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1 **440.05 Standard fees.** (intro.) The following standard fees apply to all initial
2 credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 444.03, 444.11,
3 446.02 (2) (c), 447.04 (2) (c) 2., ~~449.17 (1m) (d), and 449.18 (2) (d), and 450.071 (3):~~

4 **SECTION 3465p.** 440.08 (2) (a) 28. of the statutes is repealed.

5 **SECTION 3465q.** 440.08 (2) (a) 72. of the statutes is created to read:

6 440.08 (2) (a) 72. Wholesale distributor of prescription drugs: June 1 of each
7 even-numbered year; \$300, except that before June 1, 2010, the amount of the
8 renewal fee is \$350.

9 **SECTION 3468.** 440.13 (1) (b) of the statutes is amended to read:

10 440.13 (1) (b) "Memorandum of understanding" means a memorandum of
11 understanding entered into by the department of regulation and licensing and the
12 department of ~~workforce development~~ children and families under s. 49.857.

13 **SECTION 3469.** 440.13 (2) (a) of the statutes is amended to read:

14 440.13 (2) (a) With respect to a credential granted by the department, the
15 department shall restrict, limit or suspend a credential or deny an application for an
16 initial credential or for reinstatement of an inactive license under s. 452.12 (6) (e) if
17 the credential holder or applicant is delinquent in paying support or fails to comply,
18 after appropriate notice, with a subpoena or warrant issued by the department of
19 ~~workforce development~~ children and families or a county child support agency under
20 s. 59.53 (5) and related to support or paternity proceedings.

21 **SECTION 3470.** 440.13 (2) (b) of the statutes is amended to read:

22 440.13 (2) (b) With respect to credential renewal, the department shall deny
23 an application for renewal if the applicant is delinquent in paying support or fails to
24 comply, after appropriate notice, with a subpoena or warrant issued by the

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1 department of ~~workforce development~~ children and families or a county child
2 support agency under s. 59.53 (5) and related to support or paternity proceedings.

3 **SECTION 3478.** 440.43 (5) of the statutes is amended to read:

4 440.43 (5) DEPARTMENT DISCLOSURE. The department shall not disclose
5 information under sub. (4) (c) 1. except to the extent necessary for investigative or
6 law enforcement purposes and except that the department may, if requested under
7 s. 49.22 (2m), disclose information regarding the name, address or employer of or
8 financial information related to an individual to the department of ~~workforce~~
9 development children and families or a county child support agency under s. 59.53
10 (5).

11 **SECTION 3480.** 440.44 (10) of the statutes is amended to read:

12 440.44 (10) NONDISCLOSURE. The department may not disclose information
13 under sub. (9) (a) 1. to any person except to the extent necessary for investigative or
14 law enforcement purposes and except that the department may, if requested under
15 s. 49.22 (2m), disclose information regarding the name, address or employer of or
16 financial information related to an individual to the department of ~~workforce~~
17 development children and families or a county child support agency under s. 59.53
18 (5).

19 **SECTION 3492.** 440.92 (6) (d) of the statutes is amended to read:

20 440.92 (6) (d) All records described under pars. (b) 2. and (c) and maintained
21 by the board are confidential and are not available for inspection or copying under
22 s. 19.35 (1). This paragraph does not apply to any information regarding the name,
23 address or employer of or financial information related to an individual that is
24 requested under s. 49.22 (2m) by the department of ~~workforce development~~ children
25 and families or a county child support agency under s. 59.53 (5).

1 **SECTION 3503.** 441.15 (3) (b) of the statutes is amended to read:

2 441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08

3 (2) (a), a person issued a license under par. (a) and practicing nurse-midwifery shall

4 submit to the board on furnished forms a statement giving his or her name,

5 residence, and other information that the board requires by rule, with the applicable

6 renewal fee specified under s. 440.08 (2) (a). If applicable, the person shall also

7 submit evidence satisfactory to the board that he or she has in effect the malpractice

8 liability insurance required under the rules promulgated under sub. (5) (bm). The

9 board shall grant to a person who pays the fee specified under s. 440.08 (2) (a) for

10 renewal of a license to practice nurse-midwifery and who satisfies the requirements

11 of this paragraph the renewal of his or her license to practice nurse-midwifery and

12 the renewal of his or her license to practice as a registered nurse.

13 **SECTION 3526.** 449.17 (8) of the statutes is amended to read:

14 449.17 (8) REIMBURSEMENT PROHIBITED. No optometrist may be reimbursed

15 under s. 49.46 (2) (a) 3. or 49.471 (11) for any increase in charges or separate charge

16 which is attributable to the use of topical ocular diagnostic pharmaceutical agents.

17 **SECTION 3526a.** 450.01 (1p) of the statutes is created to read:

18 450.01 (1p) "Affiliated group" has the meaning given in section 1504 of the

19 Internal Revenue Code.

20 **SECTION 3526b.** 450.01 (1t) of the statutes is created to read:

21 450.01 (1t) "Authenticate" means to affirmatively verify, before wholesale

22 distribution of a prescription drug occurs, that each transaction listed on a pedigree

23 has occurred.

24 **SECTION 3626c.** 450.01 (1x) of the statutes is created to read:

1 450.01 (1x) "Authorized distributor of record" means a wholesale distributor
2 with whom a manufacturer has established an ongoing relationship to distribute the
3 manufacturer's prescription drug. For purposes of this subsection, an ongoing
4 relationship exists between a wholesale distributor and a manufacturer if all of the
5 following apply:

6 (a) The wholesale distributor, including any affiliated group of the wholesale
7 distributor, has in effect a written agreement with the manufacturer evidencing the
8 ongoing relationship.

9 (b) The wholesale distributor, including any affiliated group of the wholesale
10 distributor, is included in the manufacturer's current list of authorized distributors
11 of record.

12 **SECTION 3626d.** 450.01 (2m) of the statutes is created to read:

13 450.01 (2m) "Colicensed" means, with respect to a partner or product, that 2
14 or more parties have the right to engage in marketing or manufacturing of a product
15 consistent with the federal food and drug administration's implementation of the
16 federal prescription drug marketing act.

17 **SECTION 3526e.** 450.01 (9m) of the statutes is created to read:

18 450.01 (9m) "Drop shipment" means a sale of a prescription drug to a wholesale
19 distributor by the manufacturer of the drug, by the manufacturer's colicensed
20 product partner, by the manufacturer's 3rd party logistics provider, or by the
21 manufacturer's exclusive distributor, to which all of the following apply:

22 (a) The wholesale distributor or chain pharmacy warehouse takes title to, but
23 not physical possession of, the drug.

24 (b) The wholesale distributor invoices a pharmacy, a chain pharmacy
25 warehouse, or a person authorized to dispense or administer the drug to a patient.

1 (c) The pharmacy, chain pharmacy warehouse, or person authorized to
2 dispense or administer the drug receives delivery of the drug directly from the
3 manufacturer, the manufacturer's 3rd party logistics provider, or the manufacturer's
4 exclusive distributor.

5 **SECTION 3526f.** 450.01 (11m) of the statutes is created to read:

6 450.01 (11m) "Facility" means a location where a wholesale distributor stores,
7 handles, repackages, or offers for sale prescription drugs.

8 **SECTION 3526g.** 450.01 (11r) of the statutes is created to read:

9 450.01 (11r) "Intracompany sales" means any transaction or transfer between
10 any division, subsidiary, parent, or affiliated or related company under common
11 ownership and control of a corporate entity or any transaction or transfer between
12 colicensees of a colicensed product.

13 **SECTION 3526h.** 450.01 (12) of the statutes is amended to read:

14 450.01 (12) "Manufacturer" means a person licensed by the board under s.
15 450.07 (1) or approved by the federal food and drug administration to engage in the
16 manufacture of drugs or devices, consistent with the definition of "manufacturer"
17 under the federal food and drug administration's regulations and interpreted
18 guidances implementing the federal prescription drug marketing act.

19 **SECTION 3526i.** 450.01 (12m) of the statutes is created to read:

20 450.01 (12m) "Manufacturer's exclusive distributor" means a person that
21 contracts with a manufacturer to provide or coordinate warehousing, distribution,
22 or other services on behalf of the manufacturer and who takes title to the
23 manufacturer's prescription drug but who does not have general responsibility to
24 direct the sale or disposition of the drug.

25 **SECTION 3526j.** 450.01 (13r) of the statutes is created to read:

1 450.01 (13r) (a) “Normal distribution channel” means a chain of custody for a
2 prescription drug that runs, directly or by drop shipment, from the manufacturer of
3 a drug, from the manufacturer to the manufacturer’s colicensed partner, from the
4 manufacturer to the manufacturer’s 3rd-party logistics provider, or from the
5 manufacturer to the manufacturer’s exclusive distributor, and continues as
6 described in any of the following:

7 1. To a pharmacy or to a person authorized to dispense or administer a drug to
8 a patient.

9 2. To an authorized distributor of record, and then to a pharmacy or to a person
10 authorized to dispense or administer a drug to a patient.

11 3. To an authorized distributor of record, then to one other authorized
12 distributor of record, then to an office-based practitioner.

13 (b) For purposes of this subsection, a distribution of a prescription drug to a
14 warehouse or to another entity that redistributes the drug by intracompany sale to
15 a pharmacy or to another person authorized to dispense or administer the drug
16 constitutes a distribution to the pharmacy or to the person authorized to dispense or
17 administer the drug.

18 **SECTION 3526k.** 450.01 (14m) of the statutes is created to read:

19 450.01 (14m) “Pedigree” means a document or electronic file containing
20 information that records each distribution of a prescription drug.

21 **SECTION 3526L.** 450.01 (21e) of the statutes is created to read:

22 450.01 (21e) “Repackage” means to repack or otherwise change the container,
23 wrapper, or label of a prescription drug, except that “repackage” does not include any
24 of the following:

1 (a) An action by a pharmacist with respect to a prescription drug that the
2 pharmacist is dispensing.

3 (b) An action by a pharmacist who receives a prescription drug or device that
4 the pharmacist dispensed to a patient, if, after altering the packaging or labeling of
5 the prescription drug or device, the pharmacist returns the prescription drug or
6 device to the patient.

7 **SECTION 3526m.** 450.01 (21m) of the statutes is created to read:

8 450.01 (21m) "Repackager" means a person that repackages.

9 **SECTION 3526n.** 450.01 (21s) of the statutes is created to read:

10 450.01 (21s) "Third party logistics provider" means a person that contracts
11 with a prescription drug manufacturer to provide or coordinate warehousing,
12 distribution, or other services on behalf of the manufacturer but that does not take
13 title to the manufacturer's prescription drug or have general responsibility to direct
14 the prescription drug's sale or disposition.

15 **SECTION 3526o.** 450.01 (23) of the statutes is created to read:

16 450.01 (23) "Wholesale distribution" means distribution of a prescription drug
17 to a person other than a consumer or patient, but does not include any of the
18 following:

19 (a) Intracompany sales of prescription drugs.

20 (b) The sale, purchase, distribution, trade, or transfer of a prescription drug or
21 offer to sell, purchase, distribute, trade, or transfer a prescription drug for emergency
22 medical reasons.

23 (c) The distribution of prescription drug samples, if the distribution is
24 permitted under 21 CFR 353 (d).

1 (d) Drug returns, when conducted by a hospital, health care entity, or
2 charitable institution as provided in 21 CFR 203.23.

3 (e) The sale of minimal quantities, as defined by the board in an administrative
4 rule, of prescription drugs by retail pharmacies to licensed practitioners for office
5 use.

6 (f) The sale, purchase, or trade of a drug, an offer to sell, purchase, or trade a
7 drug, or the dispensing of a drug pursuant to a prescription.

8 (g) The sale, transfer, merger, or consolidation of all or part of the business of
9 a pharmacy from or with another pharmacy, whether accomplished as a purchase
10 and sale of stock or business assets.

11 (h) The sale, purchase, distribution, trade, or transfer of a prescription drug
12 from one authorized distributor of record to one additional authorized distributor of
13 record, if the manufacturer states in writing to the receiving authorized distributor
14 of record that the manufacturer is unable to supply the drug and the supplying
15 authorized distributor of record states in writing that the drug has previously been
16 exclusively in the normal distribution channel.

17 (i) The delivery of, or offer to deliver, a prescription drug by a common carrier
18 solely in the common carrier's usual course of business of transporting prescription
19 drugs, if the common carrier does not store, warehouse, or take legal ownership of
20 the drug.

21 (j) A transaction excluded from the definition of "wholesale distribution" under
22 21 CFR 203.3 (cc).

23 (k) The donation or distribution of a prescription drug under s. 255.056.

24 **SECTION 3526p.** 450.01 (24) of the statutes is created to read:

1 450.01 (24) "Wholesale distributor" means a person engaged in the wholesale
2 distribution of prescription drugs, including manufacturers, repackagers, own-label
3 distributors, private label distributors, jobbers, brokers, warehouses, including
4 manufacturers' and distributors' warehouses, manufacturers' exclusive
5 distributors, manufacturers' authorized distributors of record, prescription drug
6 wholesalers and distributors, independent wholesale prescription drug traders, 3rd
7 party logistics providers, retail pharmacies that conduct wholesale distribution, and
8 chain pharmacy warehouses that conduct wholesale distribution.

9 **SECTION 3530a.** 450.07 (title) of the statutes is amended to read:

10 **450.07 (title) Manufacturers and distributors; licensure.**

11 **SECTION 3530b.** 450.07 (2) of the statutes is repealed.

12 **SECTION 3530c.** 450.07 (3) of the statutes is repealed.

13 **SECTION 3530d.** 450.07 (4) (c) of the statutes is created to read:

14 450.07 (4) (c) The rules adopted by the board under par. (b) shall require a
15 manufacturer to maintain and to update at least once per month a list of the
16 manufacturer's authorized distributors of record.

17 **SECTION 3530e.** 450.071 of the statutes is created to read:

18 **450.071 Wholesale distributors; licensure. (1)** No person may engage in
19 the wholesale distribution of a prescription drug in this state without obtaining a
20 license from the board for each facility from which the person distributes
21 prescription drugs. The board shall exempt a manufacturer that distributes
22 prescription drugs or devices manufactured by the manufacturer from licensing and
23 other requirements under this section to the extent the license or requirement is not
24 required under federal law or regulation, unless the board determines that it is
25 necessary to apply a requirement to a manufacturer.

1 (2) An applicant shall submit a form provided by the board showing all of the
2 following and swear or affirm the truthfulness of each item in the application:

3 (a) The name, business address, and telephone number of the applicant.

4 (b) All trade or business names used by the applicant.

5 (c) Names, addresses, and telephone numbers of contact persons for all
6 facilities used by the applicant for the storage, handling, and distribution of
7 prescription drugs.

8 (d) The type of ownership or operation for the applicant's business.

9 (e) If the applicant's wholesale distribution business is a partnership, the name
10 of each partner and the name of the partnership.

11 (f) If the applicant's wholesale distribution business is a corporation, the name
12 of each corporate officer and director, the name of the corporation, and the state of
13 incorporation.

14 (g) If the applicant's wholesale distribution business is a sole proprietorship,
15 the name of the sole proprietor and the name of the business entity.

16 (h) A list of all licenses and permits issued to the applicant by any other state
17 that authorizes the applicant to purchase or possess prescription drugs.

18 (i) The name, address, and telephone number of a designated representative.

19 (j) For the person listed in par. (i), a personal information statement that
20 contains all of the following:

21 1. The person's date and place of birth.

22 2. The person's places of residence for the 7-year period immediately preceding
23 the date of the application.

24 3. The person's occupations, positions of employment, and offices held during
25 the 7-year period immediately preceding the date of the application.

1 4. The name and addresses for each business, corporation, or other entity listed
2 in subd. 3.

3 5. A statement indicating whether the person has been, during the 7-year
4 period immediately preceding the date of the application, the subject of any
5 proceeding for the revocation of any business or professional license and the
6 disposition of the proceeding.

7 6. A statement indicating whether the person has been, during the 7-year
8 period immediately preceding the date of the application, enjoined by a court, either
9 temporarily or permanently, from possessing, controlling, or distributing any
10 prescription drug, and a description of the circumstances surrounding the
11 injunction.

12 7. A description of any involvement by the person during the past 7 years with
13 any business, including investments other than the ownership of stock in a publicly
14 traded company or mutual fund, that manufactured, administered, prescribed,
15 distributed, or stored pharmaceutical products or drugs, and a list of any lawsuits
16 in which such a business was named as a party.

17 8. A description of any misdemeanor or felony criminal offense of which the
18 person was, as an adult, found guilty, whether adjudication of guilt was withheld or
19 the person pleaded guilty or no contest. If the person is appealing a criminal
20 conviction, the application shall include a copy of the notice of appeal, and the
21 applicant shall submit a copy of the final disposition of the appeal not more than 15
22 days after a final disposition is reached.

23 9. A photograph of the person taken within the 12-month period immediately
24 preceding the date of the application.

1 (k) A statement that each facility used by the applicant for the wholesale
2 distribution of prescription drugs has been inspected in the 3-year period
3 immediately preceding the date of the application by the board, a pharmacy
4 examining board of another state, the National Association of Boards of Pharmacy,
5 or another accrediting body recognized by the board, with the date of each such
6 inspection.

7 (3) The board shall grant a license to the applicant to engage in the wholesale
8 distribution of prescription drugs if all of the following apply:

9 (a) The applicant pays the fee under s. 440.05 (1) (a), except that before June
10 1, 2010, the amount of the initial fee is \$350.

11 (b) The inspections conducted pursuant to sub. (2) (k) satisfy requirements
12 adopted by the board for wholesale distribution facilities.

13 (c) All of the following apply to each person identified by the applicant as a
14 designated representative:

15 1. The person is at least 21 years old.

16 2. The person has been employed full time for at least 3 years in a pharmacy
17 or with a wholesale prescription drug distributor in a capacity related to the
18 dispensing and distribution of, and record keeping related to, prescription drugs.

19 3. The person is employed by the applicant full time in a managerial level
20 position.

21 4. The person is physically present at the wholesale prescription drug
22 distributor's facility during regular business hours and is involved in and aware of
23 the daily operation of the wholesale prescription drug distributor. This subdivision
24 does not preclude the designated representative from taking authorized sick leave

1 and vacation time or from being absent from the facility for other authorized
2 business or personal purposes.

3 5. The person is actively involved in and aware of the daily operations of the
4 wholesale distributor.

5 6. The person is a designated representative for only one applicant at any given
6 time. This subdivision does not apply if more than one wholesale distributor is
7 located at the facility and the wholesale distributors located at the facility are
8 members of an affiliated group.

9 7. The person has not been convicted of violating any federal, state, or local law
10 relating to wholesale or retail prescription drug distribution or distribution of a
11 controlled substance.

12 8. The person has not been convicted of a felony.

13 9. The person submits to the department 2 fingerprint cards, each bearing a
14 complete set of the applicant's fingerprints. The department of justice shall provide
15 for the submission of the fingerprint cards to the federal bureau of investigation for
16 the purposes of verifying the identity of the applicant and obtaining the applicant's
17 criminal arrest and conviction record. This subdivision does not apply to a person
18 accredited by the national association of boards of pharmacy's verified-accredited
19 wholesale distributor program.

20 **(3m)** Notwithstanding subs. (2) and (3), the board may grant a license to
21 engage in the wholesale distribution of prescription drugs to a person who is
22 domiciled in another state and is licensed to engage in the wholesale distribution of
23 prescription drugs in another state, if the board determines that the standards for
24 licensure in the state in which the person is licensed are at least as stringent as the
25 standards for licensure under this section.

1 (4) The board may set, by rule, continuing education requirements for
2 designated representatives under this section.

3 (5) (a) The board shall require every wholesale distributor to submit a surety
4 bond acceptable to the board in an amount not to exceed \$100,000 or other equivalent
5 means of security acceptable to the board, except that the board shall not require
6 submission of a bond or other security under this subsection by a chain pharmacy
7 warehouse that is engaged only in intracompany transfers. A wholesale distributor
8 that operates more than one facility is not required to submit a bond or other security
9 under this paragraph for each facility.

10 (b) The bond or other security under this subsection shall be used to secure
11 payment of fees or costs that relate to the issuance of a license under this section and
12 that have not been paid within 30 days after the fees or costs have become final. No
13 claim may be made against a wholesale distributor's bond or other security under
14 this subsection more than one year after the date on which the wholesale
15 distributor's license expires.

16 (6) Applications for licensure under this section are not subject to inspection
17 or copying under s. 19.35, and may not be disclosed to any person except as necessary
18 for compliance with and enforcement of the provisions of this chapter.

19 **SECTION 3530g.** 450.072 of the statutes is created to read:

20 **450.072 Wholesale distributors; restrictions on transactions.** (1) A
21 wholesale distributor shall receive prescription drug returns or exchanges from a
22 pharmacy, a person authorized to administer or dispense drugs, or a pharmacy's
23 intracompany warehouse pursuant to the terms and conditions of the agreement
24 between the wholesale distributor and the pharmacy or chain pharmacy warehouse.
25 A wholesale distributor that receives returns of expired, damaged, recalled, or

1 otherwise nonsaleable prescription drugs may distribute the prescription drugs only
2 to the original manufacturer of the products or to a 3rd party returns processor.
3 Notwithstanding s. 450.073, returns or exchanges of saleable or nonsaleable
4 prescription drugs, including any redistribution by a receiving wholesaler, are not
5 subject to pedigree requirements under s. 450.073 if the returns or exchanges are
6 exempt from the pedigree requirement under the federal food and drug
7 administration's current guidance on the federal prescription drug marketing act.
8 A person licensed under s. 450.071 or a pharmacy or other person authorized to
9 administer or dispense drugs shall ensure that the person or pharmacy's return
10 process is secure and does not permit the entry of adulterated and counterfeit
11 products.

12 (2) (a) A manufacturer or wholesale distributor may not deliver prescription
13 drugs to a person unless the person is licensed under s. 450.071, s. 450.06, or by the
14 appropriate licensing authority of another state. A manufacturer or wholesale
15 distributor may not deliver prescription drugs to a person that is not known to the
16 manufacturer or wholesale distributor unless the manufacturer or wholesale
17 distributor has verified with the board or with the licensing authority of the state in
18 which the person is located that the person is licensed to receive prescription drugs.

19 (b) A manufacturer or wholesale distributor may distribute a prescription drug
20 only to the premises listed on the person's license or authorization, except that a
21 manufacturer or wholesale distributor may distribute the prescription drugs to an
22 authorized agent of the person at the premises of the manufacturer or wholesale
23 distributor if all of the following are true:

24 1. The manufacturer or wholesale distributor documents the authorized
25 agent's name and address.

1 2. Distribution to an authorized agent is necessary to promote or protect the
2 immediate health or safety of the authorized agent's patient.

3 (c) A manufacturer or wholesale distributor may distribute a prescription drug
4 to a hospital pharmacy receiving area if a licensed pharmacist or another authorized
5 recipient signs, at the time of the distribution, a receipt that shows the type and
6 quantity of prescription drugs distributed. If there is a discrepancy between the type
7 and quantity of prescription drugs indicated on the receipt and the type and quantity
8 of prescription drugs received at the hospital pharmacy receiving area, the
9 discrepancy shall be reported to the manufacturer or wholesale distributor that
10 distributed the prescription drugs no later than the day immediately following the
11 date on which the prescription drugs were distributed to the hospital pharmacy
12 receiving area.

13 (d) No manufacturer or wholesale distributor may accept payment for, or allow
14 the use of, a person's credit to establish an account for the purchase of a prescription
15 drug from any person other than the owner of record, the chief executive officer, or
16 the chief financial officer identified on the license or authorization of a person who
17 may receive prescription drugs. Any account established for the purchase of
18 prescription drugs shall bear the name of the licensed or authorized person.

19 **SECTION 3530h.** 450.073 of the statutes is created to read:

20 **450.073 Wholesale distributors; pedigree.** (1) A wholesale distributor
21 shall establish and maintain a pedigree for each prescription drug that leaves, or has
22 ever left, the normal distribution channel. Before a wholesale distribution of a
23 prescription drug leaves the normal distribution channel, a wholesale distributor
24 shall provide a copy of the pedigree to the person receiving the drug. This section
25 does not apply to a retail pharmacy or pharmacy intracompany warehouse unless the

1 pharmacy or pharmacy intracompany warehouse engages in the wholesale
2 distribution of prescription drugs.

3 (2) A pedigree shall contain all necessary identifying information concerning
4 each sale in the chain of the distribution of the prescription drug from the
5 manufacturer of the prescription drug or the manufacturers 3rd-party logistics
6 provider, colicensed product partner, or exclusive distributor until final sale or
7 distribution to a pharmacy or a person dispensing or distributing the prescription
8 drug. The pedigree shall include all of the following:

9 (a) The name, address, telephone number, and, if available, electronic mail
10 address of each recipient or distributor of the prescription drug in the chain of
11 distribution, until the final sale or distribution described in sub. (2) (intro.).

12 (b) The name and address of each facility from which the prescription drug was
13 distributed, if different from the address provided in par. (a).

14 (c) The date of each distribution.

15 (d) A certification that every recipient has authenticated the pedigree before
16 distribution of the prescription drug to the next point in the chain of distribution.

17 (e) The name, dosage strength, size and number of containers, lot number, and
18 name of the manufacturer for each prescription drug.

19 (3) The board shall promulgate rules implementing an electronic track and
20 trace pedigree system. Not later than July 1, 2009, the board shall determine the
21 date on which the system will be implemented. The system may not be implemented
22 before July 1, 2010, and the board may delay the implementation date by one or more
23 periods of one year if the board determines that the technology to implement the
24 system is not yet universally available across the prescription drug supply chain.

1 (4) A person who is engaged in the wholesale distribution of a prescription
2 drug, including a repackager but not including the original manufacturer of the
3 prescription drug, who possesses a pedigree for the prescription drug, and who
4 intends to further distribute the prescription drug, shall verify that each transaction
5 recorded on the pedigree has occurred before the person may distribute the
6 prescription drug.

7 (5) (a) A pedigree shall be maintained by a person who purchases prescription
8 drugs identified in the pedigree and by a wholesale distributor who distributes
9 prescription drugs identified in the pedigree for not less than 3 years from the date
10 of sale or distribution.

11 (b) A person maintaining a pedigree under par. (a) shall make the pedigree
12 available for inspection or use by a law enforcement officer within 7 days after the
13 law enforcement officer's request.

14 **SECTION 3530i.** 450.074 of the statutes is created to read:

15 **450.074 Wholesale distributors; prohibited actions, enforcement,**
16 **penalties.** (1) If the board finds that there is a reasonable probability that a
17 wholesale distributor, other than a manufacturer, has done any of the following, that
18 continued distribution of a prescription drug involved in the occurrence could cause
19 death or serious adverse health consequences, and that additional procedures would
20 result in an unreasonable delay, the board shall issue an order requiring that
21 distribution of a prescription drug in this state cease immediately:

22 (a) Violated a provision of ss. 450.071 to 450.073.

23 (b) Falsified a pedigree or sold, distributed, transferred, manufactured,
24 repackaged, handled, or held a counterfeit prescription drug intended for human
25 use.

1 (2) If the board issues an order under sub. (1), the board shall provide the
2 person who is the subject of the order an opportunity for an informal hearing not
3 more than 10 days after the date on which the order is issued. If, after a hearing, the
4 board determines that the order was issued without sufficient grounds, the board
5 shall vacate the order.

6 (3) Any person who knowingly does any of the following is guilty of a Class H
7 felony:

8 (a) Fails to obtain a license required under s. 450.071.

9 (b) Purchases or otherwise receives a prescription drug from a pharmacy in
10 violation of s. 450.072 (1).

11 (c) Violates s. 450.072 (2) (a), if the person is required to obtain a license under
12 s. 450.071.

13 (d) Violates s. 450.072 (2) (b).

14 (e) Violates s. 450.072 (2) (d).

15 (f) Violates s. 450.073.

16 (g) Provides false or fraudulent records to, or makes a false or fraudulent
17 statement to, the board, a representative of the board, or a federal official.

18 (h) Obtains or attempts to obtain a prescription drug by fraud, deceit, or
19 misrepresentation, or engages in misrepresentation or fraud in the distribution of
20 a prescription drug.

21 (i) Manufactures, repackages, sells, transfers, delivers, holds, or offers for sale
22 a prescription drug that is adulterated, misbranded, counterfeit, suspected of being
23 counterfeit, or otherwise unfit for distribution, except for wholesale distribution by
24 a manufacturer of a prescription drug that has been delivered into commerce
25 pursuant to an application approved by the federal food and drug administration.

1 (j) Adulterates, misbrands, or counterfeits a prescription drug, except for
2 wholesale distribution by a manufacturer of a prescription drug that has been
3 delivered into commerce pursuant to an application approved by the federal food and
4 drug administration.

5 (k) Receives a prescription drug that has been adulterated, misbranded, stolen,
6 obtained by fraud or deceit, counterfeited, or suspected of being counterfeited, and
7 delivers or proffers such a drug.

8 (L) Alters, mutilates, destroys, obliterates, or removes any part of the labeling
9 of a prescription drug or commits another act that results in the misbranding of a
10 prescription drug.

11 (4) Subsection (3) does not apply to a prescription drug manufacturer or an
12 agent of a prescription drug manufacturer, if the manufacturer or agent is obtaining
13 or attempting to obtain a prescription drug for the sole purpose of testing the
14 authenticity of the prescription drug.

15 **SECTION 3559.** 551.32 (1) (bm) 2. b. of the statutes is amended to read:

16 551.32 (1) (bm) 2. b. The division may disclose information under subd. 1. a.
17 to the department of ~~workforce development~~ children and families in accordance
18 with a memorandum of understanding under s. 49.857.

19 **SECTION 3560.** 551.32 (1) (bs) 1. of the statutes is amended to read:

20 551.32 (1) (bs) 1. If an applicant for the issuance or renewal of a license under
21 this section is an individual who does not have a social security number, the
22 applicant, as a condition of applying for or applying to renew the license, shall submit
23 a statement made or subscribed under oath or affirmation to the division that the
24 applicant does not have a social security number. The form of the statement shall
25 be prescribed by the department of ~~workforce development~~ children and families.

1 **SECTION 3561.** 551.34 (1m) (a) 3. of the statutes is amended to read:

2 551.34 (1m) (a) 3. The applicant is an individual who fails to comply, after
3 appropriate notice, with a subpoena or warrant issued by the department of
4 ~~workforce development~~ children and families or a county child support agency under
5 s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent
6 in making court-ordered payments of child or family support, maintenance, birth
7 expenses, medical expenses or other expenses related to the support of a child or
8 former spouse, as provided in a memorandum of understanding entered into under
9 s. 49.857. An applicant whose application is denied under this subdivision for
10 delinquent payments is entitled to a notice and hearing under s. 49.857 but is not
11 entitled to any other notice or hearing under this section.

12 **SECTION 3562.** 551.34 (1m) (b) of the statutes is amended to read:

13 551.34 (1m) (b) Unless s. 551.32 (1) (bs) 1. applies to the licensee, the division
14 shall restrict or suspend a license under this subchapter if the licensee is an
15 individual who fails to provide his or her social security number. The division shall
16 restrict or suspend a license under this subchapter if the licensee is an individual
17 who fails to comply, after appropriate notice, with a subpoena or warrant issued by
18 the department of ~~workforce development~~ children and families or a county child
19 support agency under s. 59.53 (5) and related to paternity or child support
20 proceedings or who is delinquent in making court-ordered payments of child or
21 family support, maintenance, birth expenses, medical expenses or other expenses
22 related to the support of a child or former spouse, as provided in a memorandum of
23 understanding entered into under s. 49.857. A licensee whose license is restricted
24 or suspended under this paragraph is entitled to a notice and hearing under s. 49.857
25 but is not entitled to any other notice or hearing under this section.

1 **SECTION 3563.** 551.52 (2) of the statutes is amended to read:

2 551.52 (2) Every applicant for an initial or renewal license under s. 551.32 shall
3 pay a filing fee of \$200 in the case of a broker-dealer or investment adviser and \$30
4 \$60 in the case of an agent representing a broker-dealer or issuer or an investment
5 adviser representative. Every federal covered adviser in this state that is required
6 to make a notice filing under s. 551.32 (1m) shall pay an initial or renewal notice
7 filing fee of \$200. A broker-dealer, investment adviser, or federal covered adviser
8 maintaining a branch office within this state shall pay an additional filing fee of \$30
9 for each branch office. When an application is denied, or an application or a notice
10 filing is withdrawn, the filing fee shall be retained.

11 **SECTION 3563s.** 560.031 of the statutes is amended to read:

12 **560.031 Grants for ethanol production facilities.** Notwithstanding ss.
13 ~~560.135 (2), 560.138 (2) (a), and 560.17 (3)~~, the department may not make a grant for
14 an ethanol production facility on which construction begins after July 27, 2005,
15 unless a competitive bidding process is used for the construction of the ethanol
16 production facility.

17 **SECTION 3564.** 560.045 (1) of the statutes is amended to read:

18 560.045 (1) To the extent allowed under federal law or regulation, the
19 department shall give priority in the awarding of grants under housing programs to
20 grants for projects related to the redevelopment of brownfields, as defined in s.
21 ~~560.60 (1v)~~ 560.13 (1) (a).

22 **SECTION 3564r.** 560.12 of the statutes is repealed.

23 **SECTION 3564p.** 560.125 (3) (c) of the statutes is amended to read:

24 560.125 (3) (c) The applicant pays 30 50 percent of the eligible costs for each
25 idling reduction unit covered by a grant under this section without the use of grants,

1 loans, or other financial assistance from this state or from a local governmental unit
2 in this state.

3 **SECTION 3564q.** 560.125 (4) (c) (intro.) of the statutes is amended to read:

4 560.125 (4) (c) (intro.) Subject to par. (d), the department may make ~~a grant~~
5 grants under this section from July 1, 2007, to June 30, 2011, of ~~70~~ 50 percent of the
6 eligible costs for a total of not more than the following number of idling reduction
7 units per applicant:

8 **SECTION 3564r.** 560.125 (4) (c) 6. a. of the statutes is repealed and recreated
9 to read:

10 560.125 (4) (c) 6. a. Thirty.

11 **SECTION 3564s.** 560.125 (4) (c) 7. of the statutes is renumbered 560.125 (4) (c)
12 7. (intro.) and amended to read:

13 560.125 (4) (c) 7. (intro.) If the applicant owns and operates more than 2,500
14 truck tractors with post-1998 diesel truck engines, ~~3~~ the greater of the following:

15 b. Three percent of the number of truck tractors with post-1998 diesel truck
16 engines that the applicant owns and operates.

17 **SECTION 3564t.** 560.125 (4) (c) 7. a. of the statutes is created to read:

18 560.125 (4) (c) 7. a. One-hundred twenty-five.

19 **SECTION 3565g.** 560.13 (2) (a) (intro.) of the statutes is amended to read:

20 560.13 (2) (a) (intro.) Subject to subs. (4) and (5), from the ~~appropriations~~
21 appropriation under s. 20.143 (1) ~~(br)~~ and (qm) the department may make a grant
22 to a person if all of the following apply:

23 **SECTION 3566m.** 560.135 of the statutes is repealed.

24 **SECTION 3568.** 560.14 (1) (ar) of the statutes is amended to read:

1 560.14 (1) (ar) "Brownfields" has the meaning given in s. ~~560.60 (1v)~~ 560.13 (1)
2 (a).

3 **SECTION 3569.** 560.145 of the statutes is repealed.

4 **SECTION 3570.** 560.147 of the statutes is repealed.

5 **SECTION 3571.** 560.15 (2) (d) of the statutes is repealed.

6 **SECTION 3572.** 560.16 of the statutes is repealed.

7 **SECTION 3573.** 560.17 (1) (am) of the statutes is amended to read:

8 560.17 (1) (am) "Brownfields" has the meaning given in s. ~~560.60 (1v)~~ 560.13
9 (1) (a).

10 **SECTION 3574.** 560.17 (1) (bm) of the statutes is amended to read:

11 560.17 (1) (bm) "~~Job~~" ~~has the meaning given in s. 560.60 (10)~~ means a position
12 providing full-time equivalent employment. "Job" does not include initial training
13 before an employment position begins.

14 **SECTION 3575.** 560.175 of the statutes is repealed.

15 **SECTION 3577.** 560.204 of the statutes is created to read:

16 **560.204 Hardware and software used to maintain medical records. (1)**

17 The department shall implement a program to certify health care providers as
18 eligible for the electronic medical records credit under ss. 71.07 (5i), 71.28 (5i), and
19 71.47 (5i).

20 **(2)** If the department certifies a health care provider under sub. (1), the
21 department shall determine the amount of credits to allocate to the health care
22 provider. The total amount of electronic medical records credits allocated to health
23 care providers in any year may not exceed \$10,000,000.

1 (3) The department shall inform the department of revenue of every health
2 care provider certified under sub. (1) and the amount of credits allocated to the health
3 care provider.

4 (4) The department, in consultation with the department of revenue, shall
5 promulgate rules to administer this section.

6 **SECTION 3578.** 560.205 (3) (d) of the statutes is amended to read:

7 560.205 (3) (d) *Rules.* The department of commerce, in consultation with the
8 department of revenue, shall promulgate rules to administer this section. The rules
9 shall further define “bona fide angel investment” for purposes of s. 71.07 (5d) (a) 1.
10 The rules shall limit the aggregate amount of tax credits under s. 71.07 (5d) that may
11 be claimed for investments in businesses certified under sub. (1) at \$3,000,000 per
12 calendar year for calendar years beginning after December 31, 2004.—The, and
13 \$5,500,000 per calendar year for calendar years beginning after December 31, 2007.
14 The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b),
15 71.28 (5b), and 71.47 (5b) that may be claimed for investments paid to fund managers
16 certified under sub. (2) at \$3,500,000 per calendar year for calendar years beginning
17 after December 31, 2004, and \$6,000,000 per calendar year for calendar years
18 beginning after December 31, 2007. The rules shall also provide that, for calendar
19 years beginning after December 31, 2007, no person may receive a credit under ss.
20 71.07 (5b) and (5d), 71.28 (5b), or 71.47 (5b) unless the person’s investment is kept
21 in a certified business, or with a certified fund manager, for no less than 3 years.

22 **SECTION 3580.** 560.26 of the statutes is repealed.

23 **SECTION 3581.** 560.275 (4) (e) of the statutes is amended to read:

1 560.275 (4) (e) *Entrepreneurial and technology transfer grants*. The total
2 amount of grants under sub. (2) (e) may not exceed ~~\$500,000~~ \$600,000 in any fiscal
3 year.

4 **SECTION 3581a.** Subchapter II (title) of chapter 560 [precedes 560.30] of the
5 statutes is renumbered 560.29 (title).

6 **SECTION 3581b.** 560.30 (intro.) of the statutes is renumbered 560.29 (1) (intro.)
7 and amended to read:

8 **560.29 Certified capital companies. (1) DEFINITIONS.** (intro.) In this
9 subchapter section:

10 **SECTION 3581c.** 560.30 (1) of the statutes is repealed.

11 **SECTION 3581d.** 560.30 (2) of the statutes is renumbered 560.29 (1) (a) and
12 amended to read:

13 560.29 (1) (a) “Certified capital company” means a person that has been
14 certified by the department under s. 560.31, 2005 stats., and that has not been
15 decertified under s. 560.37 (3) or (3m), 2005 stats.

16 **SECTION 3581e.** 560.30 (3) of the statutes is repealed.

17 **SECTION 3581f.** 560.30 (4) of the statutes is renumbered 560.29 (1) (b) and
18 amended to read:

19 560.29 (1) (b) “Certified capital investment” means an investment in a certified
20 capital company that is certified under s. 560.32 (2), 2005 stats., and that fully funds
21 either the investor’s equity interest in a certified capital company, a qualified debt
22 instrument that a certified capital company issues, or both.

23 **SECTION 3581g.** 560.30 (5) of the statutes is renumbered 560.29 (1) (c).

24 **SECTION 3581h.** 560.30 (6) of the statutes is renumbered 560.29 (1) (d).

25 **SECTION 3581i.** 560.30 (7) of the statutes is renumbered 560.29 (1) (e).

1 **SECTION 3581j.** 560.30 (8) of the statutes is renumbered 560.29 (1) (f) and
2 amended to read:

3 560.29 (1) (f) “Qualified business” means a business which is a qualified
4 business under s. 560.33, 2005 stats.

5 **SECTION 3581k.** 560.30 (9) of the statutes is repealed.

6 **SECTION 3581L.** 560.30 (10) of the statutes is repealed.

7 **SECTION 3581m.** 560.30 (11) of the statutes is renumbered 560.29 (1) (g) and
8 amended to read:

9 560.29 (1) (g) “Qualified investment” means an investment in a qualified
10 business by a certified capital company that meets the requirements under s. 560.34
11 (1), 2005 stats.

12 **SECTION 3581n.** 560.31 of the statutes is repealed.

13 **SECTION 3581o.** 560.32 of the statutes is repealed.

14 **SECTION 3581p.** 560.33 of the statutes is repealed.

15 **SECTION 3581q.** 560.34 of the statutes is repealed.

16 **SECTION 3581r.** 560.35 (title) of the statutes is renumbered 560.29 (2) (title).

17 **SECTION 3581s.** 560.35 (1) (intro.) of the statutes is renumbered 560.29 (2) (a)
18 (intro.).

19 **SECTION 3581t.** 560.35 (1m) of the statutes is renumbered 560.29 (2) (b) and
20 amended to read:

21 560.29 (2) (b) *Violation of agreements by qualified businesses.* As soon as
22 practicable after the receipt of information by the certified capital company that a
23 qualified business has violated an agreement made under s. 560.34 (1) (b) to (e), 2005
24 stats., the certified capital company shall notify the department of the violation and
25 the facts giving rise to the violation.

1 **SECTION 3581u.** 560.35 (2) of the statutes is renumbered 560.29 (2) (c).

2 **SECTION 3581v.** 560.35 (3) of the statutes is renumbered 560.29 (2) (d) and
3 amended to read:

4 560.29 (2) (d) *Financial statements.* Within 90 days of the end of the certified
5 capital company's fiscal year, the certified capital company shall provide to the
6 department a copy of its annual audited financial statements, including the opinion
7 of an independent certified public accountant. The audit shall address the methods
8 of operation and conduct of the business of the certified capital company to determine
9 whether the certified capital company is complying with this ~~subchapter~~ section and
10 the rules promulgated under ~~this subchapter~~ subchapter II of ch. 560, 2005 stats.,
11 including whether certified capital has been invested in the manner required under
12 s. 560.34, 2005 stats. The financial statements provided under this subsection shall
13 be segregated by investment pool and shall be separately audited on that basis to
14 allow the department to determine whether the certified capital company is in
15 compliance with s. 560.34 (1m), 2005 stats.

16 **SECTION 3581w.** 560.35 (4) of the statutes is renumbered 560.29 (2) (e) and
17 amended to read:

18 560.29 (2) (e) *Fees.* On or before January 31 annually, a certified capital
19 company shall pay a nonrefundable certification fee of \$5,000 to the department,
20 unless January 31 falls within 6 months of the date on which the certified capital
21 company was certified under s. 560.31, 2005 stats.

22 **SECTION 3581x.** 560.35 (5) of the statutes is renumbered 560.29 (2) (f).

23 **SECTION 3581y.** 560.36 of the statutes is repealed.

24 **SECTION 3581z.** 560.37 of the statutes is repealed.

25 **SECTION 3581za.** 560.38 of the statutes is repealed.

1 **SECTION 3582.** 560.60 (1m) of the statutes is repealed.

2 **SECTION 3583.** 560.60 (1v) of the statutes is repealed.

3 **SECTION 3584.** 560.60 (3) of the statutes is repealed.

4 **SECTION 3585.** 560.60 (3m) of the statutes is created to read:

5 560.60 (3m) "Eligible activities" means any of the following:

6 (a) Capital financing.

7 (b) Worker training.

8 (c) Entrepreneurial development.

9 (d) Providing assistance to technology-based businesses or to businesses at a
10 foreign trade show or event.

11 (e) Promoting urban or regional economic development.

12 (f) Establishing revolving loan funds.

13 (g) Providing working capital.

14 (h) Promoting employee ownership through all of the following:

15 1. Conducting feasibility studies to investigate the reorganization or new
16 incorporation of existing businesses as employee-owned businesses.

17 2. Implementing feasibility studies under subd. 1.

18 **SECTION 3586.** 560.60 (4) of the statutes is amended to read:

19 560.60 (4) "Eligible recipient" means a governing body or a person who is
20 eligible to receive a grant or loan under s. 560.62, a grant or loan under s. 560.63 or
21 a grant or loan under s. 560.65 560.61.

22 **SECTION 3587.** 560.60 (8) of the statutes is repealed.

23 **SECTION 3588.** 560.60 (10) of the statutes is repealed.

24 **SECTION 3589.** 560.60 (11) of the statutes is repealed.

25 **SECTION 3590.** 560.60 (13) of the statutes is repealed.

1 **SECTION 3591.** 560.60 (15) of the statutes is amended to read:

2 560.60 (15) "Small business" means a business operating for profit, with 250
3 or fewer than 100 employees, including employees of any subsidiary or affiliated
4 organization.

5 **SECTION 3592.** 560.60 (17) of the statutes is repealed.

6 **SECTION 3593.** 560.60 (18m) of the statutes is repealed.

7 **SECTION 3594.** 560.605 (1) (intro.) of the statutes is amended to read:

8 560.605 (1) (intro.) The Upon receipt of an application by an eligible recipient,
9 the board may consider any of the following in determining whether to award a grant
10 or loan under s. 560.61 upon the receipt and consideration of an application by an
11 eligible recipient for a project under ss. 560.62 to 560.66, if the board determines all
12 of the following:

13 **SECTION 3595.** 560.605 (1) (a) of the statutes is amended to read:

14 560.605 (1) (a) The Whether the project serves a public purpose.

15 **SECTION 3596.** 560.605 (1) (b) of the statutes is amended to read:

16 560.605 (1) (b) The Whether the project will retain or increase employment in
17 this state.

18 **SECTION 3597.** 560.605 (1) (c) of the statutes is amended to read:

19 560.605 (1) (c) The Whether the project is not likely to might not occur without
20 the grant or loan.

21 **SECTION 3598.** 560.605 (1) (d) of the statutes is amended to read:

22 560.605 (1) (d) Financing Whether financing is unavailable available from any
23 other another source on reasonably equivalent terms.

24 **SECTION 3599.** 560.605 (1) (e) of the statutes is amended to read:

1 560.605 (1) (e) ~~Except as provided in s. 560.68 (6), the eligible recipient~~
2 ~~receiving the grant or loan will contribute, from~~ The extent to which the project will
3 be financed with funds not provided by this state, ~~not less than 25% of the cost of the~~
4 ~~project.~~

5 **SECTION 3600.** 560.605 (1) (f) of the statutes is repealed.

6 **SECTION 3601.** 560.605 (1) (g) of the statutes is amended to read:

7 560.605 (1) (g) ~~Funds~~ Whether funds from the grant or loan under s. 560.62,
8 560.63, 560.65 or 560.66 will not be used to pay overhead costs, ~~except as provided~~
9 ~~in s. 560.65 (1m) (b), or to replace funds from any other~~ another source.

10 **SECTION 3602.** 560.605 (1) (h) of the statutes is amended to read:

11 560.605 (1) (h) ~~The~~ Whether the project will not displace any workers in this
12 state.

13 **SECTION 3603.** 560.605 (1) (i) of the statutes is repealed.

14 **SECTION 3604.** 560.605 (1) (p) of the statutes is amended to read:

15 560.605 (1) (p) For an ethanol production facility on which construction begins
16 after July 27, 2005, whether a competitive bidding process is used for the
17 construction of the ethanol production facility.

18 **SECTION 3605.** 560.605 (2) (intro.) of the statutes is repealed.

19 **SECTION 3606.** 560.605 (2) (a) of the statutes is renumbered 560.605 (1) (j).

20 **SECTION 3607.** 560.605 (2) (b) of the statutes is renumbered 560.605 (1) (k).

21 **SECTION 3608.** 560.605 (2) (c) of the statutes is renumbered 560.605 (1) (L).

22 **SECTION 3609.** 560.605 (2) (d) of the statutes is renumbered 560.605 (1) (m) and
23 amended to read:

24 560.605 (1) (m) The financial soundness of the business eligible recipient.

25 **SECTION 3610.** 560.605 (2) (e) of the statutes is renumbered 560.605 (1) (n).

1 **SECTION 3611.** 560.605 (2) (f) of the statutes is renumbered 560.605 (1) (o).

2 **SECTION 3612.** 560.605 (2m) (intro.) of the statutes is amended to read:

3 560.605 (2m) (intro.) When considering whether a project ~~under s. 560.62,~~
4 ~~560.63 or 560.66~~ will be located in a targeted area, the board ~~shall~~ may consider all
5 any of the following:

6 **SECTION 3613.** 560.605 (2m) (c) of the statutes is repealed.

7 **SECTION 3614.** 560.605 (2m) (d) of the statutes is repealed.

8 **SECTION 3615.** 560.605 (2m) (e) of the statutes is repealed.

9 **SECTION 3616.** 560.605 (4) of the statutes is repealed.

10 **SECTION 3617.** 560.605 (5) of the statutes is repealed.

11 **SECTION 3618.** 560.605 (5m) of the statutes is repealed.

12 **SECTION 3619.** 560.605 (6) of the statutes is repealed.

13 **SECTION 3621.** 560.607 (1) of the statutes is amended to read:

14 560.607 (1) Evaluations of proposed technical research projects ~~under s.~~
15 ~~560.62.~~

16 **SECTION 3622.** 560.61 (intro.) and (1) of the statutes are consolidated,
17 renumbered 560.61 and amended to read:

18 **560.61 Wisconsin development fund.** At the request of the board, the
19 department ~~shall do all of the following:~~ (1) ~~Make~~ may make a grant or loan to an
20 eligible recipient for a project that meets the criteria for funding under s. 560.605 (1)
21 and (2) and under s. 560.62, 560.63, 560.65 or 560.66, whichever is appropriate, from
22 the appropriations under s. 20.143 (1) (c) ~~and~~ (ie).

23 **SECTION 3623.** 560.61 (3) of the statutes is repealed.

24 **SECTION 3624.** 560.62 of the statutes is repealed.

25 **SECTION 3625.** 560.63 of the statutes is repealed.

1 **SECTION 3626.** 560.65 of the statutes is repealed.

2 **SECTION 3627.** 560.66 of the statutes is repealed.

3 **SECTION 3628.** 560.68 (1m) of the statutes is created to read:

4 **560.68 (1m)** The department shall establish criteria for the award of grants
5 and loans under s. 560.61, including the types of projects that are eligible for funding
6 and the types of eligible projects that will receive priority.

7 **SECTION 3629.** 560.68 (2m) of the statutes is created to read:

8 **560.68 (2m)** The department shall determine conditions applicable to a grant
9 or loan under s. 560.61.

10 **SECTION 3630.** 560.68 (3) of the statutes is amended to read:

11 **560.68 (3)** The department may charge a grant or loan recipient an origination
12 fee of up to not more than 2% of the grant or loan amount if the grant or loan equals
13 or exceeds \$200,000 and is awarded under s. 560.63 or 560.66. The department shall
14 deposit all origination fees collected under this subsection in the appropriation
15 account under s. 20.143 (1) (gm).

16 **SECTION 3631.** 560.68 (5) of the statutes is renumbered 560.68 (5) (intro.) and
17 amended to read:

18 **560.68 (5) (intro.)** The department, with the approval of the board, shall
19 develop procedures to evaluate related to grants and loans under s. 560.61 for all of
20 the following:

21 (b) Evaluating applications, monitor,

22 (c) Monitoring project performance and audit,

23 (d) Auditing the grants and loans awarded under this subchapter.

24 **SECTION 3632.** 560.68 (5) (a) of the statutes is created to read:

25 **560.68 (5) (a)** Submitting applications for grants and loans.

1 **SECTION 3633.** 560.68 (6) of the statutes is amended to read:

2 560.68 (6) ~~If appropriate, the~~ The board may shall require that ~~more, as a~~
3 condition of a grant or loan, that a recipient contribute to a project an amount that
4 is not less than 25% of the cost of any project or category of projects be paid from funds
5 ~~not provided by this state~~ amount of the grant or loan.

6 **SECTION 3634.** 560.68 (7) (a) of the statutes is amended to read:

7 560.68 (7) (a) Publish and disseminate information about the projects under
8 ~~ss. 560.62 to 560.66 that may be funded by a grant or loan under s. 560.61 and the~~
9 about procedures for applying for grants and loans under s. 560.61.

10 **SECTION 3635.** 560.795 (2) (a) of the statutes is amended to read:

11 560.795 (2) (a) Except as provided in par. (d), the designation of each area under
12 sub. (1) (a), (b), and (c) as a development opportunity zone shall be effective for 36
13 months, with the designation of the areas under sub. (1) (a) and (b) beginning on
14 April 23, 1994, and the designation of the area under sub. (1) (c) beginning on
15 April 28, 1995. Except as provided in par. (d), the designation of each area under sub.
16 (1) (d), and (e), and (f) as a development opportunity zone shall be effective for 84
17 months, with the designation of the area under sub. (1) (d) beginning on
18 January 1, 2000, and the designations designation of the areas area under sub. (1)
19 (e) ~~and (f)~~ beginning on September 1, 2001. Except as provided in par. (d), the
20 designation of the area under sub. (1) (f) as a development opportunity zone shall be
21 effective for 108 months, with the designation of the area under sub. (1) (f) beginning
22 on September 1, 2001.

23 **SECTION 3636.** 560.795 (2) (b) 6. of the statutes is amended to read:

24 560.795 (2) (b) 6. The limit for tax benefits for the development opportunity
25 zone under sub. (1) (f) is ~~\$4,700,000~~ \$6,700,000.

1 **SECTION 3637.** 560.799 (6) (e) of the statutes is created to read:

2 560.799 (6) (e) The department shall determine the maximum amount of the
3 tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business
4 may claim and shall notify the department of revenue of this amount.

5 **SECTION 3638.** 560.799 (6) (f) of the statutes is created to read:

6 560.799 (6) (f) The department shall annually verify the information submitted
7 to the department under ss. 71.07 (3w), 71.28 (3w), or 71.47 (3w).

8 **SECTION 3639.** 560.9806 (1) (a) 3. of the statutes is amended to read:

9 560.9806 (1) (a) 3. A community action agency under s. 46.30 49.265.

10 **SECTION 3640.** 562.05 (1e) of the statutes is amended to read:

11 562.05 (1e) If an applicant for a license under this section is an individual who
12 does not have a social security number, the applicant shall submit to the department
13 with his or her application a statement made or subscribed under oath or affirmation
14 that the applicant does not have a social security number. The form of the statement
15 shall be prescribed by the department of ~~workforce development~~ children and
16 families. A license issued in reliance upon a false statement submitted under this
17 subsection is invalid.

18 **SECTION 3641.** 562.05 (5) (a) 9. of the statutes is amended to read:

19 562.05 (5) (a) 9. The person is delinquent in making court-ordered payments
20 of child or family support, maintenance, birth expenses, medical expenses or other
21 expenses related to the support of a child or former spouse, or fails to comply, after
22 appropriate notice, with a subpoena or warrant issued by the department of
23 ~~workforce development~~ children and families or a county child support agency under
24 s. 59.53 (5) and relating to paternity or child support proceedings, as provided in a
25 memorandum of understanding entered into under s. 49.857.

1 **SECTION 3642.** 562.05 (8) (d) of the statutes is amended to read:

2 562.05 (8) (d) If required in a memorandum of understanding entered into
3 under s. 49.857, the department shall suspend or restrict or not renew the license of
4 any person who is delinquent in making court-ordered payments of child or family
5 support, maintenance, birth expenses, medical expenses or other expenses related
6 to the support of a child or former spouse or who has failed 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 relating to paternity or child support proceedings.

10 **SECTION 3643.** 562.05 (8m) (a) of the statutes is amended to read:

11 562.05 (8m) (a) If the applicant for any license is an individual, the department
12 shall disclose his or her social security number to the department of ~~workforce~~
13 ~~development~~ children and families for the purpose of administering s. 49.22 and to
14 the department of revenue for the purpose of requesting certifications under s.
15 73.0301.

16 **SECTION 3644.** 562.06 (3) of the statutes is amended to read:

17 562.06 (3) DAY CARE. Nothing in this section prohibits a licensee from operating
18 a day care area at a track if the day care area is licensed by the department of ~~health~~
19 ~~and family services~~ children and families under s. 48.65.

20 **SECTION 3645.** 563.28 (1) of the statutes is amended to read:

21 563.28 (1) If required in a memorandum of understanding entered into under
22 s. 49.857, the department shall suspend or restrict the supplier's license of any
23 person who is delinquent in making court-ordered payments of child or family
24 support, maintenance, birth expenses, medical expenses or other expenses related
25 to the support of a child or former spouse or who has failed to comply, after

1 appropriate notice, with a subpoena or warrant issued by the department of
2 ~~workforce development~~ children and families or a county child support agency under
3 s. 59.53 (5) and relating to paternity or child support proceedings.

4 **SECTION 3646.** 563.28 (2) of the statutes is amended to read:

5 563.28 (2) The department shall disclose the social security number of any
6 applicant for a supplier's license to the department of ~~workforce development~~
7 children and families for the purpose of administering s. 49.22.

8 **SECTION 3649.** 565.30 (5) of the statutes is amended to read:

9 565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS
10 OWED THE STATE. The administrator shall report the name, address and social security
11 number or federal income tax number of each winner of a lottery prize equal to or
12 greater than \$1,000 and the name, address and social security number or federal
13 income tax number of each person to whom a lottery prize equal to or greater than
14 \$1,000 has been assigned to the department of revenue to determine whether the
15 payee or assignee of the prize is delinquent in the payment of state taxes under ch.
16 71, 72, 76, 77, 78 or 139 or, if applicable, in the court-ordered payment of child
17 support or has a debt owing to the state. Upon receipt of a report under this
18 subsection, the department of revenue shall first ascertain based on certifications by
19 the department of workforce development or its designee under s. 49.855 (1) whether
20 any person named in the report is currently delinquent in court-ordered payment
21 of child support and shall next certify to the administrator whether any person
22 named in the report is delinquent in court-ordered payment of child support or
23 payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by
24 the department of revenue or upon court order the administrator shall withhold the
25 certified amount and send it to the department of revenue for remittance to the

1 appropriate agency or person. ~~At the time of remittance, the~~ The department of
2 revenue shall charge ~~its~~ the winner or assignee of the lottery prize for the department
3 of revenue's administrative expenses associated with withholding and remitting to
4 the debt owed to a state agency that has received the remittance and may withhold
5 the amount of the administrative expenses from the prize payment. The
6 administrative expenses received or withheld by the department of revenue shall be
7 credited to the appropriation under s. 20.566 (1) (h). In instances in which the payee
8 or assignee of the prize is delinquent both in payments for state taxes and in
9 court-ordered payments of child support, or is delinquent in one or both of these
10 payments and has a debt owing to the state, the amount remitted to the appropriate
11 agency or person shall be in proportion to the prize amount as is the delinquency or
12 debt owed by the payee or assignee.

13 **SECTION 3650.** 565.30 (5) of the statutes, as affected by 2007 Wisconsin Act
14 (this act), is amended to read:

15 **565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS**
16 **OWED THE STATE.** The administrator shall report the name, address and social security
17 number or federal income tax number of each winner of a lottery prize equal to or
18 greater than \$1,000 and the name, address and social security number or federal
19 income tax number of each person to whom a lottery prize equal to or greater than
20 \$1,000 has been assigned to the department of revenue to determine whether the
21 payee or assignee of the prize is delinquent in the payment of state taxes under ch.
22 71, 72, 76, 77, 78 or 139 or, if applicable, in the court-ordered payment of child
23 support or has a debt owing to the state. Upon receipt of a report under this
24 subsection, the department of revenue shall first ascertain based on certifications by
25 the department of ~~workforce development~~ children and families or its designee under

1 s. 49.855 (1) whether any person named in the report is currently delinquent in
2 court-ordered payment of child support and shall next certify to the administrator
3 whether any person named in the report is delinquent in court-ordered payment of
4 child support or payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this
5 certification by the department of revenue or upon court order the administrator
6 shall withhold the certified amount and send it to the department of revenue for
7 remittance to the appropriate agency or person. The department of revenue shall
8 charge the winner or assignee of the lottery prize for the department of revenue's
9 administrative expenses associated with withholding and remitting debt owed to a
10 state agency and may withhold the amount of the administrative expenses from the
11 prize payment. The administrative expenses received or withheld by the department
12 of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances
13 in which the payee or assignee of the prize is delinquent both in payments for state
14 taxes and in court-ordered payments of child support, or is delinquent in one or both
15 of these payments and has a debt owing to the state, the amount remitted to the
16 appropriate agency or person shall be in proportion to the prize amount as is the
17 delinquency or debt owed by the payee or assignee.

18 **SECTION 3651.** 565.30 (5m) (a) of the statutes is amended to read:

19 565.30 (5m) (a) The administrator shall report to the department of workforce
20 development children and families the name, address and social security number of
21 each winner of a lottery prize that is payable in installments and the name, address
22 and social security number or federal income tax number of the person who has been
23 assigned a lottery prize that is payable in installments. Upon receipt of the report,
24 the department of workforce development children and families shall certify to the
25 administrator whether any payee or assignee named in the report is obligated to

1 provide child support, spousal support, maintenance or family support under s.
2 767.001 (1) (f) or (g), 767.225, 767.34, 767.511, 767.531, 767.56, 767.805 (4), 767.85,
3 767.863 (3), 767.89 (3), 767.893 (2m) or 948.22 (7) or ch. 769 and the amount required
4 to be withheld from the lottery prize under s. 767.75. Subject to par. (b), the
5 administrator shall withhold the certified amount from each payment made to the
6 winner or assignee and remit the certified amount to the department of ~~workforce~~
7 development children and families.

8 **SECTION 3652.** 601.32 (1) of the statutes is amended to read:

9 601.32 (1) If the moneys credited to s. 20.145 (1) (g) 1 under other sections of
10 the statutes prove inadequate for the office's supervision of insurance industry
11 program, the commissioner may increase any or all of the fees imposed by s. 601.31,
12 or may in any year levy a special assessment on all domestic insurers, or both, for the
13 general operation of that program.

14 **SECTION 3652m.** 601.415 (8) of the statutes is created to read:

15 601.415 (8) LONG-TERM CARE PARTNERSHIP PROGRAM. The commissioner shall
16 provide the certifications required under s. 49.45 (31) (b) 5. and shall cooperate with
17 the department of health and family services in developing the training program
18 under s. 49.45 (31) (c) for agents who sell long-term care insurance policies.

19 **SECTION 3653.** 601.45 (3) of the statutes is amended to read:

20 601.45 (3) DEPOSIT. The commissioner may require any examinee, before or
21 from time to time during an examination, to deposit with the secretary of
22 administration such deposits as the commissioner deems necessary to pay the costs
23 of the examination. Any deposit and any payment made under subs. (1) and (2) shall
24 be credited to the appropriation account under s. 20.145 (1) (g) 1, in the percentage
25 specified in that ~~paragraph~~ subdivision.