official, the court
22 may:

1 ***-1261/5.927*** ***-1267/P1.399*** SECTION 3694. 751.15 (1) of the statutes is
2 amended to read:

3 751.15 (1) The supreme court is requested to enter into a memorandum of
4 understanding with the department of workforce development children and families
5 under s. 49.857.

6 ***-1261/5.928*** ***-1267/P1.400*** SECTION 3695. 751.15 (2) of the statutes is
7 amended to read:

8 751.15 (2) The supreme court is requested to promulgate rules that require
9 each person who has a social security number, as a condition of membership in the
10 state bar, to provide the board of bar examiners with his or her social security
11 number, that require each person who does not have a social security number, as a
12 condition of membership in the state bar, to provide the board of bar examiners with
13 a statement made or subscribed under oath or affirmation on a form prescribed by
14 the department of workforce development children and families that the person does
15 not have a social security number, and that prohibit the disclosure of that number
16 to any person except the department of workforce development children and families
17 for the purpose of administering s. 49.22.

18 ***-1261/5.929*** ***-1267/P1.401*** SECTION 3696. 751.15 (3) of the statutes is
19 amended to read:

20 751.15 (3) The supreme court is requested to promulgate rules that deny,
21 suspend, restrict or refuse to renew a license to practice law if the applicant or
22 licensee fails to provide the information required under rules promulgated under
23 sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued
24 by the department of workforce development children and families or a county child
25 support agency under s. 59.53 (5) and related to paternity or child support

1 proceedings or if the department of ~~workforce development~~ children and families
2 certifies that the applicant or licensee has failed to pay court-ordered payments of
3 child or family support, maintenance, birth expenses, medical expenses or other
4 expenses related to the support of a child or former spouse. The supreme court is also
5 requested to promulgate rules that invalidate a license to practice law if issued in
6 reliance upon a statement made or subscribed under oath or affirmation under rules
7 promulgated under sub. (2) that is false.

8 ***-1577/2.4* SECTION 3697.** 757.05 (1) (a) of the statutes is amended to read:

9 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
10 state law or for a violation of a municipal or county ordinance except for a violation
11 of s. 101.123 (2) (a), (am) 1., (ar), (bm), (br), or (bv) or (5), or for a first violation of s.
12 23.33 (4c) (a) 2., 30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who
13 committed the violation had a blood alcohol concentration of 0.08 or more but less
14 than 0.1 at the time of the violation, or for a violation of state laws or municipal or
15 county ordinances involving nonmoving traffic violations, violations under s. 343.51
16 (1m) (b), or safety belt use violations under s. 347.48 (2m), there shall be imposed in
17 addition a penalty surcharge under ch. 814 in an amount of ~~26~~ 27 percent of the fine
18 or forfeiture imposed. If multiple offenses are involved, the penalty surcharge shall
19 be based upon the total fine or forfeiture for all offenses. When a fine or forfeiture
20 is suspended in whole or in part, the penalty surcharge shall be reduced in proportion
21 to the suspension.

22 ***-0110/7.2* SECTION 3698.** 758.19 (4m) of the statutes is created to read:

23 758.19 (4m) The director of state courts may establish and charge fees for use
24 of the circuit court automated information systems created under this section. The

1 secretary of administration shall credit all moneys collected under this subsection
2 to the appropriation account under s. 20.680 (2) (j).

3 ***-0108/4.1* SECTION 3699.** 758.19 (5) (a) (intro.) of the statutes is amended to
4 read:

5 758.19 (5) (a) (intro.) In this subsection, "circuit court costs" means one or more
6 of the following costs:

7 ***-0108/4.2* SECTION 3700.** 758.19 (5) (a) 3. of the statutes is amended to read:

8 758.19 (5) (a) 3. Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses
9 called by the circuit court on its own motion or called by, or subpoenaed at the request
10 of, a district attorney, the state public defender or a private attorney appointed under
11 s. 977.08. Nothing in this subdivision affects the determination of who is obligated
12 to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by, or
13 subpoenaed at the request of the state public defender or a private attorney
14 appointed under s. 977.08.

15 ***-0108/4.3* SECTION 3701.** 758.19 (5) (a) 4m. of the statutes is amended to
16 read:

17 758.19 (5) (a) 4m. Fees for expert witnesses appointed under s. 907.06 by the
18 circuit court on its own motion or by the circuit court at the request of the district
19 attorney, the state public defender or a private attorney appointed under s. 977.08
20 or by the circuit court upon agreement of the district attorney, the state public
21 defender or a private attorney appointed under s. 977.08. Nothing in this subdivision
22 affects the determination of who is obligated to pay fees for an expert witness
23 appointed under s. 907.06.

24 ***-0108/4.4* SECTION 3702.** 758.19 (5) (a) 5. of the statutes is amended to read:

1 758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the
2 circuit court at the request of the district attorney, coroner or medical examiner
3 under s. 979.06 (1) and (2).

4 ***-0108/4.5* SECTION 3703.** 758.19 (5) (a) 8. of the statutes is amended to read:

5 758.19 (5) (a) 8. Any other circuit court costs, except costs related to courtroom
6 security, including security personnel, and costs related to rent, utilities,
7 maintenance, rehabilitation and construction of circuit court facilities.

8 ***-0108/4.6* SECTION 3704.** 758.19 (5) (am) of the statutes is created to read:

9 758.19 (5) (am) The director of state courts may create a uniform chart of
10 accounts that each county shall be required to use for the recording of all financial
11 transactions relating to the operation of circuit courts and may audit the information
12 submitted under par. (e).

13 ***-0110/7.3* SECTION 3705.** 758.19 (5) (b) of the statutes is amended to read:

14 758.19 (5) (b) From the ~~appropriation~~ appropriations under s. 20.625 (1) (d) and
15 (q), the director of state courts shall make payments to counties ~~totaling \$9,369,800~~
16 ~~within 30 days after October 29, 1999, and on every July 1 and January 1 thereafter,~~
17 which the director of state courts shall distribute as follows:

18 ***-0108/4.7* SECTION 3706.** 758.19 (5) (d) of the statutes is repealed.

19 ***-0108/4.8* SECTION 3707.** 758.19 (5) (e) of the statutes is amended to read:

20 758.19 (5) (e) No later than ~~July 1, 1994, and no later than July 1~~ the first May
21 15 following the effective date of this paragraph [revisor inserts date], and no later
22 than May 15 of each year thereafter, each county shall submit to the director of state
23 courts, in a format that is established by the director of state courts, and in a manner
24 that comports with the uniform chart of accounts under par. (am), information
25 regarding the amount of actual circuit court costs that the county incurred in the

1 previous calendar year for each of the court costs listed in par. (a) 1. to 8 and revenues
2 collected or received by the circuit court in the previous calendar year.

3 ***-0108/4.9* SECTION 3708.** 758.19 (5) (f) of the statutes is amended to read:

4 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not
5 eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3),
6 after the ~~July 1~~ May 15 that the information was not provided, or until the
7 information is provided, whichever is earlier. Except as provided in this paragraph
8 and par. (g), the information regarding the amount of actual costs reported under par.
9 (e) does not affect the amount paid to a county under par. (b).

10 ***-0108/4.10* SECTION 3709.** 758.19 (5) (g) of the statutes is amended to read:

11 758.19 (5) (g) Beginning with the submittal of information under par. (e) on
12 July 1, 1995, if the director of state courts determines, based on the information
13 submitted under par. (e), that the payment made to a county under par. (b) for any
14 calendar year exceeds the circuit court costs incurred by the county for that calendar
15 year, the director of state courts shall deduct the difference from the next payment
16 under par. (b) made to that county after the director's determination. The difference
17 shall be apportioned as provided in par. (c) among the other counties for payment
18 under par. (b) to the other counties on that payment date. For purposes of this
19 paragraph, the director of state courts shall treat the period beginning on August 13,
20 1993, and ending on December 31, 1994, as a calendar year and determine from the
21 information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the
22 payment to a county under par. (b) on January 1, 1994, exceeds the circuit court costs
23 incurred by the county for the period beginning on August 13, 1993, and ending on
24 December 31, 1994.

SECTION 3710

1 ***-1261/5.930*** ***-1267/P1.402*** SECTION 3710. 767.001 (1d) of the statutes is
2 amended to read:

3 767.001 (1d) "Department" means the department of ~~workforce development~~
4 children and families.

5 ***-1261/5.931*** ***-1261/P3.575*** SECTION 3711. 767.001 (2) (b) of the statutes
6 is amended to read:

7 767.001 (2) (b) With respect to the department of ~~health and family services~~
8 or a county agency specified in s. 48.56 (1) or a licensed child welfare agency granted
9 legal custody of a child, the rights and responsibilities specified under s. 48.02 (12).

10 ***-1261/5.932*** ***-1261/P3.576*** SECTION 3712. 767.205 (2) (a) 3. of the statutes
11 is amended to read:

12 767.205 (2) (a) 3. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,
13 49.19, or 49.45 is provided on behalf of a dependent child or benefits are provided to
14 the child's custodial parent under ss. 49.141 to 49.161.

15 ***-1261/5.933*** ***-1261/P3.577*** SECTION 3713. 767.205 (2) (a) 4. of the statutes
16 is amended to read:

17 767.205 (2) (a) 4. Whenever aid under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,
18 49.19, or 49.45 has, in the past, been provided on behalf of a dependent child, or
19 benefits have, in the past, been provided to the child's custodial parent under ss.
20 49.141 to 49.161, and the child's family is eligible for continuing child support
21 services under 45 CFR 302.33.

22 ***-1261/5.934*** ***-1261/P3.578*** SECTION 3714. 767.217 (1) of the statutes is
23 amended to read:

24 767.217 (1) NOTICE OF PLEADING OR MOTION. In an action affecting the family in
25 which either party is a recipient of benefits under ss. 49.141 to 49.161 or aid under

1 s. ~~46.261~~, 48.645, 49.19, or 49.45, each party shall, either within 20 days after serving
2 the opposite party with a motion or pleading requesting the court to order or to
3 modify a previous order relating to child support, maintenance, or family support,
4 or before filing the motion or pleading in court, serve a copy of the motion or pleading
5 on the county child support agency under s. 59.53 (5) of the county in which the action
6 is begun.

7 ~~*-1261/5.935*~~ ~~*-1261/P3.579*~~ **SECTION 3715.** 767.407 (1) (c) 1. of the statutes
8 is amended to read:

9 767.407 (1) (c) 1. Aid is provided under s. ~~46.261~~, 48.57 (3m) or (3n), 48.645,
10 49.19, or 49.45 on behalf of the child, or benefits are provided to the child's custodial
11 parent under ss. 49.141 to 49.161, but the state and its delegate under s. 49.22 (7)
12 are barred by a statute of limitations from commencing an action under s. 767.80 on
13 behalf of the child.

14 ~~*-0261/6.23*~~ **SECTION 3716.** 767.41 (3) (a) of the statutes is amended to read:

15 767.41 (3) (a) If the interest of any child demands it, and if the court finds that
16 neither parent is able to care for the child adequately or that neither parent is fit and
17 proper to have the care and custody of the child, the court may declare the child to
18 be in need of protection or services and transfer legal custody of the child to a relative
19 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.
20 48.02 (2g), ~~or to a licensed child welfare agency, or, in a county having a population~~
21 of 500,000 or more, the department of health and family services. If the court
22 transfers legal custody of a child under this subsection, in its order the court shall
23 notify the parents of any applicable grounds for termination of parental rights under
24 s. 48.415. If the court transfers legal custody under this section to an agency, the
25 court shall also refer the matter to the court intake worker, as defined in s. 48.02 (3),

1 who shall conduct an inquiry under s. 48.24 to determine whether a petition should
2 be filed under s. 48.13.

3 ***-1261/5.936* *-0261/5.23* SECTION 3717.** 767.41 (3) (a) of the statutes, as
4 affected by 2007 Wisconsin Act (this act), is amended to read:

5 **767.41 (3) (a)** If the interest of any child demands it, and if the court finds that
6 neither parent is able to care for the child adequately or that neither parent is fit and
7 proper to have the care and custody of the child, the court may declare the child to
8 be in need of protection or services and transfer legal custody of the child to a relative
9 of the child, as defined in s. 48.02 (15), to a county department, as defined under s.
10 48.02 (2g), to a licensed child welfare agency, or, in a county having a population of
11 500,000 or more, the department of health and family services children and families.
12 If the court transfers legal custody of a child under this subsection, in its order the
13 court shall notify the parents of any applicable grounds for termination of parental
14 rights under s. 48.415. If the court transfers legal custody under this section to an
15 agency, the court shall also refer the matter to the court intake worker, as defined in
16 s. 48.02 (3), who shall conduct an inquiry under s. 48.24 to determine whether a
17 petition should be filed under s. 48.13.

****NOTE: This is reconciled s. 767.41 (3) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0261 and -1261.

18 ***-0261/6.24* SECTION 3718.** 767.41 (3) (am) of the statutes is created to read:
19 **767.41 (3) (am)** If the court transfers legal custody of a child under this
20 subsection, the order transferring custody shall include a finding that placement of
21 the child in his or her home would be contrary to the welfare of the child and a finding
22 that reasonable efforts have been made to prevent the removal of the child from the
23 home, while assuring that the health and safety of the child are the paramount

1 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.
2 applies. If the legal custodian appointed under par. (a) is a county department, the
3 court shall order the child into the placement and care responsibility of the county
4 department as required under 42 USC 672 (a) (2) and shall assign the county
5 department primary responsibility for providing services to the child. The court
6 shall make the findings specified in this paragraph on a case-by-case basis based
7 on circumstances specific to the child and shall document or reference the specific
8 information on which those findings are based in the court order. A court order that
9 merely references this paragraph without documenting or referencing that specific
10 information in the court order or an amended court order that retroactively corrects
11 an earlier court order that does not comply with this paragraph is not sufficient to
12 comply with this paragraph.

13 ***-0261/6.25*** SECTION 3719. 767.451 (7) of the statutes is amended to read:

14 767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred
15 to the department of health and family services only if that department agrees to
16 accept custody. If the court orders custody transferred to the department of health
17 and family services, the order transferring custody shall include the findings and
18 order specified in s. 767.41 (3) (am).

19 ***-1261/5.937*** ***-1261/P3.580*** SECTION 3720. 767.451 (7) of the statutes, as
20 affected by 2007 Wisconsin Act (this act), is amended to read:

21 767.451 (7) TRANSFER TO DEPARTMENT. The court may order custody transferred
22 to the department of health and family services only if that the department agrees
23 to accept custody. If the court orders custody transferred to the department of health
24 and family services, the order transferring custody shall include the findings and
25 order specified in s. 767.41 (3) (am).

****NOTE: This is reconciled s. 767.451 (7). This SECTION has been affected by drafts with the following LRB numbers: -0261 and -1261.

1 ***-1261/5.938* *-1261/P3.581* SECTION 3721.** 767.521 (intro.) of the statutes
2 is amended to read:

3 **767.521 Action by state for child support.** (intro.) The state or its delegate
4 under s. 49.22 (7) shall bring an action for support of a minor child under s. 767.001
5 (1) (f) or for paternity determination and child support under s. 767.80 if the child's
6 right to support is assigned to the state under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b)
7 2., 48.645 (3), 49.145 (2) (s), 49.19 (4) (h) 1. b., or 49.775 (2) (bm) and all of the
8 following apply:

9 ***-1261/5.939* *-1261/P3.582* SECTION 3722.** 767.55 (3) (a) 2. of the statutes
10 is amended to read:

11 767.55 (3) (a) 2. The child's right to support is assigned to the state under s.
12 ~~46.261 (3)~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b.

13 ***-1589/3.2* SECTION 3723.** 767.57 (1e) (title) of the statutes is amended to
14 read:

15 767.57 (1e) (title) RECEIVING AND DISBURSING FEE FEES.

16 ***-1589/3.3* SECTION 3724.** 767.57 (1e) (a) of the statutes is amended to read:

17 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or
18 family support payments, including payments in arrears, and for maintaining the
19 records required under ~~par. (e) sub. (1) (c)~~, the department or its designee shall collect
20 an annual fee of ~~\$35~~ \$65 from a party ordered to make payments. The court shall
21 order each party ordered to make payments to pay the fee in each year for which
22 payments are ordered or in which an arrearage in any of those payments is owed.
23 In directing the manner of payment, the court shall order that the fee be withheld

1 from income and sent to the department or its designee, as provided under s. 767.75.
2 Fees under this paragraph shall be deposited in the appropriation account under s.
3 20.445 (3) (ja). At the time of ordering payment of the fee, the court shall notify each
4 party ordered to make payments of the requirement to pay, and the amount of, the
5 fee. If the fee under this paragraph is not paid when due, the department or its
6 designee may not deduct the fee from any maintenance, child or family support, or
7 arrearage payment, but may move the court for a remedial sanction under ch. 785.

8 *~~1261/5.940~~* *~~1267/P1.403~~* SECTION 3725. 767.57 (1e) (a) of the statutes,
9 as affected by 2007 Wisconsin Act ... (this act), is amended to read:

10 767.57 (1e) (a) For receiving and disbursing maintenance, child support, or
11 family support payments, including payments in arrears, and for maintaining the
12 records required under sub. (1) (c), the department or its designee shall collect an
13 annual fee of \$65 from a party ordered to make payments. The court shall order each
14 party ordered to make payments to pay the fee in each year for which payments are
15 ordered or in which an arrearage in any of those payments is owed. In directing the
16 manner of payment, the court shall order that the fee be withheld from income and
17 sent to the department or its designee, as provided under s. 767.75. Fees under this
18 paragraph shall be deposited in the appropriation account under s. ~~20.445 (3)~~ 20.437
19 (2) (ja). At the time of ordering payment of the fee, the court shall notify each party
20 ordered to make payments of the requirement to pay, and the amount of, the fee. If
21 the fee under this paragraph is not paid when due, the department or its designee
22 may not deduct the fee from any maintenance, child or family support, or arrearage
23 payment, but may move the court for a remedial sanction under ch. 785.

****NOTE: This is reconciled s. 767.57 (1e) (a). This SECTION has been affected by
drafts with the following LRB numbers: -1261, -1589, and -1590.

1 *~~-1261/5.941~~* *~~-1267/P1.404~~* SECTION 3726. 767.57 (1e) (b) 1m. of the
2 statutes is amended to read:

3 767.57 (1e) (b) 1m. The department or its designee may collect any unpaid fees
4 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated
5 payment and collection system on December 31, 1998, and shall deposit all fees
6 collected under this subdivision in the appropriation account under s. ~~20.445 (3)~~
7 20.437 (2) (ja). The department or its designee may collect unpaid fees under this
8 subdivision through income withholding under s. 767.75 (2m). If the department or
9 its designee determines that income withholding is inapplicable, ineffective, or
10 insufficient for the collection of any unpaid fees under this subdivision, the
11 department or its designee may move the court for a remedial sanction under ch. 785.
12 The department or its designee may contract with or employ a collection agency or
13 other person for the collection of any unpaid fees under this subdivision and,
14 notwithstanding s. 20.930, may contract with or employ an attorney to appear in any
15 action in state or federal court to enforce the payment obligation. The department
16 or its designee may not deduct the amount of unpaid fees from any maintenance,
17 child or family support, or arrearage payment.

18 *~~-1589/3.4~~* SECTION 3727. 767.57 (1e) (c) of the statutes is created to read:

19 767.57 (1e) (c) The department or its designee shall collect an annual fee of \$25
20 from an individual receiving child support or family support payments. The fee shall
21 comply with all requirements under 42 USC 654 (6) (B). The department or its
22 designee may deduct the fee from maintenance, child or family support, or arrearage
23 payments. Fees collected under this paragraph shall be deposited in the
24 appropriation account under s. 20.445 (3) (ja).

1 ***-1261/5.942*** ***-1261/P3.583*** SECTION 3728. 767.57 (1m) (c) of the statutes
2 is amended to read:

3 767.57 (1m) (c) The party entitled to the support or maintenance money or a
4 minor child of the party has applied for or is receiving aid under s. 46.261 48.645 or
5 public assistance under ch. 49 and there is an assignment to the state under s. 46.261
6 48.645 (3) or 49.19 (4) (h) 1. b. of the party's right to the support or maintenance
7 money.

8 ***-1261/5.943*** ***-1261/P3.584*** SECTION 3729. 767.57 (2) of the statutes is
9 amended to read:

10 767.57 (2) PROCEDURE IF RECIPIENT ON PUBLIC ASSISTANCE. If a party entitled to
11 maintenance or support, or both, is receiving public assistance under ch. 49, the
12 party may assign the party's right to support or maintenance to the county
13 department under s. 46.215, 46.22, or 46.23 granting the assistance. The assignment
14 shall be approved by order of the court granting the maintenance or support. The
15 assignment may not be terminated if there is a delinquency in the amount to be paid
16 to the assignee of maintenance and support previously ordered without the written
17 consent of the assignee or upon notice to the assignee and a hearing. When an
18 assignment of maintenance or support, or both, has been approved by the order, the
19 assignee shall be deemed a real party in interest within s. 803.01 solely for the
20 purpose of securing payment of unpaid maintenance or support ordered to be paid,
21 by participating in proceedings to secure the payment of unpaid amounts.
22 Notwithstanding assignment under this subsection, and without further order of the
23 court, the department or its designee, upon receiving notice that a party or a minor
24 child of the parties is receiving aid under s. 46.261 48.645 or public assistance under
25 ch. 49 or that a kinship care relative or long-term kinship care relative of the minor

1 child is receiving kinship care payments or long-term kinship care payments for the
2 minor child, shall forward all support assigned under s. 46.261 (3), 48.57 (3m) (b) 2.
3 or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 46.261
4 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h) 1., or 49.45 (19).

5 ***-1261/5.944* *-1261/P3.585* SECTION 3730.** 767.57 (4) of the statutes is
6 amended to read:

7 767.57 (4) PROCEDURE FOR CERTAIN CHILD RECIPIENTS. If an order or judgment
8 providing for the support of one or more children not receiving aid under s. 46.261,
9 48.57 (3m) or (3n), 48.645, or 49.19 includes support for a minor who is the
10 beneficiary of aid under s. 46.261, 48.57 (3m) or (3n), 48.645, or 49.19, any support
11 payment made under the order or judgment is assigned to the state under s. 46.261
12 (3), 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), or 49.19 (4) (h) 1. b. in the amount that
13 is the proportionate share of the minor receiving aid under s. 46.261, 48.57 (3m) or
14 (3n), 48.645, or 49.19, except as otherwise ordered by the court on the motion of a
15 party.

16 ***-1261/5.945* *-1261/P3.586* SECTION 3731.** 767.59 (1c) (a) (intro.) of the
17 statutes is amended to read:

18 767.59 (1c) (a) (intro.) On the petition, motion, or order to show cause of either
19 of the parties, the department, a county department under s. 46.215, 46.22, or 46.23,
20 or a county child support agency under s. 59.53 (5) if an assignment has been made
21 under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3), 49.19 (4) (h), or 49.45 (19)
22 or if either party or their minor children receive aid under s. 48.57 (3m) or (3n) or
23 48.645 or ch. 49, a court may, except as provided in par. (b), do any of the following:

24 ***-1261/5.946* *-1261/P3.587* SECTION 3732.** 767.59 (1f) (b) 4. of the statutes
25 is amended to read:

1 767.59 (1f) (b) 4. A difference between the amount of child support ordered by
2 the court to be paid by the payer and the amount that the payer would have been
3 required to pay based on the percentage standard established by the department
4 under s. 49.22 (9) if the court did not use the percentage standard in determining the
5 child support payments and did not provide the information required under s. 46.10
6 (14) (d), 49.345 (14) (d), 301.12 (14) (d), or 767.511 (1n), whichever is appropriate.

7 *-1261/5.947* *-1261/P3.588* SECTION 3733. 767.59 (2) (c) of the statutes is
8 amended to read:

9 767.59 (2) (c) If the court revises a judgment or order providing for child support
10 that was entered under s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4),
11 938.355 (2) (b) 4., 938.357 (5m) (a) or 938.363 (2), the court shall determine child
12 support in the manner provided in s. ~~46.10~~ 49.345 (14) or 301.12 (14), whichever is
13 applicable.

14 *-1261/5.948* *-1261/P3.589* SECTION 3734. 767.59 (2s) of the statutes is
15 amended to read:

16 767.59 (2s) STIPULATION FOR REVISION OF SUPPORT. In an action under sub. (1c),
17 the court may not approve a stipulation for the revision of a judgment or order with
18 respect to an amount of child support or family support unless the stipulation
19 provides for payment of an amount of child support or family support that is
20 determined in the manner required under s. 46.10 (14), 49.345 (14), 301.12 (14),
21 767.511, 767.805 (4), or 767.89, whichever is appropriate.

22 *-1261/5.949* *-1261/P3.590* SECTION 3735. 767.87 (2m) of the statutes is
23 amended to read:

24 767.87 (2m) ADMISSIBILITY OF CERTAIN MEDICAL AND GENETIC INFORMATION.
25 Medical and genetic information filed with the department of health and family

1 services or the court under s. 48.425 (1) (am) or (2) is not admissible to prove the
2 paternity of the child.

3 ***-1261/5.950* *-1261/P3.591* SECTION 3736.** 767.87 (6) (a) of the statutes is
4 amended to read:

5 767.87 (6) (a) Whenever the state brings the action to determine paternity
6 pursuant to an assignment under s. ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., 48.645 (3),
7 49.19 (4) (h) 1., or 49.45 (19), or receipt of benefits under s. 49.148, 49.155, 49.157,
8 or 49.159, the natural mother of the child may not be compelled to testify about the
9 paternity of the child if it has been determined that the mother has good cause for
10 refusing to cooperate in establishing paternity as provided in 42 USC 602 (a) (26) (B)
11 and the federal regulations promulgated pursuant to this statute, as of July 1, 1981,
12 and pursuant to any rules promulgated by the department which define good cause
13 in accordance with the federal regulations, as authorized by 42 USC 602 (a) (26) (B)
14 in effect on July 1, 1981.

15 ***-1261/5.951* *-1261/P3.592* SECTION 3737.** 769.201 (7) of the statutes is
16 amended to read:

17 769.201 (7) The individual asserted parentage in a declaration of paternal
18 interest filed with the department of ~~health and family services~~ children and families
19 under s. 48.025 or in a statement acknowledging paternity filed with the state
20 registrar under s. 69.15 (3) (b) 1. or 3.

21 ***-1261/5.952* *-1267/P1.405* SECTION 3738.** 769.31 (1) of the statutes is
22 amended to read:

23 769.31 (1) The department of ~~workforce development~~ children and families is
24 the state information agency under this chapter.

25 ***-0392/1.10* SECTION 3739.** 800.02 (2) (b) of the statutes is amended to read:

1 800.02 (2) (b) Except for parking violations, in traffic regulation actions in
2 municipal court, the uniform traffic citation specified in s. 345.11 shall be used in lieu
3 of the citation form specified in par. (a). In actions for violations of local ordinances
4 enacted in accordance with s. 23.33 (11) (am) or 30.77, the citation form specified in
5 s. 23.54 shall be used in lieu of the citation form specified in par. (a).

6 *~~0011/3.145~~* SECTION 3740. 800.09 (1) (c) of the statutes is amended to read:

7 800.09 (1) (c) The court may suspend the defendant's operating privilege, as
8 defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments
9 and costs are paid, if the defendant has not done so within 60 days after the date the
10 restitution or payments or both are to be made under par. (a) and has not notified the
11 court that he or she is unable to comply with the judgment, as provided under s.
12 800.095 (4) (a), except that the suspension period may not exceed 2 years. The court
13 shall may take possession of the suspended license ~~and shall~~. If the court takes
14 possession of a license, it shall destroy the license. The court shall forward the
15 license, along with a notice of the suspension clearly stating that the suspension is
16 for failure to comply with a judgment of the court, to the department of
17 transportation. This paragraph does not apply if the forfeiture is assessed for
18 violation of an ordinance that is unrelated to the violator's operation of a motor
19 vehicle.

20 *~~0444/P2.19~~* SECTION 3741. 801.02 (1) of the statutes is amended to read:

21 801.02 (1) ~~A~~ Except as provided in s. 20.931 (5) (b), a civil action in which a
22 personal judgment is sought is commenced as to any defendant when a summons and
23 a complaint naming the person as defendant are filed with the court, provided service
24 of an authenticated copy of the summons and of the complaint is made upon the
25 defendant under this chapter within 90 days after filing.

1 *-1537/4.7* SECTION 3742. 803.03 (2) (c) of the statutes is amended to read:

2 803.03 (2) (c) *Scheduling and pretrial conferences.* At the scheduling
3 conference and pretrial conference, the judge to whom the case has been assigned
4 shall inquire concerning the existence of and joinder of persons with subrogated,
5 derivative or assigned rights and shall make such orders as are necessary to
6 effectuate the purposes of this section. If the case is an action to recover damages
7 based on alleged criminally injurious conduct, the court shall inquire to see if an
8 award has been made under subch. I of ch. 949 and if the department of justice is
9 subrogated to the cause of action under s. 949.15.

10 *-0444/P2.20* SECTION 3743. 803.09 (1) and (2) of the statutes are amended
11 to read:

12 803.09 (1) Upon Except as provided in s. 20.931, upon timely motion anyone
13 shall be permitted to intervene in an action when the movant claims an interest
14 relating to the property or transaction which is the subject of the action and the
15 movant is so situated that the disposition of the action may as a practical matter
16 impair or impede the movant's ability to protect that interest, unless the movant's
17 interest is adequately represented by existing parties.

18 (2) Upon Except as provided in s. 20.931, upon timely motion anyone may be
19 permitted to intervene in an action when a movant's claim or defense and the main
20 action have a question of law or fact in common. When a party to an action relies for
21 ground of claim or defense upon any statute or executive order or rule administered
22 by a federal or state governmental officer or agency or upon any regulation, order,
23 rule, requirement or agreement issued or made pursuant to the statute or executive
24 order, the officer or agency upon timely motion may be permitted to intervene in the

1 action. In exercising its discretion the court shall consider whether the intervention
2 will unduly delay or prejudice the adjudication of the rights of the original parties.

3 ***-0444/P2.21* SECTION 3744.** 804.01 (2) (intro.) of the statutes is amended to
4 read:

5 804.01 (2) SCOPE OF DISCOVERY. (intro.) Unless Except as provided in s. 20.931
6 (9), and unless otherwise limited by order of the court in accordance with the
7 provisions of this chapter, the scope of discovery is as follows:

8 ***-0444/P2.22* SECTION 3745.** 805.04 (1) of the statutes is amended to read:

9 805.04 (1) BY PLAINTIFF, BY STIPULATION. An Except as provided in sub. (2m), an
10 action may be dismissed by the plaintiff without order of court by serving and filing
11 a notice of dismissal at any time before service by an adverse party of responsive
12 pleading or motion or by the filing of a stipulation of dismissal signed by all parties
13 who have appeared in the action. Unless otherwise stated in the notice of dismissal
14 or stipulation, the dismissal is not on the merits, except that a notice of dismissal
15 operates as an adjudication on the merits when filed by a plaintiff who has once
16 dismissed in any court an action based on or including the same claim.

17 ***-0444/P2.23* SECTION 3746.** 805.04 (2m) of the statutes is created to read:

18 805.04 (2m) FALSE CLAIMS. An action filed under s. 20.931 may be dismissed
19 only by order of the court. In determining whether to dismiss the action filed under
20 s. 20.931, the court shall take into account the best interests of the parties and the
21 purposes of s. 20.931.

22 ***-1537/4.8* SECTION 3747.** 806.025 (2) (am) of the statutes is amended to read:

23 806.025 (2) (am) If money remains after the payment of all unpaid orders and
24 judgments under par. (a), order reimbursement to the department of justice for an

1 award made under subch. I of ch. 949 for which the department is subrogated under
2 s. 949.15.

3 ***-1261/5.953* *-1261/P3.593* SECTION 3748.** 809.105 (13) of the statutes is
4 amended to read:

5 809.105 (13) CERTAIN PERSONS BARRED FROM PROCEEDINGS. No parent, or
6 guardian or legal custodian, if one has been appointed, or foster parent or treatment
7 foster parent, if the minor has been placed in a foster home or treatment foster home,
8 and the minor's parent has signed a waiver granting the department of health and
9 family services children and families, a county department under s. 46.215, 46.22,
10 or 46.23, the foster parent or the treatment foster parent the authority to consent to
11 medical services or treatment on behalf of the minor, or adult family member, as
12 defined in s. 48.375 (2) (b), of any minor who has initiated an appeal under this
13 section may attend or intervene in any proceeding under this section.

14 ***-0459/2.25* SECTION 3749.** 809.30 (2) (d) of the statutes is amended to read:

15 809.30 (2) (d) *Indigency redetermination.* Except as provided in this
16 paragraph, whenever a person whose trial counsel is appointed by the state public
17 defender files a notice under par. (b) requesting public defender representation for
18 purposes of postconviction or postdisposition relief, the prosecutor may, within 5
19 days after the notice is served and filed, file in the circuit court and serve upon the
20 state public defender a request that the person's indigency be redetermined before
21 counsel is appointed or transcripts are requested. This paragraph does not apply to
22 a child or juvenile person who is entitled to be represented by counsel under s. 48.23,
23 51.60 (1), 55.105, or 938.23.

24 ***-1261/5.954* *-1261/P3.594* SECTION 3750.** 813.12 (5) (b) of the statutes is
25 amended to read:

1 813.12 (5) (b) The clerk of circuit court shall provide the simplified forms
2 provided under s. 46.95 49.165 (3) (c) to help a person file a petition.

3 ***-1261/5.955*** ***-1261/P3.595*** SECTION 3751. 813.122 (6) (b) of the statutes
4 is amended to read:

5 813.122 (6) (b) Upon request, the clerk of circuit court shall provide, without
6 cost, the simplified forms obtained under s. 46.03 48.47 (7) (d) to a petitioner.

7 ***-1575/1.5*** ***-2195/1.6*** SECTION 3752. 814.245 (2) (d) of the statutes is
8 amended to read:

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

11 ***-0905/3.86*** SECTION 3753. 814.61 (13) of the statutes is amended to read:

12 814.61 (13) SUPPORT OR MAINTENANCE PETITION. For the cost of court services,
13 whenever a person not receiving benefits under s. 49.148 or 49.155 or aid under s.
14 49.19, 49.46, 49.465, 49.468 ~~or~~, 49.47, or 49.471 files a petition requesting child
15 support, maintenance or family support payments, \$10 in addition to any other fee
16 required under this section. This subsection does not apply to a petition filed by the
17 state or its delegate.

18 ***-0459/2.26*** SECTION 3754. 814.69 (1) (a) of the statutes is amended to read:

19 814.69 (1) (a) For a transcript under SCR 71.04, a fee at the rate of \$1.50 per
20 25-line page for the original and 50 cents per 25-line page for the duplicate. Except
21 as provided in s. 967.06 (3), the fee shall be paid by the county treasurer upon the
22 certificate of the clerk of court.

23 ***-1261/5.956*** ***-1261/P3.596*** SECTION 3755. 814.75 (22m) of the statutes is
24 amended to read:

SECTION 3755

1 814.75 (22m) The supplemental food enforcement surcharge under s. 253.06
2 49.17 (4) (c).

3 *-1261/5.957* *-1261/P3.597* SECTION 3756. 814.76 (15m) of the statutes is
4 amended to read:

5 814.76 (15m) The supplemental food enforcement surcharge under s. 253.06
6 49.17 (4) (c).

7 *-1261/5.958* *-1261/P3.598* SECTION 3757. 814.80 (11) of the statutes is
8 amended to read:

9 814.80 (11) The supplemental food enforcement surcharge under s. 253.06
10 49.17 (4) (c).

11 *-1261/5.959* *-1261/P3.599* SECTION 3758. 859.07 (2) (a) (intro.) of the
12 statutes is amended to read:

13 859.07 (2) (a) (intro.) The personal representative shall provide notice of the
14 date set under s. 859.01 to the department of health and family services, the
15 department of children and families, or the department of corrections, as applicable,
16 and to the county clerk of the decedent's county of residence, as defined in s. 49.001
17 (6) if, at any time prior to or at the time of the decedent's death, any of the following
18 applied:

19 *-1261/5.960* *-1261/P3.600* SECTION 3759. 859.07 (2) (a) 2. of the statutes
20 is amended to read:

21 859.07 (2) (a) 2. The decedent was responsible for any obligation owing to the
22 state or a county under s. 46.03 (18), 46.10, 48.36, 49.32 (1), 49.345, 301.03 (18),
23 301.12, or 938.36.

24 *-1261/5.961* *-1261/P3.601* SECTION 3760. 859.15 of the statutes is
25 amended to read:

1 **859.15 Effect of statute of limitations.** Except as provided in ss. 46.10 (11),
2 49.08 and, 49.195 (1), 49.345 (11), and 301.12 (11), a claim shall not be allowed which
3 that was barred by any statute of limitations at the time of the decedent's death. A
4 claim shall not be barred by statutes of limitation which that was not barred at the
5 time of the decedent's death if the claim is filed against the decedent's estate in the
6 court on or before the deadline for filing a claim under s. 859.01.

7 ***-1261/5.962*** ***-1267/P1.406*** **SECTION 3761.** 885.01 (5) of the statutes is
8 amended to read:

9 885.01 (5) By the department of workforce development children and families
10 or a county child support agency under s. 59.53 (5) in the administration of ss. 49.145,
11 49.19, 49.22, 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011
12 to 2029.

13 ***-0905/3.87*** **SECTION 3762.** 885.01 (5) of the statutes, as affected by 2007
14 Wisconsin Act (this act), is amended to read:

15 885.01 (5) By the department of children and families or a county child support
16 agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 and,
17 49.47, and 49.471 and programs carrying out the purposes of 7 USC 2011 to 2029.

****NOTE: This is reconciled s. 885.01 (5). This SECTION has been affected by drafts
with the following LRB numbers: LRB-0905 and LRB-1261.

18 ***-0111/3.1*** **SECTION 3763.** 885.38 (3) (a) (intro.) of the statutes is amended to
19 read:

20 885.38 (3) (a) (intro.) ~~In criminal proceedings and in proceedings under ch. 48,~~
21 ~~51, 55, or 938, if~~ If the court determines that the person has limited English
22 proficiency and that an interpreter is necessary, the court shall advise the person
23 that he or she has the right to a qualified interpreter ~~and that, if the person cannot~~

1 afford one, an interpreter will be provided at the public's expense if the person is one
2 of the following:

3 ***-0111/3.2* SECTION 3764.** 885.38 (8) (a) (intro.) of the statutes is amended to
4 read:

5 885.38 (8) (a) (intro.) Except as provided in par. (b), the necessary expenses of
6 providing qualified interpreters to indigent persons with limited English proficiency
7 under this section shall be paid as follows:

8 ***-0444/P2.24* SECTION 3765.** 893.981 of the statutes is created to read:

9 **893.981 False claims.** An action or claim under s. 20.931 shall be commenced
10 within 10 years after the cause of the action or claim accrues or be barred.

11 ***-1261/5.963* *-1261/P3.602* SECTION 3766.** 895.45 (1) (a) of the statutes is
12 amended to read:

13 895.45 (1) (a) "Abusive conduct" means domestic abuse, as defined under s.
14 ~~46.95~~ 49.165 (1) (a), 813.12 (1) (am), or 968.075 (1) (a), harassment, as defined under
15 s. 813.125 (1), sexual exploitation by a therapist under s. 940.22, sexual assault
16 under s. 940.225, child abuse, as defined under s. 813.122 (1) (a), or child abuse under
17 ss. 948.02 to 948.11.

18 ***-1261/5.964* *-1267/P1.407* SECTION 3767.** 895.4803 of the statutes is
19 amended to read:

20 **895.4803 Civil liability exemption; information concerning paternity.**

21 Any member of the staff of a hospital who is designated by the hospital and trained
22 by the department of workforce development children and families under s. 69.14 (1)
23 (cm) and who in good faith provides to a child's available parents written information
24 that is provided by the department of workforce development children and families
25 and oral information or an audio or video presentation about the form that is

1 prescribed by the state registrar under s. 69.15 (3) (b) 3. and about the significance
2 and benefits of, and alternatives to, establishing paternity, under the requirements
3 of s. 69.14 (1) (cm), is immune from civil liability for his or her acts or omissions in
4 providing that oral information or audio or video presentation and written
5 information.

6 ***-1261/5.965* *-1261/P3.603* SECTION 3768.** 895.485 (4) (a) of the statutes
7 is amended to read:

8 895.485 (4) (a) The agency has failed to provide the foster, treatment foster, or
9 family-operated group home parent with any information relating to a medical,
10 physical, mental, or emotional condition of the child that it is required to disclose
11 under this paragraph. The department of ~~health and family services~~ children and
12 families shall promulgate rules specifying the kind of information that an agency
13 shall disclose to a foster, treatment foster, or family-operated group home parent
14 which relates to a medical, physical, mental, or emotional condition of the child.

15 ***-1261/5.966* *-1267/P1.408* SECTION 3769.** 905.15 (1) of the statutes is
16 amended to read:

17 905.15 (1) An employee of the department of health and family services, the
18 department of ~~workforce development~~ children and families or a county department
19 under s. 46.215, 46.22 or 46.23 or a member of a governing body of a federally
20 recognized American Indian tribe who is authorized by federal law to have access to
21 or awareness of the federal tax return information of another in the performance of
22 duties under s. 49.19 or 49.45 or 7 USC 2011 to 2049 may claim privilege to refuse
23 to disclose the information and the source or method by which he or she received or
24 otherwise became aware of the information.

1 *-1261/5.967* *-1261/P3.604* SECTION 3770. 938.02 (6) of the statutes is
2 amended to read:

3 938.02 (6) "Foster home" means any facility that is operated by a person
4 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
5 no more than 4 juveniles or, if necessary to enable a sibling group to remain together,
6 for no more than 6 juveniles or, if the department of health and family services
7 children and families promulgates rules permitting a different number of juveniles,
8 for the number of juveniles permitted under those rules.

9 *-1261/5.968* *-1261/P3.605* SECTION 3771. 938.02 (7) of the statutes is
10 amended to read:

11 938.02 (7) "Group home" means any facility operated by a person required to
12 be licensed by the department of health and family services children and families
13 under s. 48.625 for the care and maintenance of 5 to 8 juveniles.

14 *-1261/5.969* *-1261/P3.606* SECTION 3772. 938.02 (17) of the statutes is
15 amended to read:

16 938.02 (17) "Shelter care facility" means a nonsecure place of temporary care
17 and physical custody for juveniles, including a holdover room, licensed by the
18 department of health and family services children and families under s. 48.66 (1) (a).

19 *-1261/5.970* *-1261/P3.607* SECTION 3773. 938.06 (1) (b) of the statutes is
20 amended to read:

21 938.06 (1) (b) Notwithstanding par. (a), the county board of supervisors may
22 make changes in the administration of services to the children's court center in order
23 to qualify for the maximum amount of federal and state aid as provided in sub. (4)
24 and s. ss. 46.495 and 48.569.

1 ***-1261/5.971* *-1261/P3.608* SECTION 3774.** 938.06 (4) of the statutes is
2 amended to read:

3 938.06 (4) STATE AID. State aid to any county for juvenile delinquency-related
4 court services under this section shall be at the same net effective rate that each
5 county is reimbursed for county administration under s. 46.495 48.569, except as
6 provided in s. 301.26. Counties having a population of less than 500,000 may use
7 funds received under ss. 46.495 48.569 (1) (d) and 301.26, including county or federal
8 revenue sharing funds allocated to match funds received under s. 46.495 48.569 (1)
9 (d), for the cost of providing court attached intake services in amounts not to exceed
10 50% of the cost of providing court attached intake services or \$30,000 per county per
11 calendar year, whichever is less.

12 ***-0011/3.146* SECTION 3775.** 938.17 (2) (d) 2. of the statutes is amended to
13 read:

14 938.17 (2) (d) 2. If a court suspends a license or privilege under subd. 1., the
15 court shall immediately take possession of the applicable license and forward it if
16 issued under ch. 29 or, if the license is issued under ch. 343, the court may take
17 possession of, and if possession is taken, shall destroy, the license. The court shall
18 forward to the department that issued the license, ~~together with~~ the notice of
19 suspension stating that the suspension is for failure to pay a forfeiture imposed by
20 the court, together with any license issued under ch. 29 of which the court takes
21 possession. If the forfeiture is paid during the period of suspension, the court shall
22 immediately notify the department, which shall then, if the license is issued under
23 ch. 29, return the license to the person.

24 ***-0261/6.26* SECTION 3776.** 938.21 (5) (b) 1. of the statutes is renumbered
25 938.21 (5) (b) 1. a. and amended to read:

1 938.21 (5) (b) 1. a. A finding that continued placement of the juvenile in his or
2 her home would be contrary to the welfare of the juvenile. Unless the court finds that
3 any of the circumstances specified in s. 938.355 (2d) (b) 1. to 4. applies, the order shall
4 in addition include a

5 b. A finding as to whether the person who took the juvenile into custody and
6 the intake worker have made reasonable efforts to prevent the removal of the
7 juvenile from the home, while assuring that the juvenile's health and safety are the
8 paramount concerns, and a- unless the court finds that any of the circumstances
9 specified in s. 938.355 (2d) (b) 1. to 4. applies.

10 c. A finding as to whether the person who took the juvenile into custody and
11 the intake worker have made reasonable efforts to make it possible for the juvenile
12 to return safely home.

13 1m. If for good cause shown sufficient information is not available for the court
14 to make a finding as to whether those reasonable efforts were made to prevent the
15 removal of the juvenile from the home, the order shall include while assuring that
16 the juvenile's health and safety are the paramount concerns, a finding as to whether
17 those reasonable efforts were made to make it possible for the juvenile to return
18 safely home and an order for the county department or agency primarily responsible
19 for providing services to the juvenile under the custody order to file with the court
20 sufficient information for the court to make a finding as to whether those reasonable
21 efforts were made to prevent the removal of the juvenile from the home by no later
22 than 5 days, excluding Saturdays, Sundays, and legal holidays, after the date of on
23 which the order is granted.

24 ***-0261/6.27* SECTION 3777.** 938.21 (5) (b) 1. d. of the statutes is created to
25 read:

1 938.21 (5) (b) 1. d. If the juvenile is under the supervision of the county
2 department, an order ordering the juvenile into the placement and care
3 responsibility of the county department as required under 42 USC 672 (a) (2) and
4 assigning the county department primary responsibility for providing services to the
5 juvenile.

6 ***-0261/6.28*** SECTION 3778. 938.21 (5) (c) of the statutes is amended to read:

7 938.21 (5) (c) The court shall make the findings specified in par. (b) 1., 1m., and
8 3. on a case-by-case basis based on circumstances specific to the juvenile and shall
9 document or reference the specific information on which those findings are based in
10 the custody order. A custody order that merely references par. (b) 1., 1m., or 3.
11 without documenting or referencing that specific information in the custody order
12 or an amended custody order that retroactively corrects an earlier custody order that
13 does not comply with this paragraph is not sufficient to comply with this paragraph.

14 ***-1261/5.972*** ***-1261/P3.609*** SECTION 3779. 938.22 (1) (a) of the statutes is
15 amended to read:

16 938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of a
17 county may establish a juvenile detention facility in accordance with ss. 301.36 and
18 301.37 or the county boards of supervisors for 2 or more counties may jointly
19 establish a juvenile detention facility in accordance with ss. 46.20, 301.36, and
20 301.37. The county board of supervisors of a county may establish a shelter care
21 facility in accordance with ss. ~~46.16 and 46.17~~ 48.576 and 48.578 or the county boards
22 of supervisors for 2 or more counties may jointly establish a shelter care facility in
23 accordance with ss. ~~46.16, 46.17, and 46.20~~, 48.576, and 48.578. A private entity may
24 establish a juvenile detention facility in accordance with ss. 301.36 and 301.37 and

1 contract with one or more county boards of supervisors under s. 938.222 to hold
2 juveniles in the private juvenile detention facility.

3 ***-1261/5.973* *-1261/P3.610* SECTION 3780.** 938.22 (2) (a) of the statutes is
4 amended to read:

5 938.22 (2) (a) Counties shall submit plans for a juvenile detention facility or
6 juvenile portion of the county jail to the department of corrections and submit plans
7 for a shelter care facility to the department of ~~health and family services~~ children and
8 families. A private entity that proposes to establish a juvenile detention facility shall
9 submit plans for the facility to the department of corrections. The applicable
10 department shall review the submitted plans. A county or a private entity may not
11 implement a plan unless the applicable department has approved the plan. The
12 department of corrections shall promulgate rules establishing minimum
13 requirements for the approval and operation of juvenile detention facilities and the
14 juvenile portion of county jails. The plans and rules shall be designed to protect the
15 health, safety, and welfare of the juveniles placed in those facilities.

16 ***-1261/5.974* *-1261/P3.611* SECTION 3781.** 938.22 (7) (a) of the statutes is
17 amended to read:

18 938.22 (7) (a) No person may establish a shelter care facility without first
19 obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to
20 operate a shelter care facility, a person must meet the minimum requirements for a
21 license established by the department of ~~health and family services~~ children and
22 families under s. 48.67, meet the requirements specified in s. 48.685, and pay the
23 license fee under par. (b). A license issued under s. 48.66 (1) (a) to operate a shelter
24 care facility is valid until revoked or suspended, but shall be reviewed every 2 years
25 as provided in s. 48.66 (5).