

1 school districts and between school districts and the state. Cooperative educational  
2 service agencies may provide leadership, coordination, and education services to  
3 school districts, University of Wisconsin System institutions, the University of  
4 Wisconsin-Madison, and technical colleges. Cooperative educational service  
5 agencies may facilitate communication and cooperation among all public, private,  
6 and tribal schools, and all public and private agencies and organizations, that  
7 provide services to pupils.

8 **\*-1187/P4.454\* SECTION 2556.** 116.032 (1) of the statutes is amended to read:

9 116.032 (1) Subject to subs. (2) to (5), for the purpose of providing services to  
10 pupils, a board of control may contract with school districts, University of Wisconsin  
11 System institutions, the University of Wisconsin-Madison, technical college district  
12 boards, private schools, tribal schools, and agencies or organizations that provide  
13 services to pupils. A board of control may also contract with one or more school  
14 boards to operate a charter school under s. 118.40 (3) (c).

15 **\*-1213/1.28\* SECTION 2557.** 117.15 (6) of the statutes is amended to read:

16 117.15 (6) The socioeconomic level and racial composition of the pupils who  
17 reside or will reside in territory proposed to be detached from one school district and  
18 attached to an adjoining school district, in territory proposed to be included in a new  
19 school district under s. 117.105 or in school districts proposed to be consolidated or  
20 in a school district proposed to be dissolved; the proportion of the pupils who reside  
21 in such territory who are children at risk, ~~as defined under s. 118.153 (1) (a)~~; and the  
22 effect that the pupils described in this paragraph will have on the present and future  
23 socioeconomic level and racial composition of the affected school districts and on the  
24 proportion of the affected school districts' enrollments that will be children at risk.

25 **\*-0856/1.1\* SECTION 2558.** 118.015 (2) of the statutes is repealed.

1           **\*-0856/1.2\* SECTION 2559.** 118.015 (3) (title) of the statutes is repealed.

2           **\*-0856/1.3\* SECTION 2560.** 118.015 (3) (intro.) of the statutes is repealed.

3           **\*-0856/1.4\* SECTION 2561.** 118.015 (3) (a) of the statutes is renumbered  
4 118.015 (4) (am).

5           **\*-0856/1.5\* SECTION 2562.** 118.015 (3) (b) of the statutes is repealed.

6           **\*-0856/1.6\* SECTION 2563.** 118.015 (3) (c) of the statutes is repealed.

7           **\*-0856/1.7\* SECTION 2564.** 118.015 (3) (d) of the statutes is repealed.

8           **\*-0856/1.8\* SECTION 2565.** 118.015 (3) (e) of the statutes is renumbered  
9 118.015 (4) (bm).

10           **\*-1465/P3.885\* \*-0808/2.347\* SECTION 2566.** 118.07 (2) (b) of the statutes is  
11 amended to read:

12           118.07 (2) (b) In each community having a recognized fire department, the  
13 person having direct charge of any public or private school shall annually file a report  
14 pertaining to such drills, on a form furnished by the department of ~~commerce~~ safety  
15 and professional services, with the chief of the fire department. When no fire drill  
16 is held during any month, or when only one or no tornado or other hazard drill is held  
17 in a year, the person having direct charge of the school shall state the reasons in the  
18 report.

19           **\*-1465/P3.886\* \*-0808/2.348\* SECTION 2567.** 118.075 (2) (a) 2. of the statutes  
20 is amended to read:

21           118.075 (2) (a) 2. The secretary of ~~commerce~~ safety and professional services  
22 or his or her designee.

23           **\*-1183/P1.1\* SECTION 2568.** 118.075 (2) (f) of the statutes is amended to read:

24           118.075 (2) (f) Upon completing its duties under par. (e), the task force shall  
25 report its findings and recommendations to the appropriate standing committees of

1 the legislature under s. 13.172 (3) and to the governor. The task force shall cease to  
2 exist on the date on which the department issues its model management plan ~~under~~  
3 ~~sub. (3)~~.

4 **\*-1183/P1.2\* SECTION 2569.** 118.075 (3) of the statutes is repealed.

5 **\*-1183/P1.3\* SECTION 2570.** 118.075 (4) of the statutes is repealed.

6 **\*-1465/P3.887\* \*-0808/2.349\* SECTION 2571.** 118.135 (2) of the statutes is  
7 amended to read:

8 118.135 (2) A pupil who complies with a request under sub. (1) shall provide  
9 evidence of an eye examination or evaluation by December 31 following the pupil's  
10 enrollment in kindergarten. The school board or charter school shall provide pupils  
11 with the form distributed by the department of ~~regulation and licensing~~ safety and  
12 professional services under s. 440.03 (16) for that purpose.

13 **\*-1213/1.29\* SECTION 2572.** 118.15 (1) (b) of the statutes is amended to read:

14 118.15 (1) (b) Upon the child's request of the school board and with the written  
15 approval of the child's parent or guardian, any child who is 16 years of age or over  
16 and a child at risk, ~~as defined in s. 118.153 (1) (a)~~, may attend, in lieu of high school  
17 or on a part-time basis, a technical college if the child and his or her parent or  
18 guardian agree, in writing, that the child will participate in a program leading to the  
19 child's high school graduation. The district board of the technical college district in  
20 which the child resides shall admit the child. Every technical college district board  
21 shall offer day class programs satisfactory to meet the requirements of this  
22 paragraph and s. 118.33 (3m) as a condition to the receipt of any state aid.

23 **\*-1213/1.30\* SECTION 2573.** 118.153 (title) and (1) (intro.) of the statutes are  
24 repealed.

1           **\*-1213/1.31\* SECTION 2574.** 118.153 (1) (a) of the statutes is renumbered  
2 115.001 (1m).

3           **\*-1213/1.32\* SECTION 2575.** 118.153 (1) (b) of the statutes is renumbered  
4 115.001 (2m).

5           **\*-1213/1.33\* SECTION 2576.** 118.153 (2) to (7) of the statutes are repealed.

6           **\*-1213/1.34\* SECTION 2577.** 118.16 (2) (cg) 2. of the statutes is amended to  
7 read:

8           118.16 (2) (cg) 2. A statement that the parent, guardian or child may request  
9 program or curriculum modifications for the child under s. 118.15 (1) (d) ~~and that the~~  
10 ~~child may be eligible for enrollment in a program for children at risk under s. 118.153~~  
11 ~~(3).~~

12           **\*-1213/1.35\* SECTION 2578.** 118.16 (2m) (a) 2. of the statutes is amended to  
13 read:

14           118.16 (2m) (a) 2. An employee of the school district who is directly involved  
15 in the provision of a modified program or curriculum under s. 118.15 (1) (d), ~~a~~  
16 ~~program for children at risk under s. 118.153~~ or an alternative educational program  
17 under s. 119.82 or any other alternative educational program to children who attend  
18 the school attended by the truant child, if the school district administrator believes  
19 that the program or curriculum may be appropriate for the truant child.

20           **\*-1213/1.36\* SECTION 2579.** 118.163 (1) (a) of the statutes is repealed.

21           **\*-1189/1.1\* SECTION 2580.** 118.19 (1) of the statutes is amended to read:

22           118.19 (1) Except as provided in s. 118.40 (8) (b) 2., any person seeking to teach  
23 in a public school, including a charter school other than a charter school established  
24 under s. 118.40 (2r), or in a school or institution operated by a county or the state shall  
25 first procure a license or permit from the department.

1           **\*-1205/1.2\* SECTION 2581.** 118.205 of the statutes is created to read:

2           **118.205 Residency requirements. (1)** In this section, “teacher” means any  
3 person holding a license or permit issued by the state superintendent whose  
4 employment by a school district requires that he or she hold that license or permit.

5           **(2)** A school board may not require, as a condition of employment, that a teacher  
6 reside within the school district.

7           **\*-1245/P1.1\* SECTION 2582.** 118.29 (6) of the statutes, as created by 2009  
8 Wisconsin Act 160, is amended to read:

9           118.29 **(6) TRAINING.** Notwithstanding sub. (2) (a) 1. to 2r., no school bus driver,  
10 employee, or volunteer may administer a nonprescription drug product or  
11 prescription drug under sub. (2) (a) 1. or 2., use an epinephrine auto-injector under  
12 sub. (2) (a) 2m., or administer glucagon under sub. (2) (a) 2r. unless he or she has  
13 received training, ~~approved by the department,~~ in administering nonprescription  
14 drug products and prescription drugs. This subsection does not apply to health care  
15 professionals.

16           **\*-0982/1.1\* SECTION 2583.** 118.35 (4) of the statutes is amended to read:

17           118.35 **(4)** From the appropriation under s. 20.255 (2) (fy), the department shall  
18 award grants to nonprofit organizations, cooperative educational service agencies,  
19 the University of Wisconsin-Madison, and the school district operating under ch. 119  
20 for the purpose of providing ~~advanced curriculum and assessments for~~ to gifted and  
21 talented pupils those services and activities not ordinarily provided in a regular  
22 school program that allow such pupils to fully develop their capabilities.

23           **\*-0841/P2.3\* SECTION 2584.** 118.38 (2) (bm) of the statutes is amended to read:

24           118.38 **(2) (bm)** The department shall promulgate rules establishing criteria  
25 for waiving the requirement to schedule at least the number of hours of direct pupil

1 instruction specified under s. 121.02 (1) (f) ~~2~~; if school is closed for a reason specified  
2 in s. 115.01 (10) (a) ~~2- or 3~~ or (b).

3 **\*-0851/2.7\* SECTION 2585.** 118.40 (2r) (b) 1. b. and c. of the statutes are  
4 repealed.

5 **\*-0851/2.8\* SECTION 2586.** 118.40 (2r) (b) 1. e. of the statutes is created to read:  
6 118.40 (2r) (b) 1. e. The chancellor of an institution, as defined in s. 36.05 (9),  
7 within the University of Wisconsin System.

8 **\*-1187/P4.455\* SECTION 2587.** 118.40 (2r) (b) 1. g. of the statutes is created to  
9 read:

10 118.40 (2r) (b) 1. g. The chancellor of the University of Wisconsin-Madison.

11 **\*-0851/2.9\* SECTION 2588.** 118.40 (2r) (b) 2. of the statutes is amended to read:

12 118.40 (2r) (b) 2. A charter shall include all of the provisions specified under  
13 sub. (1m) (b) 3. to 14. A contract shall include all of the provisions specified under  
14 sub. (1m) (b) 1. to 14. and shall specify the effect of the establishment of the charter  
15 school on the liability of the contracting entity under this paragraph. The contract  
16 may include other provisions agreed to by the parties. The chancellor of the  
17 University of Wisconsin-Milwaukee or of the University of Wisconsin-Parkside may  
18 ~~not~~ an institution within the University of Wisconsin System may not establish or  
19 enter into a contract for the establishment of a charter school under this paragraph  
20 without the approval of the board of regents of the University of Wisconsin System.

21 **\*-0851/2.10\* SECTION 2589.** 118.40 (2r) (b) 3. of the statutes is repealed.

22 **\*-0851/2.11\* SECTION 2590.** 118.40 (2r) (bm) of the statutes is amended to  
23 read:

24 118.40 (2r) (bm) The common council of the city of Milwaukee, ~~the chancellor~~  
25 ~~of the University of Wisconsin-Milwaukee~~, and the Milwaukee area technical college

1 district board may ~~only~~ establish or enter into a contract for the establishment of a  
2 charter school ~~located~~ only in the school district operating under ch. 119. ~~The~~  
3 ~~chancellor of the University of Wisconsin-Parkside may only establish or enter into~~  
4 ~~a contract for the establishment of a charter school located in a unified school district~~  
5 ~~that is located in the county in which the University of Wisconsin-Parkside is~~  
6 ~~situated or in an adjacent county.~~

7 **\*-0851/2.12\* SECTION 2591.** 118.40 (2r) (cm) of the statutes is repealed.

8 **\*-1189/1.2\* SECTION 2592.** 118.40 (2r) (d) 1. of the statutes is amended to read:

9 118.40 (2r) (d) 1. Ensure that all instructional staff of charter schools under  
10 this subsection ~~hold a license or permit to teach issued by the department~~ have a  
11 bachelor's degree from an accredited institution of higher education.

12 **\*-0851/2.13\* SECTION 2593.** 118.40 (2r) (e) 1. a. of the statutes is repealed.

13 **\*-0851/2.14\* SECTION 2594.** 118.40 (2r) (e) 1. b. of the statutes is renumbered

14 118.40 (2r) (e) 1m.

15 **\*-0851/2.15\* SECTION 2595.** 118.40 (2r) (e) 1. c. of the statutes is renumbered

16 118.40 (2r) (e) 2m.

17 **\*-0851/2.16\* SECTION 2596.** 118.40 (2r) (e) 2. of the statutes is repealed.

18 **\*-0851/2.17\* SECTION 2597.** 118.40 (2r) (f) of the statutes is repealed.

19 **\*-1213/1.37\* SECTION 2598.** 118.40 (3) (d) of the statutes is amended to read:

20 118.40 (3) (d) A school board or an entity under sub. (2r) (b) shall give  
21 preference in awarding contracts for the operation of charter schools to those charter  
22 schools that serve children at risk, ~~as defined in s. 118.153 (1) (a).~~

23 **\*-0851/2.18\* SECTION 2599.** 118.40 (7) (am) 2. of the statutes is amended to

24 read:

1           118.40 (7) (am) 2. A charter school established under sub. (2r) or a private  
2 school located in the school district operating under ch. 119 that is converted to a  
3 charter school is not an instrumentality of any school district and no school board  
4 may employ any personnel for the charter school. If the chancellor of an institution  
5 within the University of ~~Wisconsin-Parkside~~ Wisconsin System contracts for the  
6 establishment of a charter school under sub. (2r), the board of regents of the  
7 University of Wisconsin System may employ instructional staff for the charter  
8 school.

9           \***-0841/P2.4\* SECTION 2600.** 118.40 (8) (d) 2. of the statutes is amended to read:

10           118.40 (8) (d) 2. Ensure that its teachers are available to provide direct pupil  
11 instruction for at least the applicable number of hours specified in s. 121.02 (1) (f) 2.  
12 each school year. No more than 10 hours in any 24-hour period may count toward  
13 the requirement under this subdivision.

14           \***-0853/1.1\* SECTION 2601.** 118.40 (8) (h) of the statutes is repealed.

15           \***-1215/P2.1\* SECTION 2602.** 118.43 (2) (g) of the statutes is amended to read:

16           118.43 (2) (g) The department may renew an achievement guarantee contract  
17 under pars. (b), (bg), (br), and (bt) for one or more terms of 5 school years. Except as  
18 provided in ~~sub.~~ subs. (3g) (b) and (3m), as a condition of receiving payments under  
19 a renewal of an achievement guarantee contract, a school board shall maintain the  
20 reduction of class size achieved during the last school year of the original  
21 achievement guarantee contract for the grades specified for the last school year of the  
22 contract.

23           \***-1215/P2.2\* SECTION 2603.** 118.43 (3) (at) 3. of the statutes is amended to  
24 read:

1           118.43 (3) (at) 3. ~~In~~ Except as provided in sub. (3g) (b), in the 2012-13 to  
2           2014-15 school years, in at least grades kindergarten to 3.

3           **\*-1215/P2.3\* SECTION 2604.** 118.43 (3g) of the statutes is created to read:

4           118.43 (3g) ADJUSTMENT TO GRADES ELIGIBLE FOR FUNDING; RELEASE FROM CERTAIN  
5           CONTRACT OBLIGATIONS. (a) 1. Beginning in the 2011-12 school year, a school district  
6           operating under an achievement guarantee contract entered into under sub. (2) (bt)  
7           or renewed under sub. (2) (g) may receive state aid under sub. (6) only for low-income  
8           pupils enrolled in grades kindergarten to 2 in each school in the school district  
9           covered by the contract.

10          2. Beginning in the 2012-13 school year, a school district operating under an  
11          achievement guarantee contract entered into under sub. (2) (bt) or renewed under  
12          sub. (2) (g) may receive state aid under sub. (6) only for low-income pupils enrolled  
13          in grades kindergarten and one in each school in the school district covered by the  
14          contract.

15          (b) 1. Beginning in the 2011-12 school year, a school district operating under  
16          an achievement guarantee contract entered into under sub. (2) (bt) or renewed under  
17          sub. (2) (g) is released from the obligation to maintain the limitation on class size  
18          required under the contract and under sub. (3) (a), (am), (ar), and (at) for pupils  
19          enrolled in grade 3 in each school in the school district covered by the contract.

20          2. Beginning in the 2012-13 school year, a school district operating under an  
21          achievement guarantee contract entered into under sub. (2) (bt) or renewed under  
22          sub. (2) (g) is released from the obligation to maintain the limitation on class size  
23          required under the contract and under sub. (3) (a), (am), (ar), and (at) for pupils  
24          enrolled in grades 2 and 3 in each school in the school district covered by the contract.

25          **\*-1215/P2.4\* SECTION 2605.** 118.43 (3m) (b) of the statutes is amended to read:

1           118.43 **(3m)** (b) A school board operating under an achievement guarantee  
2 contract entered into under sub. ~~(3)~~ ~~(at)~~ (2) ~~(bt)~~ may combine 2 classes subject to the  
3 class size limitation in any school covered by the contract having at least 2 regular  
4 classroom teachers when the classes are combined if the combined class size is not  
5 greater than 30.

6           \***-0855/2.1**\* **SECTION 2606.** 118.51 (3) (intro.) of the statutes is created to read:

7           118.51 **(3)** (intro.) Except as provided under sub. (3m), the following procedures  
8 govern pupil applications to attend a public school in a nonresident school district  
9 under this section:

10          \***-0855/2.2**\* **SECTION 2607.** 118.51 (3) (a) 1. of the statutes is amended to read:

11          118.51 **(3)** (a) 1. The parent of a pupil who wishes to attend a public school in  
12 a nonresident school district under this section shall submit an application, on a form  
13 provided by the department under sub. (15) (a), to the school board of the nonresident  
14 school district that the pupil wishes to attend, not earlier than the first Monday in  
15 February and not later than the ~~3rd Friday following the first Monday in February~~  
16 last weekday in April of the school year immediately preceding the school year in  
17 which the pupil wishes to attend. Applications may be submitted to no more than  
18 3 nonresident school boards in any school year. ~~On the 4th Monday in February the~~  
19 The nonresident school board shall send a copy of the application to the pupil's  
20 resident school board and the department by the end of the first weekday following  
21 the last weekday in April. The application may include a request to attend a specific  
22 school or program offered by the nonresident school district.

23          \***-0855/2.3**\* **SECTION 2608.** 118.51 (3) (a) 1m. of the statutes is created to read:

24          118.51 **(3)** (a) 1m. By the first Friday following the first Monday in May, the  
25 resident school board shall send to the nonresident school district a copy of the

1 individualized education program developed under s. 115.787 (2) for a child with a  
2 disability whose parent submitted an application under subd. 1.

3 **\*-0855/2.4\* SECTION 2609.** 118.51 (3) (a) 2., 3. and 4. of the statutes are  
4 amended to read:

5 118.51 (3) (a) 2. A nonresident school board may not act on any application  
6 received under subd. 1. ~~until after the 3rd Friday following the first Monday in~~  
7 ~~February before May 1.~~ If a nonresident school board receives more applications for  
8 a particular grade or program than there are spaces available in the grade or  
9 program, the nonresident school board shall determine which pupils to accept,  
10 including pupils accepted from a waiting list under sub. (5) (d), on a random basis,  
11 after giving preference to pupils and to siblings of pupils who are already attending  
12 the nonresident school district and, if the nonresident school district is a union high  
13 school district, to pupils who are attending an underlying elementary school district  
14 of the nonresident school district under this section. If a nonresident school board  
15 determines that space is not otherwise available for open enrollment pupils in the  
16 grade or program to which an individual has applied, the school board may  
17 nevertheless accept a pupil or the sibling of a pupil who is already attending the  
18 nonresident school district and, if the nonresident school district is a union high  
19 school district, a pupil who is attending an underlying elementary school district of  
20 the nonresident school district under this section.

21 3. ~~On~~ Except as provided under sub. (5) (d) 1., on or before the first Friday  
22 following the first Monday in ~~April~~ June following receipt of the application, the  
23 nonresident school board shall notify the applicant, in writing, whether it has  
24 accepted the application. If the nonresident school board has accepted the applicant,  
25 the school board shall identify the specific school or program that the applicant may

1 attend in the following school year. If the nonresident school board rejects an  
2 application, it shall include in the notice the reason for the rejection.

3 4. On or before the ~~first~~ 2nd Friday following the first Monday in ~~April~~ June  
4 following receipt of a copy of the application, if a resident school board denies a pupil's  
5 enrollment in a nonresident school district under sub. (6), (7) or (12) (b) 1., the  
6 resident school board shall notify the applicant and the nonresident school board, in  
7 writing, that the application has been denied and include in the notice the reason for  
8 the denial.

9 **\*-0855/2.5\* SECTION 2610.** 118.51 (3) (a) 5. of the statutes is repealed.

10 **\*-0853/1.2\* SECTION 2611.** 118.51 (3) (a) 6. of the statutes is amended to read:

11 118.51 (3) (a) 6. If an application is accepted, on or before the first Friday  
12 following the first Monday in June following receipt of a notice of acceptance, ~~or~~  
13 ~~within 10 days of receiving a notice of acceptance if a pupil is selected from a waiting~~  
14 ~~list under s. 118.40 (8) (h) 5.,~~ the pupil's parent shall notify the nonresident school  
15 board of the pupil's intent to attend school in that school district in the following  
16 school year.

17 **\*-0855/2.6\* SECTION 2612.** 118.51 (3) (a) 6. of the statutes is amended to read:

18 118.51 (3) (a) 6. If Except as provided in sub. (5) (d) 2., if an application is  
19 accepted, on or before the first last Friday following ~~the first Monday~~ in June  
20 following receipt of a notice of acceptance, or within 10 days of receiving a notice of  
21 acceptance if a pupil is selected from a waiting list under sub. (5) (d) or s. 118.40 (8)  
22 (h) 5., the pupil's parent shall notify the nonresident school board of the pupil's intent  
23 to attend school in that school district in the following school year.

24 **\*-0853/1.3\* SECTION 2613.** 118.51 (3) (a) 7. of the statutes is repealed.

25 **\*-0855/2.7\* SECTION 2614.** 118.51 (3) (a) 7. of the statutes is amended to read:

1           118.51 (3) (a) 7. If the department has not notified a virtual charter school of  
2 the pupils who may attend the school under s. 118.40 (8) (h) by the deadline for  
3 informing applicants under subd. 3. ~~or 5.~~, the nonresident school district shall specify  
4 in its notices under subd. 3. ~~or 5.~~ that the school district's acceptance is conditional.

5           \***-0853/1.4\*** SECTION 2615. 118.51 (3) (b) of the statutes is amended to read:

6           118.51 (3) (b) *Notice to resident school district.* Annually by June 30, each  
7 nonresident school board that has accepted a pupil under this section for attendance  
8 in the following school year shall report the name of the pupil to the pupil's resident  
9 school board. ~~If a pupil is selected from a waiting list under s. 118.40 (8) (h) 5., the~~  
10 ~~nonresident school board shall report the name of the pupil to the pupil's resident~~  
11 ~~school board within 10 days of receiving notice of the pupil's selection from the~~  
12 ~~department.~~

13           \***-0855/2.8\*** SECTION 2616. 118.51 (3) (b) of the statutes is amended to read:

14           118.51 (3) (b) *Notice to resident school district.* Annually by June 30 July 7,  
15 each nonresident school board that has accepted a pupil under this section for  
16 attendance in the following school year shall report the name of the pupil to the  
17 pupil's resident school board. If a pupil is selected from a waiting list under s. 118.40  
18 (8) (h) 5., the nonresident school board shall report the name of the pupil to the pupil's  
19 resident school board within 10 days of receiving notice of the pupil's selection from  
20 the department.

21           \***-0855/2.9\*** SECTION 2617. 118.51 (3m) of the statutes is created to read:

22           118.51 (3m) ALTERNATIVE APPLICATION PROCEDURES UNDER CERTAIN  
23 CIRCUMSTANCES. (a) Notwithstanding sub. (3), the parent of a pupil who wishes to  
24 attend a public school in a nonresident school district under this section may, in lieu  
25 of applying under sub. (3), submit an application under this subsection, on a form

1 provided by the department under sub. (15) (a), to the school board of the nonresident  
2 school district that the pupil wants to attend if the pupil satisfies at least one of the  
3 criteria under par. (b). Applications may be submitted to no more than 3 nonresident  
4 school boards in any school year.

5 (b) The parent of a pupil may apply under this subsection only if the pupil meets  
6 one of the following criteria, and shall describe the criteria that the pupil meets in  
7 the application:

8 1. The resident school board determines that the pupil has been the victim of  
9 a violent criminal offense, as defined by the department by rule. An application  
10 made on the basis of this criteria is not valid unless the nonresident school board  
11 receives the application within 30 days after the determination of the resident school  
12 board.

13 2. The pupil is or has been a homeless pupil in the current or immediately  
14 preceding school year. In this subdivision, "homeless pupil" means an individual who  
15 is included in the category of homeless children and youths, as defined in 42 USC  
16 11434a (2).

17 3. The pupil has been the victim of repeated bullying or harassment and all of  
18 the following apply:

19 a. The pupil's parent has reported the bullying or harassment to the resident  
20 school board.

21 b. Despite action taken under subd. 3. a., the repeated bullying and harassment  
22 continues.

23 4. The place of residence of the pupil's parent or guardian and of the pupil has  
24 changed as a result of military orders. An application made on the basis of this  
25 criteria is not valid unless the nonresident school board receives the application no

1 later than 30 days after the date on which the military orders changing the place of  
2 residence were issued.

3 5. The pupil moved into this state. An application made on the basis of this  
4 criteria is not valid unless the nonresident school board receives the application no  
5 later than 30 days after moving into this state.

6 6. The place of residence of the pupil has changed as a result of a court order  
7 or custody agreement or because the pupil was placed in a foster home or with a  
8 person other than the pupil's parent, or removed from a foster home or from the home  
9 of a person other than the pupil's parent. An application made on the basis of this  
10 criteria is not valid unless the nonresident school board receives the application no  
11 later than 30 days after the pupil's change in residence.

12 7. The parent of the pupil and the nonresident school board agree that  
13 attending school in the nonresident school district is in the best interests of the pupil.

14 (c) If a nonresident school board receives an application under par. (a), the  
15 nonresident school board shall immediately forward a copy of the application to the  
16 resident school board, and shall notify the applicant, in writing, whether it has  
17 accepted the application no later than 20 days after receiving the application. If the  
18 nonresident school board has accepted the application, the nonresident school board  
19 shall identify the specific school or program that the pupil may attend.

20 (d) A resident school district may notify an applicant under par. (a) that the  
21 pupil may not attend a school or program in the nonresident school district only for  
22 the following reasons:

23 1. The resident school district determines that the criteria relied on by the  
24 applicant under par. (b) does not apply to the pupil.

1           2. a. Except as provided in subd. 2. b., the resident school district determines  
2 that the costs of the special education or related services required in the  
3 individualized education program under s. 115.787 (2) for a child with a disability  
4 whose parent has submitted an application under par. (a), as proposed to be  
5 implemented by the nonresident school district, would impose upon the child's  
6 resident school district an undue financial burden in light of the resident school  
7 district's total economic circumstances, including its revenue limit under subch. VII  
8 of ch. 121, its ability to pay tuition costs for the pupil, and the per pupil special  
9 education or related services costs for children with disabilities continuing to be  
10 served by the resident school district.

11           b. Subdivision 2. a. does not apply to a pupil who submits an application under  
12 par. (a) if the pupil relied upon the criteria set forth in par. (b) 1.

13           (e) If an application is accepted by the nonresident school board under par. (c),  
14 the pupil may immediately begin attending the school or program in the nonresident  
15 school district and shall begin attending the school or program no later than the 15th  
16 day following receipt by the parent of the pupil of the notice of acceptance under par.  
17 (c). If the pupil has not enrolled in or attended school in the nonresident school  
18 district by the day specified in this paragraph, the nonresident school district may  
19 notify the pupil's parent, in writing, that the pupil is no longer authorized to attend  
20 the school or program in the nonresident school district.

21           \*-0855/2.10\* SECTION 2618. 118.51 (5) (a) (intro.) of the statutes is amended  
22 to read:

23           118.51 (5) (a) *Permissible criteria.* (intro.) Except as provided in sub. (3) (a)  
24 2., the criteria for accepting and rejecting applications from nonresident pupils  
25 under ~~sub.~~ subs. (3) (a) and (3m) (a) may include only the following:

1           **\*-0855/2.11\* SECTION 2619.** 118.51 (5) (a) 1. (intro.) of the statutes is amended  
2 to read:

3           118.51 (5) (a) 1. (intro.) The availability of space in the schools, programs,  
4 classes, or grades within the nonresident school district. The nonresident school  
5 board shall determine the number of regular education and special education spaces  
6 available within the school district in the January meeting of the school board, except  
7 that for the 2011-12 school year the board shall determine the number of regular  
8 education and special education spaces available within the school district in the  
9 February meeting of the school board. In determining the availability of space, the  
10 nonresident school board may consider criteria such as class size limits,  
11 pupil-teacher ratios, or enrollment projections established by the nonresident school  
12 board and may include in its count of occupied spaces all of the following:

13           **\*-0855/2.12\* SECTION 2620.** 118.51 (5) (a) 1. b. of the statutes is amended to  
14 read:

15           118.51 (5) (a) 1. b. Pupils and siblings of pupils who have applied under sub.  
16 (3) (a) or (3m) (a) and are already attending the nonresident school district.

17           **\*-0855/2.13\* SECTION 2621.** 118.51 (5) (a) 1. c. of the statutes is amended to  
18 read:

19           118.51 (5) (a) 1. c. If the nonresident school district is a union high school  
20 district, pupils who have applied under sub. (3) (a) or (3m) (a) and are currently  
21 attending an underlying elementary school district of the nonresident school district  
22 under this section.

23           **\*-0855/2.14\* SECTION 2622.** 118.51 (5) (d) of the statutes is renumbered 118.51  
24 (5) (d) 1. and amended to read:

1           118.51 (5) (d) 1. The school board of a nonresident school district may create  
2 a waiting list of pupils whose applications were rejected under sub. (3) (a) 3. The  
3 nonresident school board may accept pupils from a waiting list created under this  
4 paragraph until the 3rd Thursday in September but only if the pupil will be in  
5 attendance at the school or program in the nonresident school district on the 3rd  
6 Friday in September. Notwithstanding sub. (3) (a) 6., if a pupil is accepted from a  
7 waiting list created under this paragraph after the start of the school term, the  
8 parent shall immediately notify the resident school district of the pupil's intent to  
9 attend school in the nonresident school district for the current school term.

10           3. The department shall promulgate rules to implement and administer this  
11 paragraph.

12           \*-0855/2.15\* SECTION 2623. 118.51 (5) (d) 2. of the statutes is created to read:

13           118.51 (5) (d) 2. A pupil accepted from a waiting list created under this  
14 paragraph may attend the school or program in the nonresident school district even  
15 if the pupil has attended a school or program in the pupil's resident school district  
16 in the current school term, but not if the pupil has attended a school or program in  
17 a nonresident school district in the current school term.

18           \*-0855/2.16\* SECTION 2624. 118.51 (8) of the statutes is amended to read:

19           118.51 (8) DISCIPLINARY RECORDS. Notwithstanding s. 118.125, for an  
20 application submitted under sub. (3) (a), by the first Friday following the first  
21 Monday in May, and within 10 days of receiving a copy of an application under sub.  
22 (3m) (c), the resident school board shall provide to the nonresident school board to  
23 which a pupil has applied under this section, ~~upon request by that school board,~~ a  
24 copy of any expulsion findings and orders pertaining to the pupil, a copy of records  
25 of any pending disciplinary proceeding involving the pupil, a written explanation of

1 the reasons for the expulsion or pending disciplinary proceeding and the length of  
2 the term of the expulsion or the possible outcomes of the pending disciplinary  
3 proceeding.

4 **\*-0855/2.17\* SECTION 2625.** 118.51 (9) of the statutes is amended to read:

5 118.51 (9) APPEAL OF REJECTION. If the nonresident school board rejects an  
6 application under sub. (3) (a) or (7), the resident school board prohibits a pupil from  
7 attending public school in a nonresident school district under sub. (3m) (d), (6), (7)  
8 or (12) (b) 1., or the nonresident school board prohibits a pupil from attending public  
9 school in the nonresident school district under sub. (11), the pupil's parent may  
10 appeal the decision to the department within 30 days after the decision. If the  
11 nonresident school board provides notice that the special education or related service  
12 is not available under sub. (12) (a), the pupil's parent may appeal the required  
13 transfer to the department within 30 days after receipt of the notice. If the resident  
14 school board provides notice of transfer under sub. (12) (b) 2., the pupil's parent may  
15 appeal the required transfer to the department within 30 days after receipt of the  
16 notice. The department shall affirm the school board's decision unless the  
17 department finds that the decision was arbitrary or unreasonable.

18 **\*-0855/2.18\* SECTION 2626.** 118.51 (12) (am) of the statutes is created to read:

19 118.51 (12) (am) *Estimate of costs.* 1. The nonresident school district shall  
20 prepare an estimate of the costs to provide the special education or related services  
21 required in the individualized education program developed under s. 115.787 (2) for  
22 a child with a disability whose parent has submitted an application under this  
23 section. For an application submitted for a child with a disability under sub. (3) (a),  
24 the nonresident school district shall provide a copy of the estimate of costs to the  
25 resident school district by the 3rd Friday following the first Monday in May. For an

1 application submitted for a child with a disability under sub. (3m) (a), the  
2 nonresident school district shall provide a copy of the estimate of costs to the resident  
3 school district within 10 days after receiving or developing the individualized  
4 education program for the applicant.

5 2. Except as provided in subd. 3., if the nonresident school district fails to  
6 comply with the requirement under this section by the date specified, the  
7 nonresident school district may not charge the resident school district for any actual,  
8 additional costs incurred by the nonresident school district to provide the special  
9 education and related services for the child with a disability.

10 3. Subdivision 2. does not apply if the resident school district fails to comply  
11 with the requirements under sub. (3) (a) 1m.

12 **\*-0855/2.19\* SECTION 2627.** 118.51 (12) (b) 1. of the statutes is amended to  
13 read:

14 118.51 (12) (b) 1. If the estimate of the costs of the special education or related  
15 services required in the individualized education program under s. 115.787 (2) for a  
16 child with a disability whose parent has submitted an application under sub. (3) (a),  
17 as proposed to be implemented by the nonresident school district and as provided to  
18 the resident school district as required under par. (am), would impose upon the  
19 child's resident school district an undue financial burden in light of the resident  
20 school district's total economic circumstances, including its revenue limit under  
21 subch. VII of ch. 121, its ability to pay tuition costs for the pupil, and the per pupil  
22 special education or related services costs for children with disabilities continuing  
23 to be served by the resident school district, the child's resident school board may  
24 notify the child's parent and the nonresident school board by the ~~first~~ 2nd Friday

1 following the first Monday in ~~April~~ June that the pupil may not attend the  
2 nonresident school district to which the child has applied.

3 **\*-0855/2.20\* SECTION 2628.** 118.51 (15) (a) of the statutes is amended to read:

4 118.51 (15) (a) *Application form.* Prepare, distribute to school districts, and  
5 make available to parents an application form to be used by parents under sub. (3)  
6 (a) and an application form to be used by parents under sub. (3m) (a). The form shall  
7 include provisions that permit a parent to apply for transportation reimbursement  
8 under sub. (14) (b). The form shall require an applicant who is applying to attend  
9 a virtual charter school to indicate that he or she is applying to attend a virtual  
10 charter school, the number of virtual charter schools to which he or she is applying,  
11 and whether he or she is a sibling of a pupil currently enrolled in a virtual charter  
12 school through the open enrollment program.

13 **\*-0855/2.21\* SECTION 2629.** 118.51 (15) (c) of the statutes is renumbered

14 118.51 (15) (c) (intro.) and amended to read:

15 118.51 (15) (c) *Annual report.* (intro.) Annually submit a report to the governor,  
16 and to the appropriate standing committees of the legislature under s. 13.172 (3), ~~on~~  
17 the. The report under this paragraph shall include all of the following information:

18 1. The number of pupils who applied to attend public school in a nonresident  
19 school district under this section, ~~the,~~

20 3. The number of applications denied and the bases for the denials, ~~and the,~~

21 4. The number of pupils attending public school in a nonresident school district  
22 under this section. The department shall specify, separately, the number of pupils  
23 attending public school in a nonresident school district whose applications were  
24 accepted under subs. (3) (a) 3. and (3m) (c), and, for the applications accepted under

1 sub. (3m) (c), the number of pupils attending under each of the criteria listed in sub.  
2 (3m) (b).

3 \***-0855/2.22\* SECTION 2630.** 118.51 (15) (c) 2. of the statutes is created to read:  
4 118.51 (15) (c) 2. The number of applications received under subs. (3) (a) and  
5 (3m) (a) and, for the applications received under sub. (3m) (a), the number of  
6 applications received under each of the criteria listed in sub. (3m) (b).

7 \***-1187/P4.456\* SECTION 2631.** 118.55 (1) of the statutes is amended to read:  
8 118.55 (1) DEFINITION. In this section, “institution of higher education” means  
9 an institution within the University of Wisconsin System, the University of  
10 Wisconsin–Madison, a tribally controlled college or a private, nonprofit institution  
11 of higher education located in this state.

12 \***-1187/P4.457\* SECTION 2632.** 118.55 (5) (a) of the statutes is amended to  
13 read:

14 118.55 (5) (a) If the pupil is attending an institution within the University of  
15 Wisconsin System or the University of Wisconsin–Madison, the actual cost of tuition,  
16 fees, books and other necessary materials directly related to the course.

17 \***-1213/1.38\* SECTION 2633.** 118.55 (7r) (a) 4. of the statutes is amended to  
18 read:

19 118.55 (7r) (a) 4. The pupil is not a child at risk, ~~as defined in s. 118.153 (1) (a).~~

20 \***-1213/1.39\* SECTION 2634.** 119.04 (1) of the statutes is amended to read:

21 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
22 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
23 115.345, ~~115.361~~, 115.365 (3), 115.38 (2), 115.445, ~~115.45~~, 118.001 to 118.04, 118.045,  
24 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4),  
25 118.15, ~~118.153~~, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.225,

1 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.255, 118.258, 118.291, 118.30 to 118.43,  
2 118.46, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (27), 120.125, 120.13 (1), (2) (b)  
3 to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3),  
4 and 120.25 are applicable to a 1st class city school district and board.

5 **\*-1244/P1.1\* SECTION 2635.** 119.18 (6) (intro.) and (b) of the statutes are  
6 consolidated, renumbered 119.18 (6) and amended to read:

7 119.18 (6) SCHOOL CALENDAR. The board may determine the school calendar and  
8 vacation periods for each school year for the regular day schools, summer schools,  
9 social centers, and playgrounds, ~~except that: (b).~~ The board may close any school or  
10 dismiss any class in the event of an emergency, fire or other casualty, quarantine, or  
11 epidemic.

12 **\*-1244/P1.2\* SECTION 2636.** 119.18 (6) (a) of the statutes is repealed.

13 **\*-0837/P1.1\* SECTION 2637.** 119.23 (2) (a) (intro.) of the statutes is amended  
14 to read:

15 119.23 (2) (a) (intro.) ~~Subject to par. (b), any~~ Any pupil in grades kindergarten  
16 to 12 who resides within the city may attend, at no charge, any private school located  
17 in the city if all of the following apply:

18 **\*-0838/P1.1\* SECTION 2638.** 119.23 (2) (a) (intro.) of the statutes is amended  
19 to read:

20 119.23 (2) (a) (intro.) Subject to par. (b), any pupil in grades kindergarten to 12  
21 who resides within the city may attend, at no charge, any private school located in  
22 ~~the city~~ Milwaukee County if all of the following apply:

23 **\*-1345/P4.1\* SECTION 2639.** 119.23 (2) (a) (intro.) of the statutes is amended  
24 to read:

1           119.23 (2) (a) (intro.) Subject to par. (b), any pupil in grades kindergarten to 12  
2 who resides within the city may attend, ~~at no charge~~, any private school located in  
3 the city if all of the following apply:

4           **\*-1345/P4.2\* SECTION 2640.** 119.23 (2) (a) 1. of the statutes is amended to read:

5           119.23 (2) (a) 1. The Except as provided in subd. 2., the pupil is a member of  
6 a family that has a total family income that does not exceed an amount equal to 1.75  
7 times the poverty level determined in accordance with criteria established by the  
8 director of the federal office of management and budget. A pupil attending a private  
9 school under this section whose family income increases may continue to attend a  
10 private school under this section if the pupil is a member of a family that has a total  
11 family income that does not exceed an amount equal to 2.2 times the poverty level  
12 determined in accordance with criteria established by the director of the federal  
13 office of management and budget. For purposes of admission to a private school  
14 under this section, siblings of pupils attending a private school under this section are  
15 subject to the higher income limit. If a pupil attending a private school under this  
16 section ceases to attend a private school under this section, the lower income limit  
17 applies unless the pupil is a sibling of a pupil attending a private school under this  
18 section.

19           **\*-1345/P4.3\* SECTION 2641.** 119.23 (2) (a) 2. of the statutes is created to read:

20           119.23 (2) (a) 2. Beginning in the 2011-12 school year, the pupil did not enroll  
21 in or attend a school participating in the program under this section at any time  
22 during the 2010-11 school year.

23           **\*-0837/P1.2\* SECTION 2642.** 119.23 (2) (b) of the statutes is repealed.

24           **\*-1345/P4.4\* SECTION 2643.** 119.23 (3) (a) of the statutes is amended to read:

1           119.23 (3) (a) The pupil or the pupil's parent or guardian shall submit an  
2 application, on a form provided by the state superintendent, to the participating  
3 private school that the pupil wishes to attend. Within 60 days after receiving the  
4 application, the private school shall notify the applicant, in writing, whether the  
5 application has been accepted. If the private school rejects an application, the notice  
6 shall include the reason. The private school shall indicate in its letter of acceptance  
7 the amount of the payment the parent or guardian of the pupil will receive under sub.  
8 (4) and, if applicable, sub. (4m). A private school may reject an applicant only if it  
9 has reached its maximum general capacity or seating capacity. The state  
10 superintendent shall ensure that the private school determines which pupils to  
11 accept on a random basis, except that the private school may give preference in  
12 accepting applications to siblings of pupils accepted on a random basis.

13           \***-1345/P4.5\*** SECTION 2644. 119.23 (3m) of the statutes is created to read:

14           119.23 (3m) (a) For a pupil who applies to attend a private school participating  
15 in the program under this section under sub. (2) (a) 1., whose application is accepted  
16 under sub. (3) (a), and who is a member of a family that has a total family income that  
17 does not exceed an amount equal to 2.2 times the poverty level determined in  
18 accordance with criteria established by the director of the federal office of  
19 management and budget, the private school may not charge or receive any payment  
20 for the pupil other than the payment the school receives under sub. (4) and, if  
21 applicable, sub. (4m).

22           (b) 1. Except as provided in subd. 2., for a pupil who applies to attend a private  
23 school participating in the program under this section under sub. (2) (a) 2. and whose  
24 application is accepted under sub. (3) (a), the private school may, in addition to the

1 payment it receives for the pupil under sub. (4) and, if applicable, sub. (4m), charge  
2 the pupil tuition and fees in an amount determined by the school.

3 2. The private school may not charge or receive any additional payment for a  
4 pupil who applies to attend the private school under sub. (2) (a) 2. and whose  
5 application is accepted under sub. (3) (a) if the pupil is a member of a family that has  
6 a total family income that does not exceed an amount equal to 3.25 times the poverty  
7 level determined in accordance with criteria established by the director of the federal  
8 office of management and budget.

9 **\*-1246/P1.1\* SECTION 2645.** 119.23 (5) of the statutes is renumbered 119.23  
10 (5) (b).

11 **\*-1246/P1.2\* SECTION 2646.** 119.23 (5) (a) of the statutes is created to read:  
12 119.23 (5) (a) A private school participating in the program under this section  
13 shall immediately notify the department of a decision to cease educational  
14 programming operations.

15 **\*-0838/P1.2\* SECTION 2647.** 119.23 (7) (d) 1. of the statutes is renumbered  
16 119.23 (7) (d) 1. b. and amended to read:

17 119.23 (7) (d) 1. b. A copy of the school's current certificate of occupancy issued  
18 by the city municipality within which the school is located. If the private school  
19 moves to a new location, the private school shall submit a copy of the new certificate  
20 of occupancy issued by the city municipality within which the school is located to the  
21 department before the attendance of pupils at the new location and before the next  
22 succeeding date specified in s. 121.05 (1) (a). A temporary certificate of occupancy  
23 does not meet the requirement of this subdivision.

24 **\*-0838/P1.3\* SECTION 2648.** 119.23 (7) (d) 1. a. of the statutes is created to  
25 read:

1           119.23 (7) (d) 1. a. In this subdivision, “municipality” has the meaning given  
2 in s. 5.02 (11).

3           \*~~-0839/P1.1~~\* SECTION 2649. 119.23 (7) (e) 1. of the statutes is amended to read:

4           119.23 (7) (e) 1. ~~In the 2009-10 school year~~ Annually, each private school  
5 participating in the program under this section shall administer a nationally normed  
6 standardized test in reading, mathematics, and science to pupils attending the  
7 school under the program in the 4th, 8th, and 10th grades. ~~Beginning in the 2010-11~~  
8 ~~school year and annually thereafter, each private school participating in the program~~  
9 ~~under this section shall administer the examinations required under s. 118.30 (1s)~~  
10 ~~to pupils attending the school under the program.~~ The private school may administer  
11 additional standardized tests to such pupils. Beginning in 2006 and annually  
12 thereafter until 2011, the private school shall provide the scores of all standardized  
13 tests and examinations that it administers under this subdivision to the School  
14 Choice Demonstration Project.

15           \*~~-1183/P1.4~~\* SECTION 2650. 119.23 (7) (g) of the statutes is repealed.

16           \*~~-1246/P1.3~~\* SECTION 2651. 119.23 (7m) of the statutes is created to read:

17           119.23 (7m) (a) Evidence of any of the following circumstances may indicate  
18 that a private school participating in the program under this section does not utilize  
19 sound fiscal practices, is not financially viable, or does not have the financial ability  
20 to continue educational programming operations:

21           1. The private school’s budget and statement of cash flows reveal that the  
22 private school has inadequate revenues and other financial resources to fund current  
23 operations.

1           2. The audit opinion statement submitted by the private school as required  
2 under sub. (7) (am) 1. contains a qualification as to the private school's ability to  
3 continue as a going concern.

4           3. The private school failed to make a payment to a vendor for services provided  
5 to the private school or to an employee or other individual for expenses incurred on  
6 behalf of the private school within 90 days of receipt of invoice or payment request  
7 or as per written agreement, or has failed to make payments to an employee  
8 pursuant to a written document specifying compensation and dates for payment, as  
9 indicated in a written communication from the vendor, employee, or other individual.

10           4. The private school failed to make a filing with or withholding payment to the  
11 federal Internal Revenue Service, the Wisconsin department of revenue, or the  
12 Wisconsin department of workforce development as indicated in a written  
13 communication from one of these agencies.

14           5. An audit, required of the private school by a federal or state agency or local  
15 governmental unit and provided to the department of public instruction in  
16 compliance with reporting requirements promulgated by the department pursuant  
17 to sub. (11), contained questioned costs or findings related to compliance that may  
18 affect the private school's ability to continue.

19           6. The private school failed to refund to the department the amount of any  
20 overpayment made to the private school under sub. (4) (b) or (bg) or (4m), or the  
21 amount of any payment made to the private school for a pupil ineligible to attend the  
22 private school under this section.

23           (b) If the department determines that any of the circumstances under par. (a)  
24 applies to a private school, the private school shall, upon written request, provide to  
25 the department any information required by the department, including an audit of

1 the private school's financial statements in accordance with generally accepted  
2 accounting principles, to permit the department to determine whether the private  
3 school is utilizing sound fiscal practices, is financially viable, or is financially able  
4 to continue educational programming operations.

5 **\*-1247/P1.1\* SECTION 2652.** 119.23 (11) of the statutes is renumbered 119.23  
6 (11) (intro.) and amended to read:

7 119.23 (11) The department shall ~~promulgate~~ do all of the following:

8 (a) Promulgate rules to implement and administer this section.

9 **\*-1247/P1.2\* SECTION 2653.** 119.23 (11) (b) of the statutes is created to read:

10 119.23 (11) (b) Notify each private school participating in the program under  
11 this section and the parents and guardians of each pupil attending a private school  
12 under this section of any proposed changes to the program or to administrative rules  
13 governing the program, including changes to application or filing deadlines but not  
14 including changes to provisions governing health or safety, prior to the beginning of  
15 the school year in which the change takes effect.

16 **\*-1213/1.40\* SECTION 2654.** 119.245 of the statutes is repealed.

17 **\*-1465/P3.888\* \*-0808/2.350\* SECTION 2655.** 119.495 (2) of the statutes is  
18 amended to read:

19 119.495 (2) The board shall include in its budget transmitted to the common  
20 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing  
21 to be authorized in the budget for the ensuing year. The common council shall issue  
22 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and  
23 interest on the notes as they become due. The common council may issue the notes  
24 by private sale. The common council shall make every effort to involve a minority  
25 investment firm certified under s. ~~560.036~~ 490.04 as managing underwriter of the

1 notes or to engage a minority financial adviser certified under s. ~~560.036~~ 490.04 to  
2 advise the city regarding any public sale of the notes.

3 **\*-1465/P3.889\* \*-0808/2.351\* SECTION 2656.** 119.496 (2) of the statutes is  
4 amended to read:

5 119.496 (2) The board shall include in its budget transmitted to the common  
6 council under s. 119.16 (8) (b) a written notice specifying the amount of borrowing  
7 to be authorized in the budget for the ensuing year. The common council shall issue  
8 the notes and levy a direct annual irrevocable tax sufficient to pay the principal and  
9 interest on the notes as they become due. The common council may issue the notes  
10 by private sale. The common council shall establish goals of involving minority  
11 investment firms certified under s. ~~560.036~~ 490.04 as managing underwriters for at  
12 least 50% of the total amount financed by the notes and of engaging a minority  
13 financial adviser certified under s. ~~560.036~~ 490.04 to advise the city regarding any  
14 public sale of the notes.

15 **\*-1243/P1.1\* SECTION 2657.** 120.12 (3) (a), (b) and (c) of the statutes are  
16 amended to read:

17 120.12 (3) (a) ~~On~~ Annually on or before November 1, determine the amount  
18 necessary to be raised to operate and maintain the schools of the school district and  
19 public library facilities operated by the school district under s. 43.52, if the annual  
20 meeting has not voted a tax sufficient for such purposes for the school year. ~~On~~  
21 Annually on or before November 6, or, in those years in which a November general  
22 election is held, the 7th calendar day after the day of the general election, the school  
23 district clerk shall certify the appropriate amount so determined to each appropriate  
24 municipal clerk who shall assess the amount certified and enter it on the tax rolls  
25 as other school district taxes are assessed and entered.

1 (b) If a tax sufficient to operate and maintain the schools of a school district for  
2 the ensuing school year has not been determined, certified and levied prior to the  
3 effective date of school district reorganization under ch. 117 affecting any territory  
4 of the school district, the school board of the affected school district shall determine,  
5 on or before the November 1 following the effective date of the reorganization, the  
6 amount of deficiency in operation and maintenance funds on the effective date of the  
7 reorganization which should have been paid by the property in the affected school  
8 district if the tax had been determined, certified and assessed prior to the effective  
9 date of the reorganization. On or before November 6, or, in those years in which a  
10 November general election is held, the 7th calendar day after the day of the general  
11 election, the school district clerk shall certify the appropriate amount to each  
12 appropriate municipal clerk who shall assess, enter and collect the amount as a  
13 special tax on the property. This paragraph does not affect the apportionment of  
14 assets and liabilities under s. 66.0235.

15 (c) If on or before November 1 the school board determines that the annual  
16 meeting has voted a tax greater than that needed to operate the schools of the school  
17 district for the school year, the school board may lower the tax voted by the annual  
18 meeting. On or before November 6, or, in those years in which a November general  
19 election is held, the 7th calendar day after the day of the general election, the school  
20 district clerk shall certify the appropriate amount so determined to each appropriate  
21 municipal clerk who shall assess the amount certified to him or her and enter it on  
22 the tax rolls in lieu of the amount previously reported.

23 **\*-0841/P2.5\* SECTION 2658.** 120.12 (15) of the statutes is amended to read:

24 120.12 (15) SCHOOL HOURS. Establish rules scheduling the hours of a normal  
25 school day. The school board may differentiate between the various elementary and

1 high school grades in scheduling the school day. ~~The equivalent of 180 such days, as~~  
2 ~~defined in s. 115.01 (10), shall be held during the school term.~~ This subsection shall  
3 not be construed to eliminate a school district's duty to bargain with the employee's  
4 collective bargaining representative over any calendaring proposal which is  
5 primarily related to wages, hours, and conditions of employment.

6 **\*-0841/P2.14\* SECTION 2659.** 120.12 (27) (a) and (b) of the statutes are  
7 amended to read:

8 120.12 (27) (a) Within 24 hours of a school being closed for a reason specified  
9 in s. 115.01 (10) (a) ~~2. or 3.~~ or (b) or by the department of health services under s.  
10 252.02 (3), notify the department. The notice shall include the reason for the closure.

11 (b) Within 24 hours of reopening a school that was closed for a reason specified  
12 in s. 115.01 (10) (a) ~~2. or 3.~~ or (b) or by the department of health services under s.  
13 252.02 (3), notify the department that the school has reopened. In the notice, the  
14 school board shall include the number of days the school was closed.

15 **\*-1258/2.5\* SECTION 2660.** 120.13 (2) (g) of the statutes is amended to read:

16 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.  
17 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),  
18 632.798, 632.85, 632.853, 632.855, 632.87 (4), (5), and (6), 632.885, 632.89, 632.895  
19 (9) to ~~(17)~~ (16m), 632.896, and 767.513 (4).

20 **\*-1243/P1.2\* SECTION 2661.** 120.17 (8) (a) of the statutes is amended to read:

21 120.17 (8) (a) Annually on or before November 6, or, in those years in which a  
22 November general election is held, the 7th calendar day after the day of the general  
23 election, deliver to the clerk of each municipality having territory within the school  
24 district a certified statement showing that proportion of the amount of taxes voted  
25 and not before reported, and that proportion of the amount of tax to be collected in

1 such year, if any, for the annual payment of any loan to be assessed on that part of  
2 the school district territory lying within the municipality. Such proportion shall be  
3 determined from the full values certified to the school district clerk under s. 121.06  
4 (2).

5 **\*-0841/P2.6\* SECTION 2662.** 121.004 (7) (c) 1. b. of the statutes is amended to  
6 read:

7 121.004 (7) (c) 1. b. A pupil enrolled in a 5-year-old kindergarten program  
8 requiring full-day attendance for less than 5 days a week for an entire school year  
9 term shall be counted as the result obtained by multiplying the number of hours in  
10 each day in which the pupil is enrolled by the total number of days for which the pupil  
11 is enrolled, and dividing the result by the ~~product of the~~ total number of hours of  
12 attendance ~~per day~~ required of first grade pupils in the school district ~~multiplied by~~  
13 180.

14 **\*-0841/P2.7\* SECTION 2663.** 121.004 (7) (cm) of the statutes is amended to  
15 read:

16 121.004 (7) (cm) A pupil enrolled in a 4-year-old kindergarten program,  
17 including a 4-year-old kindergarten program being phased in under s. 118.14 (3) (b),  
18 that provides the required number of hours of direct pupil instruction under s. 121.02  
19 (1) (f) ~~2.~~ shall be counted as 0.6 pupil if the program annually provides at least 87.5  
20 additional hours of outreach activities.

21 **\*-0841/P2.8\* SECTION 2664.** 121.006 (2) (a) of the statutes is renumbered  
22 121.006 (2) (a) (intro.) and amended to read:

23 121.006 (2) (a) (intro.) Hold school for ~~at least 180 days each year~~ the minimum  
24 number of hours of direct pupil instruction required for the grade in which a pupil  
25 is enrolled as specified in s. 121.02 (1) (f), less any days of the following:

1           1. Hours during which the state superintendent determines that school is not  
2 held or educational standards are not maintained as the result of a strike by school  
3 district employees, ~~the days to be computed in accordance with s. 115.01 (10).~~

4           \***-0841/P2.9\*** **SECTION 2665.** 121.006 (2) (a) 2. of the statutes is created to read:

5           121.006 (2) (a) 2. Hours during which school is closed by order of the school  
6 district administrator because of inclement weather and hours during which  
7 parent-teacher conferences are held, not to exceed 35 hours during the school term.

8           \***-0841/P2.10\*** **SECTION 2666.** 121.006 (2) (a) 3. of the statutes is created to  
9 read:

10           121.006 (2) (a) 3. Hours during which school is closed by order of a local health  
11 officer, as defined in s. 250.01 (5), or the department of health services.

12           \***-0841/P2.11\*** **SECTION 2667.** 121.006 (2) (a) 4. of the statutes is created to  
13 read:

14           121.006 (2) (a) 4. Hours during which school is closed by order of the school  
15 district administrator because of a threat to the health or safety of pupils or school  
16 personnel, but not including inclement weather, unless the school board determines  
17 that the hours will not count as hours of direct pupil instruction for purposes of s.  
18 121.02 (1) (f).

          \*\*\*\*NOTE: As amended by this draft, s. 121.006 (2) (a) requires the school board to hold school for the minimum hours of direct pupil instruction required under s. 121.02 (1) (f), but allows to school board to reduce from the required hours of instruction certain hours during which school is not taught. For additional discussion of changes to s. 121.006 (2) (a), please see \*\*\*\*NOTE accompanying treatment of s. 115.01 (10).

19           \***-1213/1.41\*** **SECTION 2668.** 121.007 of the statutes is amended to read:

20           **121.007 Use of state aid; exemption from execution.** All moneys paid to  
21 a school district under s. 20.255 (2) (ac), ~~(be)~~, (cg), and (cr), shall be used by the school  
22 district solely for the purposes for which paid. Such moneys are exempt from

1 execution, attachment, garnishment, or other process in favor of creditors, except as  
2 to claims for salaries or wages of teachers and other school employees and as to  
3 claims for school materials, supplies, fuel, and current repairs.

4 **\*-1189/1.3\* SECTION 2669.** 121.02 (1) (a) 2. of the statutes is amended to read:

5 121.02 (1) (a) 2. Subject to s. 118.40 (2r) (d) 1. and (8) (b) 2., ensure that all  
6 instructional staff of charter schools located in the school district hold a license or  
7 permit to teach issued by the department. For purposes of this subdivision, a virtual  
8 charter school is located in the school district specified in s. 118.40 (8) (a) and a  
9 charter school established under s. 118.40 (3) (c) 1. c. is located in the school district  
10 specified in s. 118.40 (3) (c) 1. c. The state superintendent shall promulgate rules  
11 defining "instructional staff" for purposes of this subdivision.

12 **\*-0841/P2.12\* SECTION 2670.** 121.02 (1) (f) 1. of the statutes is repealed.

13 **\*-0841/P2.13\* SECTION 2671.** 121.02 (1) (f) 2. of the statutes is renumbered  
14 121.02 (1) (f) and amended to read:

15 121.02 (1) (f) Annually, schedule at least 437 hours of direct pupil instruction  
16 in kindergarten, at least 1,050 hours of direct pupil instruction in grades 1 to 6 and  
17 at least 1,137 hours of direct pupil instruction in grades 7 to 12, or the number of  
18 hours of direct pupil instruction the school board scheduled during the 2010-11  
19 school year, whichever is greater. Scheduled hours under this ~~subdivision~~ paragraph  
20 include recess and time for pupils to transfer between classes but do not include the  
21 lunch period. Scheduled hours under this paragraph may include up to 35 hours on  
22 Saturdays. A school board operating a 4-year-old kindergarten program may use  
23 up to 87.5 of the scheduled hours for outreach activities.

\*\*\*\*NOTE: The substantive changes to this paragraph are taken from 2009  
Assembly Bill 200. Note that the material related to scheduled hours on Saturdays is

transferred from s. 115.01 (10) (b). Please see the \*\*\*\*NOTE accompanying treatment of s. 115.01 (10). Are you comfortable with these changes?

1       \*-1213/1.42\* SECTION 2672. 121.02 (1) (n) of the statutes is repealed.

2       \*-0852/1.1\* SECTION 2673. 121.08 (4) (a) 1. of the statutes is amended to read:

3       121.08 (4) (a) 1. ~~In the 2009-10 and 2010-11 school year, add~~ Add the amounts  
4       paid under s. 118.40 (2r) in the current school year, ~~and in the 2011-12 school year~~  
5       ~~and each school year thereafter, add the amounts paid under s. 118.40 (2r) in the~~  
6       ~~2010-11 school year.~~

7       \*-0841/P2.15\* SECTION 2674. 121.23 (2) (intro.) of the statutes is amended to  
8       read:

9       121.23 (2) (intro.) If a school district ~~holds less than 180 days of school~~ fails to  
10       provide the number of hours of direct pupil instruction specified under s. 121.02 (1)  
11       (f) 2. as the result of a strike by school district employees, for the purposes of  
12       computing general aid, the state superintendent shall compute the school district's  
13       primary and secondary ceiling costs per member in accordance with the procedure  
14       specified in pars. (a) to (e). In making the calculation, the state superintendent shall:

      \*\*\*\*NOTE: Section 121.23 (2) governs the calculation of general aid for a school  
      district that holds school for less than 180 days as a result of a strike by school district  
      employees. I substituted hours of instruction for the 180 days requirement. Was that  
      your intent?

15       \*-1242/P1.1\* SECTION 2675. 121.55 (3) (b) of the statutes is amended to read:

16       121.55 (3) (b) Except as provided in par. (c), if 2 or more pupils reside in the  
17       same household and attend the same private school, the contract under par. (a) may,  
18       at the discretion of the school board ~~of the school district operating under ch. 119,~~  
19       provide for a total annual payment for all such pupils of not less than \$5 times the  
20       distance in miles between the pupils' residence and the private school they attend,  
21       or the school district's average cost per pupil for bus transportation in the previous

1 year exclusive of transportation for kindergarten pupils during the noon hour and  
2 for pupils with disabilities, whichever is greater.

3 **\*-0836/P3.1\* SECTION 2676.** 121.905 (1) of the statutes is amended to read:

4 121.905 (1) In this section, "revenue ceiling" means ~~\$9,000 in the 2009-10~~  
5 ~~school year and in the 2010-11 school year and \$9,800~~ \$8,800 in the 2011-12 school  
6 year and in any subsequent school year.

7 **\*-0836/P3.2\* SECTION 2677.** 121.905 (3) (c) 3r. of the statutes is repealed.

8 **\*-0836/P3.3\* SECTION 2678.** 121.905 (3) (c) 4. of the statutes is repealed.

9 **\*-0836/P3.4\* SECTION 2679.** 121.91 (2m) (e) (intro.) of the statutes is amended  
10 to read:

11 121.91 (2m) (e) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no  
12 school district may increase its revenues for the 2008-09 school year to an amount  
13 that exceeds the amount calculated as follows:

14 **\*-0836/P3.5\* SECTION 2680.** 121.91 (2m) (f) (intro.) of the statutes is amended  
15 to read:

16 121.91 (2m) (f) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no school  
17 district may increase its revenues for the 2009-10 school year or for the 2010-11  
18 school year to an amount that exceeds the amount calculated as follows:

19 **\*-0836/P3.6\* SECTION 2681.** 121.91 (2m) (g) (intro.) of the statutes is amended  
20 to read:

21 121.91 (2m) (g) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no  
22 school district may increase its revenues for the 2011-12 school year to an amount  
23 that exceeds the amount calculated as follows:

24 **\*-0836/P3.7\* SECTION 2682.** 121.91 (2m) (g) 2. of the statutes is repealed.

1           **\*-0836/P3.8\* SECTION 2683.** 121.91 (2m) (g) 3. of the statutes is amended to  
2 read:

3           121.91 (2m) (g) 3. Multiply the result under subd. 2. 1. by the average of the  
4 number of pupils enrolled in the current and the 2 preceding school years.

5           **\*-0836/P3.9\* SECTION 2684.** 121.91 (2m) (g) 4. of the statutes is created to  
6 read:

7           121.91 (2m) (g) 4. Multiply the result under subd. 3. by 0.0648.

8           **\*-0836/P3.10\* SECTION 2685.** 121.91 (2m) (g) 5. of the statutes is created to  
9 read:

10           121.91 (2m) (g) 5. Subtract the product under subd. 4. from the result under  
11 subd. 3.

12           **\*-0836/P3.11\* SECTION 2686.** 121.91 (2m) (h) (intro.) of the statutes is  
13 amended to read:

14           121.91 (2m) (h) (intro.) Except as provided in subs. (3), and (4), ~~and (8)~~, no  
15 school district may increase its revenues for the 2012-13 school year ~~or for any school~~  
16 ~~year thereafter~~ to an amount that exceeds the amount calculated as follows:

17           **\*-0836/P3.12\* SECTION 2687.** 121.91 (2m) (h) 2. of the statutes is repealed.

18           **\*-0836/P3.13\* SECTION 2688.** 121.91 (2m) (h) 3. of the statutes is repealed.

19           **\*-0836/P3.14\* SECTION 2689.** 121.91 (2m) (h) 4. of the statutes is amended to  
20 read:

21           121.91 (2m) (h) 4. Multiply the result under subd. ~~3.~~ 1. by the average of the  
22 number of pupils enrolled in the current and the 2 preceding school years.

23           **\*-0836/P3.15\* SECTION 2690.** 121.91 (2m) (r) 1. b. of the statutes is repealed.

24           **\*-0836/P3.16\* SECTION 2691.** 121.91 (2m) (r) 1. c. of the statutes is amended  
25 to read:

1           121.91 **(2m)** (r) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of  
2           pupils who in the previous school year were enrolled in a school district from which  
3           territory was detached to create the new school district and who resided in the  
4           detached territory, or by the number of pupils enrolled in the new school district in  
5           the current school year, whichever is greater.

6           \***-0836/P3.17\*** **SECTION 2692.** 121.91 (2m) (r) 1. d. of the statutes is created to  
7           read:

8           121.91 **(2m)** (r) 1. d. In the 2011-12 school year, multiply the result under subd.  
9           1. c. by 0.0648. In the 2012-13 school year, multiply the result under subd. 1. c. by  
10          1.0.

11          \***-0836/P3.18\*** **SECTION 2693.** 121.91 (2m) (r) 1. e. of the statutes is created to  
12          read:

13          121.91 **(2m)** (r) 1. e. Subtract the product of subd. 1. d. from the result under  
14          subd. 1. c.

15          \***-0836/P3.19\*** **SECTION 2694.** 121.91 (2m) (s) 1. b. of the statutes is repealed.

16          \***-0836/P3.20\*** **SECTION 2695.** 121.91 (2m) (s) 1. c. of the statutes is amended  
17          to read:

18          121.91 **(2m)** (s) 1. c. Multiply the result under subd. 1. ~~b.~~ a. by the number of  
19          pupils who in the previous school year were enrolled in the school district and who  
20          did not reside in the detached territory, or by the number of pupils enrolled in the  
21          school district in the current school year, whichever is greater.

22          \***-0836/P3.21\*** **SECTION 2696.** 121.91 (2m) (s) 1. d. of the statutes is created to  
23          read:

1           121.91 (2m) (s) 1. d. In the 2011-12 school year, multiply the result under subd.  
2 1. c. by 0.0648. In the 2012-13 school year, multiply the result under subd. 1. c. by  
3 1.0.

4           **\*-0836/P3.22\* SECTION 2697.** 121.91 (2m) (s) 1. e. of the statutes is created to  
5 read:

6           121.91 (2m) (s) 1. e. Subtract the product of subd. 1. d. from the result under  
7 subd. 1. c.

8           **\*-0836/P3.23\* SECTION 2698.** 121.91 (2m) (t) 1. (intro.) of the statutes is  
9 amended to read:

10           121.91 (2m) (t) 1. (intro.) If 2 or more school districts are consolidated under  
11 s. 117.08 or 117.09, except as follows, in the 2011-12 school year, the consolidated  
12 school district's revenue limit shall be determined as provided under par. (e) except  
13 as follows (g) and in the 2012-13 school year, the consolidated school district's  
14 revenue limit shall be determined as provided under par. (h):

15           **\*-0836/P3.24\* SECTION 2699.** 121.91 (4) (d) of the statutes is repealed.

16           **\*-0844/P1.1\* SECTION 2700.** 121.91 (4) (L) of the statutes is repealed.

17           **\*-0844/P1.2\* SECTION 2701.** 121.91 (4) (m) of the statutes is repealed.

18           **\*-0844/P1.3\* SECTION 2702.** 121.91 (4) (n) of the statutes is repealed.

19           **\*-0855/2.23\* SECTION 2703.** 121.91 (4) (p) of the statutes is created to read:

20           121.91 (4) (p) The limit otherwise applicable to a school district under sub. (2m)  
21 in any school year is increased by the amount of any reduction to that school district's  
22 state aid payment made under s. 118.51 (16) (b) 2. and (c) in the previous school year  
23 for a pupil who was not included in the calculation of the number of pupils enrolled  
24 in that school district in the previous school year.

25           **\*-0836/P3.25\* SECTION 2704.** 121.91 (7) of the statutes is amended to read:

1           121.91 (7) Except as provided in sub. (4) (f) 2. and (L) to (o) ~~and (8)~~, if an excess  
2 revenue is approved under sub. (3) for a recurring purpose or allowed under sub. (4),  
3 the excess revenue shall be included in the base for determining the limit for the next  
4 school year for purposes of this section. If an excess revenue is approved under sub.  
5 (3) for a nonrecurring purpose, the excess revenue shall not be included in the base  
6 for determining the limit for the next school year for purposes of this section.

7           **\*-0844/P1.4\* SECTION 2705.** 121.91 (7) of the statutes is amended to read:

8           121.91 (7) Except as provided in ~~sub.~~ subs. (4) (f) 2. and (L) to (o) and (8), if an  
9 excess revenue is approved under sub. (3) for a recurring purpose or allowed under  
10 sub. (4), the excess revenue shall be included in the base for determining the limit  
11 for the next school year for purposes of this section. If an excess revenue is approved  
12 under sub. (3) for a nonrecurring purpose, the excess revenue shall not be included  
13 in the base for determining the limit for the next school year for purposes of this  
14 section.

15           **\*-0836/P3.26\* SECTION 2706.** 121.91 (8) of the statutes is repealed.

16           **\*-1187/P4.458\* SECTION 2707.** 125.02 (3m) of the statutes is amended to read:

17           125.02 (3m) "Campus" has the meaning given under s. 36.05 (3) and s. 37.01  
18 (4).

19           **\*-0721/6.4\* SECTION 2708.** 132.001 (1m) of the statutes is created to read:

20           132.001 (1m) "Department" means the department of financial institutions.

21           **\*-0721/6.5\* SECTION 2709.** 132.01 (1) of the statutes is amended to read:

22           132.01 (1) Any person, firm, partnership, corporation, association, or union of  
23 workingmen, which has heretofore adopted or used or shall hereafter adopt or use  
24 any mark for the purpose of designating, making known, or distinguishing any  
25 goods, wares, merchandise, service, business, or other product of labor or

1 manufacture as having been made, manufactured, produced, prepared, packed, or  
2 put on sale by such person, firm, partnership, corporation, association, or union of  
3 workingmen, or by a member or members thereof, he, she, or they, if residents of this  
4 or any other state of the United States, and such foreign corporations as may have  
5 been duly licensed to transact business in the state of Wisconsin, may file an original,  
6 a copy, or photographs, or cuts with specifications of the same for record ~~in the office~~  
7 ~~of the secretary of state~~ with the department, by leaving 2 such originals, copies,  
8 photographs, or cuts with specifications, the same being counterparts, facsimiles, or  
9 drawings thereof, with ~~said secretary~~ the department and by filing therewith a  
10 sworn statement, in such form as may be prescribed by the ~~secretary of state~~  
11 department, specifying the name of the person, firm, partnership, corporation,  
12 association, or union of workingmen, on whose behalf such mark is to be filed, the  
13 class of merchandise and a separate description of the goods to which the same has  
14 been or is intended to be appropriated, the residence, location, or place of business  
15 of such party, that the party, on whose behalf such mark is to be filed, has the right  
16 to the use of the same, and that no other person, or persons, firm, partnership,  
17 corporation, association, or union of workingmen has such right either in the  
18 identical form or in any such near resemblance thereto as may be calculated to  
19 deceive, and that the originals, copies, photographs, or cuts, counterparts,  
20 facsimiles, or drawings filed therewith are correct.

21 **\*-0721/6.6\* SECTION 2710.** 132.01 (3) of the statutes is amended to read:

22 132.01 (3) For an original or renewal registration, or the recording of an  
23 assignment, there shall be paid to the ~~secretary of state~~ department the fee of \$15.

24 **\*-0721/6.7\* SECTION 2711.** 132.01 (5) of the statutes is amended to read:

1           132.01 (5) The ~~secretary of state~~ department may not register any mark which  
2 consists of or comprises a replica or simulation of the flag, coat of arms, or insignia  
3 of the United States of America, or of any state or municipality or any foreign nation.

4           **\*-0721/6.8\* SECTION 2712.** 132.01 (6) of the statutes is amended to read:

5           132.01 (6) (a) A registration recorded or renewed under this section or s. 132.04  
6 or 132.11 before May 1, 1990, is effective for 20 years. A registration may be renewed  
7 on or after May 1, 1990, for 10-year periods upon application to the ~~secretary of state~~  
8 department and payment of the same fee required for a registration. Application for  
9 renewal shall be made within 6 months before the expiration of the 20-year  
10 registration period or 10-year renewal period specified in this paragraph.

11           (b) A registration recorded under this section or s. 132.04 or 132.11 on or after  
12 May 1, 1990, is effective for 10 years. A registration may be renewed for 10-year  
13 periods upon application to the ~~secretary of state~~ department and payment of the  
14 same fee required for a registration. Application for renewal shall be made within  
15 6 months before the expiration of the 10-year period specified in this paragraph.

16           **\*-0721/6.9\* SECTION 2713.** 132.01 (7) (intro.) of the statutes is amended to  
17 read:

18           132.01 (7) (intro.) The ~~secretary of state~~ department shall do all of the  
19 following:

20           **\*-0721/6.10\* SECTION 2714.** 132.01 (7) (b) of the statutes is amended to read:

21           132.01 (7) (b) Cancel from his or her register a registration of a mark under this  
22 section upon the request of the registrant of the mark. The ~~secretary of state~~  
23 department may not charge a fee for canceling a registration under this paragraph.

24           **\*-0721/6.11\* SECTION 2715.** 132.01 (8) of the statutes is amended to read:

1           132.01 (8) Any person, firm, partnership, corporation, association or union who  
2 claims a right to the use of subject matter conflicting with any registration by another  
3 may bring action against such other in the circuit court for the county in which such  
4 other resides, or in the circuit court for Dane County, and in any such action the right  
5 to the use and registration of such subject matter shall be determined as between the  
6 parties, and registration shall be granted or withheld or canceled by the ~~secretary~~  
7 ~~of state~~ department in accordance with the final judgment in any such action.  
8 Nonuser for a period of at least 2 years continuing to the date of commencement of  
9 any action in which abandonment is in issue shall be prima facie evidence of  
10 abandonment to the extent of such nonuser.

11           \*~~-0721/6.12~~\* SECTION 2716. 132.01 (9) of the statutes is amended to read:

12           132.01 (9) Title to any registration hereunder shall pass to any person, firm or  
13 corporation succeeding to the registrant's business to which such registration  
14 pertains. Written assignments of any such registration from a registrant to such a  
15 successor may be filed with and shall be recorded by the ~~secretary of state~~  
16 department upon payment of the fee specified in sub. (3). When such assignment is  
17 recorded, a new registration shall be entered in the name of the assignee, and on such  
18 registration and any subsequent certificates or registration of an assigned  
19 registration the ~~secretary of state~~ department shall show the previous ownership  
20 and dates of assignment thereof.

21           \*~~-0721/6.13~~\* SECTION 2717. 132.031 of the statutes is amended to read:

22           **132.031 Certificate; evidence.** The ~~secretary of state~~ department shall  
23 deliver to the person, corporation, association or union so filing or causing to be filed  
24 any such mark, or any assignment of such subject matter previously registered, or  
25 to any person, corporation, association or union renewing a registration, as many

1 duly attested certificates of the registration or renewal of the same as may be desired.  
2 Any such certificate shall, in all suits and prosecutions arising out of or depending  
3 upon any rights claimed under such mark, be prima facie evidence of the adoption  
4 thereof and of the facts prerequisite to registrations thereof as required by s. 132.01.

5 **\*-0721/6.14\* SECTION 2718.** 132.04 (1) of the statutes is amended to read:

6 132.04 (1) Any person who is the owner of cans, tubs, firkins, boxes, bottles,  
7 casks, barrels, kegs, cartons, tanks, fountains, vessels or containers with his or her  
8 names, brands, designs, trademarks, devices or other marks of ownership stamped,  
9 impressed, labeled, blown in or otherwise marked thereon, may file with the  
10 ~~secretary of state~~ department and record with the register of deeds of any county in  
11 which the person has his or her principal place of business, a written statement or  
12 description verified by affidavit of the owner or his or her agent, of the names, brands,  
13 designs, trademarks, devices or other marks of ownership used by him or her, and  
14 of the articles upon which they are used, or if the principal place of business is outside  
15 the state, then a written statement or verified description may be recorded with the  
16 register of deeds of any county. The statement shall be published as a class 3 notice,  
17 under ch. 985, in the county, and a copy of the publication, proved as provided in s.  
18 985.12, shall also be filed with the ~~secretary of state~~ department and recorded with  
19 the register of deeds.

20 **\*-0721/6.15\* SECTION 2719.** 132.04 (2) of the statutes is amended to read:

21 132.04 (2) All such written statements or descriptions and all such certificates  
22 of publication so filed or recorded shall be subject at all reasonable hours to public  
23 inspection. The ~~secretary of state~~ department and the register of deeds shall deliver  
24 to all applicants certified copies of all such written statements or descriptions or  
25 names, brands, designs, trademarks, devices, or other marks of ownership and of all

1 certificates of publication filed or recorded with them and such certified copies shall  
2 be admissible in evidence in all prosecutions under ss. 132.04 to 132.08, and shall be  
3 prima facie evidence that this section has been complied with, and of the title of the  
4 owner named therein to the property upon which the name, brand, design,  
5 trademark, device, or other marks of ownership of the owner appear as described  
6 therein.

7 **\*-0721/6.16\* SECTION 2720.** 132.04 (3) of the statutes is amended to read:

8 132.04 (3) The ~~secretary of state~~ department shall receive a fee of \$15 and the  
9 register of deeds shall receive the fee specified in s. 59.43 (2) (ag) or (e) for each  
10 statement and certificate of publication filed or recorded and shall also receive the  
11 fee specified in s. 59.43 (2) (b) for each certified copy of such statement and certificate  
12 of publication, to be paid for by the person filing, recording or applying for the same.

13 **\*-0721/6.17\* SECTION 2721.** 132.04 (4) of the statutes is amended to read:

14 132.04 (4) (a) The ~~secretary of state~~ department and register of deeds shall  
15 cancel a statement or description under this section upon the request of the person  
16 named in the records of the ~~secretary of state~~ department or register of deeds as the  
17 owner of marks of ownership described in the statement or description.

18 (b) The ~~secretary of state~~ department and register of deeds may not charge a  
19 fee for canceling a statement or description under par. (a).

20 **\*-0721/6.18\* SECTION 2722.** 132.11 (1) (intro.) of the statutes is amended to  
21 read:

22 132.11 (1) (intro.) The ~~secretary of state~~ department shall do all of the  
23 following:

24 **\*-0721/6.19\* SECTION 2723.** 132.11 (1) (c) of the statutes is amended to read:

1           132.11 (1) (c) Cancel the description of a name, brand or trademark recorded  
2 under par. (a) upon the request of the person, firm or corporation named in the  
3 records of the ~~secretary of state~~ department as the owner of the name, brand or  
4 trademark. The ~~secretary of state~~ department may not charge a fee for canceling a  
5 description under this paragraph.

6           \***-0721/6.20\*** SECTION 2724. 132.16 (1m) of the statutes is amended to read:

7           132.16 (1m) Any organization may register, ~~in the office of the secretary of~~  
8 ~~state,~~ with the department a facsimile, duplicate, or description of any of the  
9 organization's identifying information and may, by reregistration, alter or cancel the  
10 organization's identifying information.

11           \***-0721/6.21\*** SECTION 2725. 132.16 (2) of the statutes is amended to read:

12           132.16 (2) Application for registration or reregistration under sub. (1m) shall  
13 be made by the organization's chief officer or officers upon forms provided by the  
14 ~~secretary of state~~ department. The registration shall be for the use, benefit, and on  
15 behalf of the organization and the organization's current and future individual  
16 members throughout this state.

17           \***-0721/6.22\*** SECTION 2726. 132.16 (3) of the statutes is amended to read:

18           132.16 (3) The ~~secretary of state~~ department shall keep a properly indexed file  
19 of all registrations under this section, which shall also show any alterations or  
20 cancelations by reregistration.

21           \***-0721/6.23\*** SECTION 2727. 132.16 (5) of the statutes is amended to read:

22           132.16 (5) Upon granting registration under this section, the ~~secretary of state~~  
23 department shall issue ~~his or her~~ a certificate to the petitioners, setting forth the fact  
24 of the registration.

25           \***-0721/6.24\*** SECTION 2728. 132.16 (6) of the statutes is amended to read:

1           132.16 (6) The fees of the ~~secretary of state~~ department for registration or  
2 reregistration under this section, searches made by the ~~secretary of state~~  
3 department, and certificates issued by the ~~secretary of state~~ department under this  
4 section, shall be the same as provided by law for similar services. The fees collected  
5 under this section shall be paid by the ~~secretary of state~~ department into the state  
6 treasury.

7           **\*-0721/6.25\* SECTION 2729.** 137.01 (1) (a) of the statutes is amended to read:

8           137.01 (1) (a) The governor shall appoint notaries public who shall be United  
9 States residents and at least 18 years of age. Applicants who are not attorneys shall  
10 file an application with the ~~secretary of state~~ department of financial institutions  
11 and pay a \$20 fee.

12           **\*-0721/6.26\* SECTION 2730.** 137.01 (1) (b) of the statutes is amended to read:

13           137.01 (1) (b) The secretary of state financial institutions shall satisfy himself  
14 or herself that the applicant has the equivalent of an 8th grade education, is familiar  
15 with the duties and responsibilities of a notary public and, subject to ss. 111.321,  
16 111.322 and 111.335, does not have an arrest or conviction record.

17           **\*-0721/6.27\* SECTION 2731.** 137.01 (1) (d) of the statutes is amended to read:

18           137.01 (1) (d) Qualified applicants shall be notified by the ~~secretary of state~~  
19 department of financial institutions to take and file the official oath and execute and  
20 file an official bond in the sum of \$500, with a surety executed by a surety company  
21 and approved by the secretary of state financial institutions.

22           **\*-0721/6.28\* SECTION 2732.** 137.01 (1) (e) of the statutes is amended to read:

23           137.01 (1) (e) The qualified applicant shall file his or her signature, post-office  
24 address and an impression of his or her official seal, or imprint of his or her official  
25 rubber stamp with the ~~secretary of state~~ department of financial institutions.

1           **\*-0721/6.29\* SECTION 2733.** 137.01 (1) (g) of the statutes is amended to read:

2           137.01 (1) (g) At least 30 days before the expiration of a commission the  
3           ~~secretary of state~~ department of financial institutions shall mail notice of the  
4           expiration date to the holder of a commission.

5           **\*-0721/6.30\* SECTION 2734.** 137.01 (2) (a) of the statutes is amended to read:

6           137.01 (2) (a) Except as provided in par. (am), any United States resident who  
7           is licensed to practice law in this state is entitled to a permanent commission as a  
8           notary public upon application to the ~~secretary of state~~ department of financial  
9           institutions and payment of a \$50 fee. The application shall include a certificate of  
10          good standing from the supreme court, the signature and post-office address of the  
11          applicant and an impression of the applicant's official seal, or imprint of the  
12          applicant's official rubber stamp.

13          **\*-0721/6.31\* SECTION 2735.** 137.01 (2) (am) of the statutes is amended to read:

14          137.01 (2) (am) If a United States resident has his or her license to practice law  
15          in this state suspended or revoked, upon reinstatement of his or her license to  
16          practice law in this state, the person may be entitled to receive a certificate of  
17          appointment as a notary public for a term of 4 years. An eligible notary appointed  
18          under this paragraph is entitled to reappointment for 4-year increments. At least  
19          30 days before the expiration of a commission under this paragraph the ~~secretary of~~  
20          ~~state~~ department of financial institutions shall mail notice of the expiration date to  
21          the holder of the commission.

22          **\*-0721/6.32\* SECTION 2736.** 137.01 (2) (b) of the statutes is amended to read:

23          137.01 (2) (b) The secretary of state financial institutions shall issue a  
24          certificate of appointment as a notary public to persons who qualify under the

1 requirements of this subsection. The certificate shall state that the notary  
2 commission is permanent or is for 4 years.

3 **\*-0721/6.33\* SECTION 2737.** 137.01 (2) (c) of the statutes is amended to read:

4 137.01 (2) (c) The supreme court shall file with the ~~secretary of state~~  
5 department of financial institutions notice of the surrender, suspension or revocation  
6 of the license to practice law of any attorney who holds a permanent commission as  
7 a notary public. Such notice shall be deemed a revocation of said commission.

8 **\*-0721/6.34\* SECTION 2738.** 137.01 (6) (a) of the statutes is amended to read:

9 137.01 (6) (a) The secretary of state financial institutions may certify to the  
10 official qualifications of any notary public and to the genuineness of the notary  
11 public's signature and seal or rubber stamp.

12 **\*-0721/6.35\* SECTION 2739.** 137.01 (6m) of the statutes is amended to read:

13 137.01 (6m) CHANGE OF RESIDENCE. A notary public does not vacate his or her  
14 office by reason of his or her change of residence within the United States. Written  
15 notice of any change of address shall be given to the ~~secretary of state~~ department  
16 of financial institutions within 10 days of the change.

17 **\*-0721/6.36\* SECTION 2740.** 137.01 (7) of the statutes is amended to read:

18 137.01 (7) OFFICIAL RECORDS TO BE FILED. When any notary public ceases to hold  
19 office, the notary public, or in case of the notary public's death the notary public's  
20 personal representative, shall deposit the notary public's official records and papers  
21 ~~in the office of the secretary of state~~ with the department of financial institutions.

22 If the notary or personal representative, after the records and papers come to his or  
23 her hands, neglects for 3 months to deposit them, he or she shall forfeit not less than  
24 \$50 nor more than \$500. If any person knowingly destroys, defaces, or conceals any  
25 records or papers of any notary public, the person shall forfeit not less than \$50 nor