

Item #1 Willful Misconduct Disqualification Standard

Issue:

Current statute regarding misconduct vague and unclear.

Saw this one earlier

Drafter Request:

Adopt all provisions outlined in DWD proposal D12-01 with the following modification

1. Amend language in 108.04 (5) (a) (2) to include provision stating that admitting to using drug or alcohol or refusing to take a test as outlined in the employer's drug policy.

Effect:

+\$19.2 million per year (DWD)

Issue #3 Quit Exemptions

Issue:

Current quit exemptions is not equitable and favors giving of benefits to employees that quit for marginal reasons.

Drafter Request

Adopt all provisions outlined in DWD proposal D12-09

wrong should be 19

Effect:

+\$28.2 million per year (DWD)

Item #4 Job Search Requirements

Issue:

Claimants are not doing enough work searches per week

Drafter Request:

Adopt D12-02 as approved by the UIAC

Effect:

Item #5 DWD Overpayments

Issue:

In the past when overpayments have arisen, the department has issued a correct payment from the balancing account if necessary and credited the balancing account when payments were received although there was not clear statutory authority for the department to do so.

Drafter Request:

Adopt D12-06 as proposed by DWD

Effect:

+\$1 million per year (DWD)

Item #6 SSDI and UI Payments

Add as modified

Issue:

Claimants were received UI and SSDI payments at the same time.

To understand why such "double-dipping" may constitute fraud, please note the following general requirements for each program:

- To receive unemployment insurance benefit payments, claimants must state that they are able to work.
- To receive disability insurance benefit payments, claimants must state that they are unable to work.

Drafter Request:

Adopt D12-05 as approved by the UIAC

Effect:

+\$2.1 million per year (DWD)

Item #7 Pin Numbers

Issue:

The Handbook for Claimants (UCB-10) is very clear that claimants should not give their Personal Identification Number (PIN) to anyone and should change their PIN if they believe someone else knows it. In some cases where the claimant provided their PIN to others for purposes of accessing or calling in claims, Administrative Law Judges (ALJ) have remanded back to the Department to investigate a potential known imposter issue.

Drafter Request:

Adopt D12-03 as proposed by DWD

Effect:

Minimal

Item #8 Claimant Fails to Provide Information to Department

Issue:

Current language imposes no lasting consequence for the claimant's failure to provide the information in a timely manner to the department or if he or she provides the information at a later date.

Drafter Request:

Adopt D12-08 as proposed by DWD

Effect:

Item #9 Increase Department Collection Abilities

Issue:

The identification of financial institutions and assets for levy purposes has historically been done by collectors using manual investigation and search techniques. In the recent years, other state agencies such as Department of Children and Families (DCF) and Department of Revenue (DOR) have successfully implemented the Financial Record Matching program that helps identify the debtors assets and bank accounts.

Drafter Request:

Adopt D12-10 as approved by the UIAC

Effect:

+\$8 million per year

Item #10 Increase Weekly Benefits

Issue:

The Wisconsin Legislature has raised UI benefit rates roughly every two years since the 1970's. The last time there was an increase in these rates was the second week of 2009.

Drafter Request:

Adopt D12-31 as proposed by DWD

Effect:

-\$12 million per year (DWD)

Item #11 Amending the Suitable Work Requirement Re-eligibility

Issue:

Generally claimants who fail to accept suitable work are deemed ineligible to receive benefits. Under current law, to again be eligible for benefits four weeks needs to elapse from when they did not accept the suitable work and the claimants have had to earn wages after not accepting the suitable work that are equal to at least four times the employee's weekly benefit rate.

Drafter Request:

Adopt D12-30 as proposed by DWD

Effect:

Item #13 Backdate Claims Due to Phone System Down

Issue:

Due to a recent upgrade to our hardware for the IVR initial claims phone system and how it now operates. The way in which the system calculates the available lines does not correlate with the language of this administrative rule. In addition, when this rule was first implemented claimants did not have the availability of our online claims taking services. It is anticipated that the online application will continue to have increased usage in the future. With our IVR phone system in combination with online services there is no longer a capacity issue for claimants filing their initial claims for Unemployment Insurance.

Drafter Request:

Adopt D12-20 as proposed by DWD

Effect:

Item #14 Increase Department Collection Tools

Issue:

DWD's debt collection abilities are not consistent with what is available to other state agencies

Drafter Request:

Adopt D12-10, D12-17, and D12-23 as approved by the UIAC

Effect:

+\$8 million per year (DWD)

Item #15 Technical Administrative Proposals Impacting Employers

Issue:

Technical changes to improve the operation of the program

Drafter Request:

Adopt D12-28, D12-04, D12-15, and D12-27 as approved by the UIAC

Effect:

Item #16 Cafeteria Benefit Plans

Issue:

Employer paid cafeteria benefit plans are not included to determine an employer's taxable wage base, but can be included to determine a claimant's base period wages. The proposal would make consistent the treatment of these benefit plans by not paying benefits on untaxed wages.

Drafter Request:

Adopt D12-16 as approved by the UIAC

Effect:

Item #17 Case Law Journal of ALJ Decisions

Issue:

Currently, there is no database for ALJ's to easily look up previous decisions of other ALJ's to use as background or referencing material for their decision.

Drafter Request:

Require DWD to create and implement a searchable database of cases determined by ALJ's. The database should be searchable by topic, and have a code citation index. Use is to be limited to other ALJ's and other personal as determined by the Department. Deadline shall be 1 year after effective date.

Effect:

Item #18 Prisoners Collecting UI

Issue:

It was brought to my attention that an employer in the Oshkosh area participates in the Department of Corrections in Oshkosh Work Release program. This has been a very successful program as many of the people that we have selected to work on our site have received offers of employment following their release. However, sometimes people do not work out or they may be moved from Oshkosh to another facility and thus are now "unemployed". An inmate who was transferred to another facility and then was unemployed until he found work from the new work release program was found to be eligible for UI.

Drafter Request:

Adopt language from Minnesota regarding non-covered employment (268.001 (20) (21)), "employment of an inmate of a custodial or penal institution" and place in 108.02(15) (k) of WI Statutes

Effect:

Minimal savings to UI Trust Fund

Item #19 Online Employer Complaint System

Issue:

Employers currently find it too difficult to report changes to various forms they receive and to file a complaint against an individual who is drawing against their experience rating.

Drafters Request:

Require the Department to create an online portal for employers to log in and file a complaint online in addition to other methods available.

Effect:

Unknown

Item #20 FUTA Tax Credit Payoff Guarantee

Issue:

"Taxable" employers are subject to a federal unemployment tax (FUTA), which is currently 6.0% of the first \$7,000 of employee earnings. FUTA allows a 5.4% tax credit for employers in good standing with their state unemployment program so most employers have a net FUTA rate of 0.6%. However, the net rate will increase in each of the next three years because of automatic reductions in the tax credit. This rate is cumulative.

The count date for eliminating the FUTA tax credit reduction occurs on Nov. 9th. If the trust fund is positive on this date, the FUTA credit reduction resets to a net FUTA rate of 0.6%.

DWD projections show a positive balance on this date. If incorrect due to various economic shifts and the WI UI balance isn't positive, another cumulative 0.3% reduction in FUTA credit will occur.

In 2014, the FUTA credit reduction will be \$143 million, if it continues and UI fund isn't positive on the FUTA count date, \$188 million credit reduction.

According to DWD staff, the state can transfer monies to the UI fund to make the account balance. Instead of obtaining advances from FUA states may obtain loans from other sources to pay UC. These loans may come from state revenues, from selling bonds, or other sources. Under UIPL 07-04, future UI collections can be used to pay off the principal of loan, but not any interest, subject to the following restrictions:

- (a) The original loan is made for the purpose of paying UC under the state law;
- (b) The proceeds of the loan are either actually used for the payment of UC or deposited in the state's account in the Unemployment Trust Fund. (If the loan is not limited to the payment of UC (for example, if a bond issuance also finances workers compensation or temporary disability payments), the amount that may be repaid from the state's unemployment fund is limited to the amount actually used for the payment of UC plus any amount deposited in the state's account in the Unemployment Trust Fund that is limited to the payment of UC.);
- (c) The money used for the payment of UC is explicitly characterized as a loan to pay UC at the time it is dedicated to the payment of UC; and,
- (d) The loan and repayment are consistent with the state law as interpreted by competent state authority. This assures that the expenditure of the loan for UC was lawful and that repayment of the loan is a proper withdrawal from the unemployment fund.

Drafters Request:

Provide language that XXX (DOA?) shall provide a loan of GPR from XXX (State Rainy Day Fund, GPR) to the UI insurance fund, no later than October 24th, 2014 that would ensure a positive balance based off of estimates from the Department to ensure a UI Trust Fund Balance of no less than \$1 million, no more than \$10 million. Ensure that this is 0% interest loan. The UI Fund repayment would be 20% of the principal per month back to the XXX fund, with the caveat that any monthly repayment would not cause the UI fund to become negative.

JFC would have a 30 day passive review period prior to the transfer

\$50 million limit

Effect:

Short term GPR cost unknown

Item #22 Random UI Search Audits

Issue:

Under the Middle Class Tax Relief and Job Creation Act of 2012, Public Law 112-96, compels States to perform random audits of the work search requirements for all claimants in the Emergency Unemployment Compensation Program of 2008.

Drafters Request:

Adopt this federal provision into state statute. Also require that once a year in the XXX required report that the Department list how many audits were performed.

Effect:

Unknown savings to UI Trust Fund and unknown cost to administration

Item #24 Extended Training Benefits

Issue:

Act 11 (2009) extends UI benefits to a claimant who is enrolled in approved training for up to 26 weeks after a claimant exhausts regular UI benefits, EUC08 benefits, EB benefits and Trade Act (if applicable) allowances. 108.06(7)

The costs of extended training benefits for those employers who are subject to a requirement to pay contributions (taxes) are charged to the balancing account of the unemployment reserve fund (a pooled account funded by all employers who pay contributions to the fund), and the costs for those employers who are not subject to a contribution requirement are billed directly to the employers.

Drafters Request:

Eliminate the program

Effect:

+\$9.4 million per year (DWD)

Item #25 Temporary Agency Work Search

Issue:

Individuals can claim UI against a temp. agency under certain circumstances. Under current law, the recipient is not required to check with the temp. agency as part of their required work search.

Drafters Request:

Require workers who were last employed at a "temporary help company" (as defined in Wis. Stat. 108.02(24m)) to call their temp company once a week in order to receive benefits. If the individual fails to make the weekly call, and subsequently tries to get UI for that same week, a rebuttable presumption is created that the individual was not "actively seeking work" for that week and the employer can contest the claim.

See provisions in Illinois Section 2865.115 (h)

Effect:

Unknown savings to UI Trust fund or administrative costs

Item #28 SAFI Reimbursement for Businesses

\$30,000,000

Issue:

Currently, the State taxes all businesses to pay the interest payments on the remaining balance borrowed by the state. Federal law forbids using regular state UI taxes to pay this interest.

Drafters Request:

Sum sufficient
w/ cap?

Transfer \$19 million in 2013 and \$7 million in 2014 of GPR to pay the SAFI assessment on businesses. Fiscal Bureau notes this number will be revised down.

Item #29 Treatment of Legal Holidays for UI

Issue:

Claimants can claim UI against a holiday (such as Thanksgiving) for the purposes of benefits for that week, even with the business being closed.

Drafters Request:

Consider all State and Federal legal holidays as non-working days for the purpose of UI if the business if in its normal course of business is closed.

Item #30 Employer Notification of Work Search

Issue:

The new computer system for DWD will require the claimant to fill out information for which businesses they applied for. However, there currently is no way for an employer to be notified if someone listed them as applied for a job.

Just for notifications

Drafters Request:

Require as part of the RFP for the new Department database system that an employer could sign up to receive an email if someone lists their business as applied for a job.

Item #31 Sliding Scale of UI Fund/Weeks Eligible/Wage Base

Issue:

Drafter Request:

The following chart explains the weeks of eligibility

Unemployment Rate	Weeks of Eligibility
8% or higher	26 week max
7.50%	24 week max
7%	22 week max
6.50%	20 week max
6%	18 week max
5.50%	16 week max
5%	14 week max
4.5% or less	12 week max

A claimant entering UI would look at what the current quarter's unemployment rate is as determined by the Department to determine their week of eligibility. This week of eligibility is locked for the claimant.

Also, the Unemployment rate would be based on Wisconsin's Metropolitan Statistical Areas

Item #34 Increase Fraud Workers

Issue:

Drafters Request:

GFR

Create 3 additional FTE positions for fraud investigation

Item #2 Standardized DWD Handbook for Employers

Issue:

Small employers do not have the resources available to hire a full time HR Department, which can lead to misconceptions of how UI law is structured and administered.

Request:

Require DWD to create and publish a handbook for employers that clearly lay out the purpose of UI, and under what circumstances it is granted. In addition, provide language that would cause an employee to not receive UI. The contents of this manual are not to replace any existing HR manuals, or in any way invalidate others. This is to be used as a tool to ensure both employee and employer are on the same page when it comes to UI, and to provide a line for both to sign to acknowledge receipt of the document. This will not absolve an employer of their duties during hearings, but could be used as evidence of prior acknowledgement of Wisconsin law. Provide the necessary legal disclaimers.

Item #12 Increasing Employer's Ability to Reoffer Employment

Issue:

There is no way for an employer to contact an individual who is claiming UI against their fund balance re- offer them suitable employment similar to their previous job.

Request:

Require DWD to provide a claimants contact information to the employer account they are drawing against.

Item #21 Reporting of Individual Business Reserve Fund Balance

Issue:

The current system lists an employer's \$ amount of reserve fund. This is confusing to employers as they think this is a set amount of money that they have set aside in the UI Trust fund just for their claims.

Drafters Request:

Require the Department to clarify and provide definitions on reports or in educational material to employers that clearly define how reserve fund balances operate.

Effect:

Administrative cost increase unknown

Item #27 Standardized Witness Forms for Employers

Issue:

It is difficult for an employer to bring an employee to an ALJ hearing to testify, and it is difficult for an individual to provide a sworn statement.

Drafters Request:

Require the Department to create a standardized sworn affidavit witness form for hearings. This would allow for businesses to properly document an incident of an employee, that would be presumed admissible during hearings. This will not absolve an employer of their duties during hearings. Also provide any necessary legal disclaimers.

Item #35 Lost License

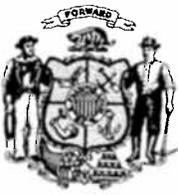
Issue:

Under current law, an employee who is at fault for losing their license, which is needed for them to perform their work (such as a CDL for a truck driver), has the ability, under certain circumstances, to qualify for unemployment.

Request:

Eliminate this provision.

108.04 (5)



TODAY IF POSSIBLE

JTK # MED: gjs

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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RW x reb

Gen Cat

LPS: delete burning dot numbers in ~~analysis~~ as shown. Make sure burning dot numbers in body of the bill remain hidden.

revocations

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AN ACT...; relating to: various changes in the unemployment insurance law ~~and~~;
~~granting rule-making authority;~~ license ~~suspensions~~ based on delinquency in
 payment of unemployment insurance contributions; ~~authorizing the~~
~~department of workforce development to operate a financial record matching~~
~~program~~ ^{granting rule-making authority;} and providing a penalty.

INS
NOTE

Analysis by the Legislative Reference Bureau

*** ANALYSIS FROM 1931/P2 ***

This bill makes various changes in the unemployment insurance (UI) law. Significant changes include:

BENEFIT CHANGES

Registration and search for work

Currently, with limited exceptions, in order to become and remain eligible to receive UI benefits for any week, a claimant is required, among other things, to register for work and to conduct a reasonable search for suitable work within that week, which must include at least two actions that constitute a reasonable search as prescribed by rule by the Department of Workforce Development (DWD).

This bill requires each claimant, subject to the same exceptions, to register for work in the manner directed by DWD and increases the minimum number of actions that a claimant must undertake to become and remain eligible for benefits to at least four actions per week.

The bill also requires a claimant, subject to the same exceptions, to provide information or job application materials and to participate in a public employment office workshop or training program or in similar reemployment services that do not require a participation fee, if either is required by DWD for a given week. The bill allows DWD to use the information or job application materials provided by a claimant to assess the claimant's efforts, skills, and ability to find or obtain work and to develop a list of potential opportunities for a claimant to obtain suitable work. However, the bill provides that a claimant who is subject to the work search requirement need not apply for a specific position on that list in order to satisfy that requirement.

Treatment of cafeteria plan amounts in benefit calculations

Currently, employers must report wages to DWD and these reports are used to determine the UI benefit eligibility and amounts of benefits payable to UI claimants. The wages reported do not include salary reduction amounts withheld from employees for cafeteria plan benefits (fringe benefits the value of which is excluded from gross income under the federal Internal Revenue Code). However, these amounts are included in the formula that is used to determine the benefit eligibility and amounts payable to claimants. DWD may require employers to report the amounts in their wage reports and employers must maintain records of these amounts.

This bill excludes salary reduction amounts for cafeteria plan benefits in calculating the wages that were paid to a claimant for purposes of determining the claimant's benefit eligibility and amounts. The bill also deletes reporting and record-keeping requirements for these amounts. The effect is to raise the threshold for benefit eligibility and to potentially decrease the amount of benefits that may become payable to certain claimants whose wages include deductions for these amounts.

TAX CHANGES

Interest on delinquent payments

Currently, if an employer does not make a payment required under the UI law to DWD by the due date, the employer must pay interest on the amount owed equal to a variable rate determined by law from the date that the payment became due. Revenues from interest payments are used to administer the UI program. This bill permits DWD to waive or decrease the interest charged to an employer in limited circumstances as prescribed by rule of DWD.

OTHER CHANGES

Tardy filing fees

Currently, each employer must file a quarterly report with DWD identifying the name of and wages paid to each employee who is employed by the employer in employment covered by the UI law during the most recent calendar quarter. With limited exceptions, if an employer is delinquent in filing the report, the employer must pay a tardy filing fee of \$50. Revenue from tardy filing fees is used for various purposes to support the UI program. This bill increases the tardy filing fee to \$100

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revocations

or \$20 per employee, whichever is greater, but provides that if the employer files the report within 30 days of its due date, the fee remains at \$50.

Social security numbers maintained by DOT

Under current law, an individual who applies to the Department of Transportation (DOT) for vehicle title, for a motor vehicle operator's license or an identification card, or for registration as a motor vehicle dealer must, with limited exceptions, state his or her social security number on the application. DOT is generally required to maintain the confidentiality of these social security numbers but may disclose these social security numbers in limited circumstances, including to the Department of Children and Families and the Department of Revenue for specified purposes.

This bill allows these social security numbers to also be disclosed to DWD for the sole purpose of enforcing or administering DWD's collection responsibilities related to UI.

DOR

Subsub License suspensions based on UI contribution delinquencies
ANALYSIS FROM - 1335/P1 ***

Current law requires various state agencies and boards (licensing departments) that issue various licenses and other credentials (licenses) to revoke a license or deny an application for a license if the Department of Revenue (DOR) certifies that the license holder or applicant owes DOR delinquent taxes. Current law also allows the Wisconsin Supreme Court to decide whether to revoke or deny an application for a license to practice law if the license holder or applicant is certified by DOR to owe delinquent taxes. This bill creates similar provisions for license holders and applicants that the Department of Workforce Development (DWD) certifies are liable for delinquent (unemployment insurance) UI contributions. UI contributions are taxes employers must pay to DWD for deposit with the federal government, and which are then used to pay the claims of claimants for UI benefits. The bill also includes within the definition of UI contributions other assessments, interest, fees, and penalties that have been imposed upon employers in connection with their UI contribution obligations. The provisions created in the bill apply only to delinquent UI contributions for which the employer has exhausted all legal rights to challenge the employer's liability.

Under the bill, each licensing department must enter into a memorandum of understanding with DWD. Under the memorandum, the licensing department must ask DWD to certify whether a license holder or applicant is liable for delinquent UI contributions. If DWD certifies to a licensing department that a license holder or applicant is liable for delinquent UI contributions, the licensing department must revoke the license or deny the application for a license. A licensing department must mail a notice of revocation or denial to the license holder or applicant, and the notice must inform the applicant or license holder of the right to a review of DWD's certification at a hearing conducted by DWD. The hearing is limited to questions of mistaken identity and prior payment of the delinquent UI contributions. Following the hearing, if DWD does not uphold its certification, DWD must issue the holder or applicant a nondelinquency certificate and the licensing department must reinstate the license or approve the application for a license without requiring any additional



application, fee, or test, unless there are other grounds for denial or revocation. If DWD does uphold its certification, DWD must so inform the license holder or applicant and the licensing department. The license holder or applicant may seek judicial review of an adverse determination by DWD at the hearing by filing a petition for review in the Dane County circuit court and may appeal the court's decision. A license holder or applicant whose license has been revoked or denied because of delinquent UI contributions may also, after satisfying that debt, request DWD to issue a nondelinquency certificate, which the license holder or applicant may then present to have the license reinstated, unless there are other grounds for not reinstating the license or for denying the application.

The bill includes the following within the definition of licensing department: the Department of Administration; the Board of Commissioners of Public Lands; the Department of Children and Families; the Government Accountability Board; the Department of Financial Institutions; the Department of Health Services; the Department of Natural Resources; the Department of Public Instruction; the Department of Revenue; the Department of Safety and Professional Services; the Office of the Commissioner of Insurance; and the Department of Transportation. The bill applies to various licenses administered by the aforementioned licensing departments.

The bill allows DWD to deny an application for or revoke various licenses administered by DWD if the license holder or applicant is liable for delinquent UI contributions. Such a license holder or applicant has the same rights to review by DWD and to judicial review as do holders of or applicants for licenses administered by other licensing departments.

The bill also requests the Wisconsin Supreme Court to enter into a similar memorandum of understanding with DWD. If DWD determines that a licensed attorney or an applicant for a license to practice law is liable for delinquent UI contributions, DWD may send the attorney or applicant a notice of that determination. The attorney or applicant has the same rights to a hearing and judicial review as do other license holders or applicants. However, DWD may not send the supreme court a certification of UI contribution delinquency until the attorney or applicant has exercised or exhausted his or her full rights to judicial review. If the determination is upheld following the holder or applicant's exercise or exhaustion of rights to judicial review, DWD may then certify to the supreme court that the attorney or applicant is liable for delinquent UI contributions. The supreme court may then decide whether to suspend, revoke, or deny the attorney's or applicant's license to practice law.

***** ANALYSIS FROM 1718/PT *****

Currently, the Departments of Children and Families, Revenue, and Health Services (departments) operate financial records matching programs whereby the departments, for various asset verification or determination purposes, match data possessed by the departments with the records of financial institutions. This bill establishes a similar financial records matching program with ~~the Department of Workforce Development (DWD)~~ to allow DWD to identify the assets of persons who

Subsub Financial record matching program

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are delinquent in paying debts related to the Unemployment Insurance program (UI debtors).

UI

Under the program, financial institutions doing business in this state must enter into agreements with DWD to participate in a financial institution matching option or a state matching option. DWD may pay such a financial institution up to \$125 per calendar quarter for participating.

Under the financial institution matching option, at least once every calendar quarter DWD sends information to the financial institution, including names, addresses, and social security numbers, about UI debtors. The financial institution determines whether any UI debtor has an ownership interest in an account at the financial institution and, if so, sends DWD information about the account, such as the type, number, and balance.

Under the state matching option, at least once every calendar quarter the financial institution sends DWD information about accounts maintained at the financial institution, including the name and social security number of each person having an ownership interest in each account. On the basis of that information, DWD determines whether any UI debtor has an ownership interest in an account at the financial institution and, if so, may request further information from the financial institution, including the person's address of record and the account balance.

The bill prohibits DWD from disclosing or retaining information concerning account holders who are not UI debtors; prohibits employees, agents, officers, and directors of financial institutions from disclosing or retaining information concerning UI debtors; and prohibits both DWD and financial institutions from using any information received under the program for any purpose not related to the program. The bill provides penalties for any employee, agent, officer, or director of a financial institution who violates any of the prohibitions. The bill also provides that a financial institution is not liable for disclosing financial information, or for taking any other action, in compliance with the program.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

- 1 **SECTION 1.** 13.63 (1) (b) of the statutes is amended to read:
- 2 13.63 (1) (b) Except as provided under par. (am), the board shall not issue a
- 3 license to an applicant who does not provide his or her social security number. The

Handwritten notes: A large arrow on the left side of the page points downwards from the top to a circle containing the letters 'DWS'. Below this circle, another arrow points to the word 'Spaced' written in a circle.

1 board shall not issue a license to an applicant or shall revoke any license issued to
2 a lobbyist if the department of revenue certifies to the board that the applicant or
3 lobbyist is liable for delinquent taxes under s. 73.0301 or if the department of
4 workforce development certifies to the board that the applicant or lobbyist is liable
5 for delinquent unemployment insurance contributions under s. 108.227. The board
6 shall refuse to issue a license or shall suspend any existing license for failure of an
7 applicant or licensee to pay court-ordered payments of child or family support,
8 maintenance, birth expenses, medical expenses or other expenses related to the
9 support of a child or former spouse or failure of an applicant or licensee to comply,
10 after appropriate notice, with a subpoena or warrant issued by the department of
11 children and families or a county child support agency under s. 59.53 (5) and related
12 to paternity or child support proceedings, as provided in a memorandum of
13 understanding entered into under s. 49.857. No application may be disapproved by
14 the board except an application for a license by a person who is ineligible for licensure
15 under this subsection or s. 13.69 (4) or an application by a lobbyist whose license has
16 been revoked under this subsection or s. 13.69 (7) and only for the period of such
17 ineligibility or revocation.

18 **SECTION 2.** 13.63 (1) (c) of the statutes is amended to read:

19 13.63 (1) (c) Denial of a license on the basis of a certification by the department
20 of revenue or the department of workforce development may be reviewed under s.
21 73.0301 or 108.227, whichever is applicable. Except with respect to a license that is
22 denied or suspended pursuant to a memorandum of understanding entered into
23 under s. 49.857, denial or suspension of any other license may be reviewed under ch.
24 227.

25 **SECTION 3.** 19.55 (2) (d) of the statutes is amended to read:

1 19.55 (2) (d) Records of the social security number of any individual who files
2 an application for licensure as a lobbyist under s. 13.63 or who registers as a principal
3 under s. 13.64, except to the department of children and families for purposes of
4 administration of s. 49.22 ~~or~~, to the department of revenue for purposes of
5 administration of s. 73.0301, and to the department of workforce development for
6 purposes of administration of s. 108.227.

7 **SECTION 4.** 29.024 (2r) (title) of the statutes is amended to read:

8 29.024 (2r) (title) DENIAL AND REVOCATION OF APPROVALS BASED ON TAX
9 DELINQUENCY DELINQUENT TAXES OR UNEMPLOYMENT INSURANCE CONTRIBUTIONS.

10 **SECTION 5.** 29.024 (2r) (c) of the statutes is amended to read:

11 29.024 (2r) (c) *Disclosure of numbers.* The department of natural resources
12 may not disclose any information received under par. (a) to any person except to the
13 department of revenue for the sole purpose of making certifications required under
14 s. 73.0301 and to the department of workforce development for the sole purpose of
15 making certifications required under s. 108.227.

16 **SECTION 6.** 29.024 (2r) (d) 1. of the statutes is amended to read:

17 29.024 (2r) (d) 1. Except as provided in subd. 2., the department shall deny an
18 application to issue or renew, or revoke if already issued, an approval specified in par.
19 (a) if the applicant for or the holder of the approval fails to provide the information
20 required under par. (a) ~~or~~, if the department of revenue certifies that the applicant
21 or approval holder is liable for delinquent taxes under s. 73.0301, or if the
22 department of workforce development certifies that the applicant or approval holder
23 is liable for delinquent unemployment insurance contributions under s. 108.227.

24 **SECTION 7.** 48.66 (2m) (c) of the statutes is amended to read:

1 48.66 (2m) (c) The subunit of the department that obtains a social security
2 number or a federal employer identification number under par. (a) 1. may not
3 disclose that information to any person except to the department of revenue for the
4 sole purpose of requesting certifications under s. 73.0301 and to the department of
5 workforce development for the sole purpose of requesting certifications under s.
6 108.227 or on the request of the subunit of the department that administers the child
7 and spousal support program under s. 49.22 (2m).

8 **SECTION 8.** 48.715 (7) of the statutes is amended to read:

9 48.715 (7) The department shall deny an application for the issuance or
10 continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69
11 to operate a child welfare agency, group home, shelter care facility, or child care
12 center, or revoke such a license already issued, if the department of revenue certifies
13 under s. 73.0301 that the applicant or licensee is liable for delinquent taxes or if the
14 department of workforce development certifies under s. 108.227 that the applicant
15 or licensee is liable for delinquent unemployment insurance contributions. An action
16 taken under this subsection is subject to review only as provided under s. 73.0301 (5)
17 or 108.227 (5) and not as provided in s. 48.72.

18 **SECTION 9.** 50.498 (title) of the statutes is amended to read:

19 **50.498** (title) **Denial, nonrenewal and revocation of license,**
20 **certification or registration based on tax delinquency delinquent taxes or**
21 **unemployment insurance contributions.**

22 **SECTION 10.** 50.498 (2) of the statutes is amended to read:

23 50.498 (2) The department may not disclose any information received under
24 sub. (1) to any person except to the department of revenue for the sole purpose of

1 requesting certifications under s. 73.0301 and to the department of workforce
2 development for the sole purpose of requesting certifications under s. 108.227.

3 SECTION 11. 50.498 (4) of the statutes is renumbered 50.498 (4) (a).

4 SECTION 12. 50.498 (4) (b) of the statutes is created to read:

5 50.498 (4) (b) The department shall deny an application for the issuance of a
6 certificate of approval, license or provisional license specified in sub. (1) or shall
7 revoke a certificate of approval, license or provisional license specified in sub. (1), if
8 the department of workforce development certifies under s. 108.227 that the
9 applicant for or holder of the certificate of approval, license or provisional license is
10 liable for delinquent unemployment insurance contributions.

11 SECTION 13. 50.498 (5) of the statutes is amended to read:

12 50.498 (5) An action taken under sub. (3) or (4) is subject to review only as
13 provided under s. 73.0301 (2) (b) and (5) or s. 108.227 (5) and (6), whichever is
14 applicable.

15 SECTION 14. 51.032 (title) of the statutes is amended to read:

16 **51.032 (title) Denial and revocations of certification or approval based**
17 **on ~~tax delinquency~~ delinquent taxes or unemployment insurance**
18 **contributions.**

19 SECTION 15. 51.032 (2) of the statutes is amended to read:

20 51.032 (2) The department may not disclose any information received under
21 sub. (1) to any person except to the department of revenue for the sole purpose of
22 requesting certifications under s. 73.0301 and to the department of workforce
23 development for the sole purpose of requesting certifications under s. 108.227.

24 SECTION 16. 51.032 (4) of the statutes is amended to read:

1 51.032 (4) The department shall deny an application for the issuance of a
2 certification or approval specified in sub. (1) or shall revoke a certification or
3 approval specified in sub. (1) if the department of revenue certifies under s. 73.0301
4 that the applicant for or holder of a certification or approval is liable for delinquent
5 taxes or if the department of workforce development certifies under s. 108.227 that
6 the applicant for or holder of a certification or approval is liable for delinquent
7 unemployment insurance contributions.

8 **SECTION 17.** 51.032 (5) of the statutes is amended to read:

9 51.032 (5) An action taken under sub. (3) or (4) is subject to review only as
10 provided under s. 73.0301 (2) (b) and (5) or s. 108.227 (5) and (6), whichever is
11 applicable.

12 **SECTION 18.** 71.78 (4) (o) of the statutes is amended to read:

13 71.78 (4) (o) A licensing department or the supreme court, if the supreme court
14 agrees, for the purpose of denial, nonrenewal, discontinuation and revocation of a
15 license based on tax delinquency under s. 73.0301 or unemployment insurance
16 contribution delinquency under s. 108.227.

17 **SECTION 19.** 73.0301 (2) (c) 2. of the statutes is amended to read:

18 73.0301 (2) (c) 2. A licensing department may not disclose any information
19 received under subd. 1. a. or b. to any person except to the department of revenue for
20 the purpose of requesting certifications under par. ~~(b)~~ (a) 1. or 2. in accordance with
21 the memorandum of understanding under sub. (4) and administering state taxes ~~or,~~
22 to the department of workforce development for the purpose of requesting
23 certifications under s. 108.227 (2) (a) 1. or 2. in accordance with the memorandum
24 of understanding under s. 108.227 (4) and administering the unemployment

1 insurance program, and to the department of children and families for the purpose
2 of administering s. 49.22.

3 **SECTION 20.** 73.0302 (title) of the statutes is amended to read:

4 **73.0302** (title) **Liability for delinquent taxes or unemployment**
5 **insurance contributions.**

6 **SECTION 21.** 73.0302 (5) of the statutes is created to read:

7 73.0302 (5) If the department of workforce development certifies under s.
8 108.227 that an applicant for certification or recertification under s. 73.03 (50) or a
9 person who holds a certificate issued under s. 73.03 (50) is liable for delinquent
10 unemployment insurance contributions, the department of revenue shall deny the
11 application or revoke the certificate. A person subject to a denial or revocation under
12 this subsection for delinquent unemployment insurance contributions is entitled to
13 a notice under s. 108.227 (2) (b) 1. b. and hearing under s. 108.227 (5) (a) but is not
14 entitled to any other notice or hearing under this chapter.

15 **SECTION 22.** 73.0302 (6) of the statutes is created to read:

16 73.0302 (6) The department of revenue may disclose a social security number
17 obtained under s. 73.03 (50) (c) to the department of workforce development for the
18 purpose of requesting certifications under s. 108.227.

19 **SECTION 23.** 73.09 (6m) of the statutes is amended to read:

20 73.09 (6m) SOCIAL SECURITY NUMBERS. Each applicant for certification or
21 recertification under this section shall provide the applicant's social security number
22 on the application. The department of revenue may not disclose a social security
23 number that it obtains under this subsection, except to the department of workforce
24 development for the purpose of requesting certifications under s. 108.227. The

1 department of revenue may not certify or recertify any person who fails to provide
2 his or her social security number on his or her application.

3 **SECTION 24.** 73.09 (8) of the statutes is created to read:

4 **73.09 (8) LIABILITY FOR DELINQUENT UNEMPLOYMENT INSURANCE CONTRIBUTIONS.**

5 If the department of workforce development certifies under s. 108.227 that an
6 applicant for certification or recertification under this section is liable for delinquent
7 unemployment insurance contributions, the department of revenue shall deny the
8 application for certification or recertification or revoke the certificate. A person
9 subject to a denial or revocation under this subsection for delinquent unemployment
10 insurance contributions is entitled to a notice under s. 108.227 (2) (b) 1. b. and
11 hearing under s. 108.227 (5) (a) but is not entitled to any other notice or hearing
12 under this chapter.

13 **SECTION 25.** 101.02 (20) (b) of the statutes is amended to read:

14 101.02 (20) (b) Except as provided in par. (e), the department of safety and
15 professional services may not issue or renew a license unless each applicant who is
16 an individual provides the department of safety and professional services with his
17 or her social security number and each applicant that is not an individual provides
18 the department of safety and professional services with its federal employer
19 identification number. The department of safety and professional services may not
20 disclose the social security number or the federal employer identification number of
21 an applicant for a license or license renewal except to the department of revenue for
22 the sole purpose of requesting certifications under s. 73.0301 and to the department
23 of workforce development for the sole purpose of requesting certifications under s.
24 108.227.

25 **SECTION 26.** 101.02 (20) (c) of the statutes is amended to read:

1 101.02 (20) (c) The department of safety and professional services may not
2 issue or renew a license if the department of revenue certifies under s. 73.0301 that
3 the applicant or licensee is liable for delinquent taxes or if the department of
4 workforce development certifies under s. 108.227 that the applicant or licensee is
5 liable for delinquent unemployment insurance contributions.

6 **SECTION 27.** 101.02 (20) (d) of the statutes is amended to read:

7 101.02 (20) (d) The department of safety and professional services shall revoke
8 a license if the department of revenue certifies under s. 73.0301 that the licensee is
9 liable for delinquent taxes or if the department of workforce development certifies
10 under s. 108.227 that the licensee is liable for delinquent unemployment insurance
11 contributions.

12 **SECTION 28.** 102.17 (1) (c) of the statutes is amended to read:

13 102.17 (1) (c) Any party shall have the right to be present at any hearing, in
14 person or by attorney or any other agent, and to present such testimony as may be
15 pertinent to the controversy before the department. No person, firm, or corporation,
16 other than an attorney at law who is licensed to practice law in the state, may appear
17 on behalf of any party in interest before the department or any member or employee
18 of the department assigned to conduct any hearing, investigation, or inquiry relative
19 to a claim for compensation or benefits under this chapter, unless the person is 18
20 years of age or older, does not have an arrest or conviction record, subject to ss.
21 111.321, 111.322 and 111.335, is otherwise qualified, and has obtained from the
22 department a license with authorization to appear in matters or proceedings before
23 the department. Except as provided under pars. (cm) ~~and~~, (cr), and (ct), the license
24 shall be issued by the department under rules promulgated by the department. The
25 department shall maintain in its office a current list of persons to whom licenses have

1 been issued. Any license may be suspended or revoked by the department for fraud
2 or serious misconduct on the part of an agent, any license may be denied, suspended,
3 nonrenewed, or otherwise withheld by the department for failure to pay
4 court-ordered payments as provided in par. (cm) on the part of an agent, and any
5 license may be denied or revoked if the department of revenue certifies under s.
6 73.0301 that the applicant or licensee is liable for delinquent taxes or if the
7 department determines under par. (ct) that the applicant or licensee is liable for
8 delinquent contributions. Before suspending or revoking the license of the agent on
9 the grounds of fraud or misconduct, the department shall give notice in writing to the
10 agent of the charges of fraud or misconduct and shall give the agent full opportunity
11 to be heard in relation to those charges. In denying, suspending, restricting, refusing
12 to renew, or otherwise withholding a license for failure to pay court-ordered
13 payments as provided in par. (cm), the department shall follow the procedure
14 provided in a memorandum of understanding entered into under s. 49.857. The
15 license and certificate of authority shall, unless otherwise suspended or revoked, be
16 in force from the date of issuance until the June 30 following the date of issuance and
17 may be renewed by the department from time to time, but each renewed license shall
18 expire on the June 30 following the issuance of the renewed license.

19 **SECTION 29.** 102.17 (1) (ct) of the statutes is created to read:

20 102.17 (1) (ct) 1. The department may deny an application for the issuance or
21 renewal of a license under par. (c), or revoke such a license already issued, if the
22 department determines that the applicant or licensee is liable for delinquent
23 contributions, as defined in s. 108.227 (1) (d). Notwithstanding par. (c), an action
24 taken under this subdivision is subject to review only as provided under s. 108.227
25 (5) and not as provided in ch. 227.

1 2. If the department denies an application or revokes a license under subd. 1.,
2 the department shall mail a notice of denial or revocation to the applicant or license
3 holder. The notice shall include a statement of the facts that warrant the denial or
4 revocation and a statement that the applicant or license holder may, within 30 days
5 after the date on which the notice of denial or revocation is mailed, file a written
6 request with the department to have the determination that the applicant or license
7 holder is liable for delinquent contributions reviewed at a hearing under s. 108.227
8 (5) (a).

9 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
10 determination under subd. 1. that an applicant or license holder is liable for
11 delinquent contributions, the department shall affirm its denial or revocation. An
12 applicant or license holder may seek judicial review under s. 108.227 (6) of an
13 affirmation by the department of a denial or revocation under this subdivision.

14 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
15 a person whose license is revoked or whose application is denied under subd. 1. is not
16 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department
17 shall reinstate the license or approve the application, unless there are other grounds
18 for revocation or denial. The department may not charge a fee for reinstatement of
19 a license under this subdivision.

20 **SECTION 30.** 103.005 (10) of the statutes is amended to read:

21 103.005 (10) Except as provided in ss. 103.06 (5) (d), 103.275 (2) (bm) ~~and~~, (br),
22 ~~and (bt)~~, 103.34 (10) (b) ~~and~~, (c), ~~and (d)~~, 103.91 (4) (b) ~~and~~, (c), ~~and (d)~~, 103.92 (6) ~~and~~,
23 (7), ~~and (8)~~, 104.07 (5) ~~and~~, (6), ~~and (7)~~, and 105.13 (2) ~~and~~, (3), ~~and (4)~~, orders of the
24 department under chs. 103 to 106 shall be subject to review in the manner provided
25 in ch. 227.

1 **SECTION 31.** 103.275 (2) (b) (intro.) of the statutes is amended to read:

2 103.275 (2) (b) (intro.) ~~Except as provided under pars. (bm) and, (br), and (bt),~~
3 upon receipt of a properly completed application, the department shall issue a
4 house-to-house employer certificate if all of the following apply:

5 **SECTION 32.** 103.275 (2) (bt) of the statutes is created to read:

6 103.275 (2) (bt) 1. The department may deny an application for the issuance
7 or renewal of a house-to-house employer certificate, or revoke such a certificate
8 already issued, if the department determines that the applicant or house-to-house
9 employer is liable for delinquent contributions, as defined in s. 108.227 (1) (d).
10 Notwithstanding sub. (7) and s. 103.005 (10), an action taken under this subdivision
11 is subject to review only as provided under s. 108.227 (5) and not as provided in sub.
12 (7) and ch. 227.

13 2. If the department denies an application or revokes a certificate under subd.
14 1., the department shall mail a notice of denial or revocation to the applicant or
15 house-to-house employer. The notice shall include a statement of the facts that
16 warrant the denial or revocation and a statement that the applicant or
17 house-to-house employer may, within 30 days after the date on which the notice of
18 denial or revocation is mailed, file a written request with the department to have the
19 determination that the applicant or house-to-house employer is liable for
20 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

21 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
22 determination under subd. 1. that an applicant or house-to-house employer is liable
23 for delinquent contributions, the department shall affirm its denial or revocation.
24 An applicant or house-to-house employer may seek judicial review under s. 108.227

1 (6) of an affirmation by the department of a denial or revocation under this
2 subdivision.

3 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
4 a person whose certificate is revoked or whose application is denied under subd. 1.
5 is not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the
6 department shall reinstate the certificate or approve the application, unless there
7 are other grounds for revocation or denial. The department may not charge a fee for
8 reinstatement of a certificate under this subdivision.

9 **SECTION 33.** 103.275 (7) (b) of the statutes is amended to read:

10 103.275 (7) (b) Except as provided in sub. (2) (bm) ~~and~~, (br), and (bt), after
11 providing at least 10 days' notice to a house-to-house employer, the department may,
12 on its own or upon a written and signed complaint, suspend the house-to-house
13 employer's certificate. The department shall serve a copy of the complaint with
14 notice of a suspension of the certificate on the person complained against, and the
15 person shall file an answer to the complaint with the department and the
16 complainant within 10 days after service. After receiving the answer, the
17 department shall set the matter for hearing as promptly as possible and within 30
18 days after the date of filing the complaint. Either party may appear at the hearing
19 in person or by attorney or agent. The department shall make its findings and
20 determination concerning the suspension within 90 days after the date that the
21 hearing is concluded and send a copy to each interested party.

22 **SECTION 34.** 103.275 (7) (c) of the statutes is amended to read:

23 103.275 (7) (c) Except as provided in sub. (2) (bm) ~~and~~, (br), and (bt), the
24 department may revoke a certificate issued under sub. (2) after holding a public
25 hearing at a place designated by the department. At least 10 days prior to the

1 revocation hearing, the department shall send written notice of the time and place
2 of the revocation hearing to the person holding the certificate and to the person's
3 attorney or agent of record by mailing the notice to their last-known address. The
4 testimony presented and proceedings at the revocation hearing shall be recorded and
5 preserved as the records of the department. The department shall, as soon after the
6 hearing as possible, make its findings and determination concerning revocation and
7 send a copy to each interested party.

8 **SECTION 35.** 103.34 (3) (c) of the statutes is amended to read:

9 103.34 (3) (c) Subject to par. (d) and sub. (10) (b) ~~and, (c), and (d)~~, after
10 completing the investigation under par. (b), the department shall issue a certificate
11 of registration to the applicant if the department determines that the applicant
12 meets the minimum requirements under this section and rules promulgated under
13 sub. (13) for issuance of a certificate of registration and is satisfied that the applicant
14 will comply with this section and those rules.

15 **SECTION 36.** 103.34 (10) (title) of the statutes is amended to read:

16 103.34 (10) (title) CHILD SUPPORT; DELINQUENT TAXES OR UNEMPLOYMENT
17 INSURANCE CONTRIBUTIONS.

18 **SECTION 37.** 103.34 (10) (d) of the statutes is created to read:

19 103.34 (10) (d) 1. The department may deny an application for the issuance or
20 renewal of a certificate of registration, or revoke a certificate of registration already
21 issued, if the department determines that the applicant or registrant is liable for
22 delinquent contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005
23 (10), an action taken under this subdivision is subject to review only as provided
24 under s. 108.227 (5) and not as provided in ch. 227.

1 2. If the department denies an application or revokes a certificate of
2 registration under subd. 1., the department shall mail a notice of denial or revocation
3 to the applicant or registrant. The notice shall include a statement of the facts that
4 warrant the denial or revocation and a statement that the applicant or registrant
5 may, within 30 days after the date on which the notice of denial or revocation is
6 mailed, file a written request with the department to have the determination that
7 the applicant or registrant is liable for delinquent contributions reviewed at a
8 hearing under s. 108.227 (5) (a).

9 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
10 determination under subd. 1. that an applicant or registrant is liable for delinquent
11 contributions, the department shall affirm its denial or revocation. An applicant or
12 registrant may seek judicial review under s. 108.227 (6) of an affirmation by the
13 department of a denial or revocation under this subdivision.

14 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
15 a person whose certificate of registration is revoked or whose application is denied
16 under subd. 1. is not liable for delinquent contributions, as defined in s. 108.227 (1)
17 (d), the department shall reinstate the certificate of registration or approve the
18 application, unless there are other grounds for revocation or denial. The department
19 may not charge a fee for reinstatement of a certificate under this subdivision.

20 **SECTION 38.** 103.91 (4) (d) of the statutes is created to read:

21 103.91 (4) (d) 1. The department may deny an application for the issuance or
22 renewal of a certificate of registration under sub. (1), or revoke such a certificate
23 already issued, if the department determines that the applicant or registrant is
24 liable for delinquent contributions, as defined in s. 108.227 (1) (d). Notwithstanding

1 s. 103.005 (10), an action taken under this subdivision is subject to review only as
2 provided under s. 108.227 (5) and not as provided in ch. 227.

3 2. If the department denies an application or revokes a certificate of
4 registration under subd. 1., the department shall mail a notice of denial or revocation
5 to the applicant or registrant. The notice shall include a statement of the facts that
6 warrant the denial or revocation and a statement that the applicant or registrant
7 may, within 30 days after the date on which the notice of denial or revocation is
8 mailed, file a written request with the department to have the determination that
9 the applicant or registrant is liable for delinquent contributions reviewed at a
10 hearing under s. 108.227 (5) (a).

11 3. If, after a hearing under s. 108.227 (5) (a), the department affirms a
12 determination under subd. 1. that an applicant or registrant is liable for delinquent
13 contributions, the department shall affirm its denial or revocation. An applicant or
14 registrant may seek judicial review under s. 108.227 (6) of an affirmation by the
15 department of a denial or revocation under this subdivision.

16 4. If, after a hearing under s. 108.227 (5) (a), the department determines that
17 a person whose certificate is revoked or whose application is denied under subd. 1.
18 is not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the
19 department shall reinstate the certificate or approve the application, unless there
20 are other grounds for revocation or denial. The department may not charge a fee for
21 reinstatement of a certificate under this subdivision.

22 **SECTION 39.** 103.92 (3) of the statutes is amended to read:

23 103.92 (3) CERTIFICATE. The department shall inspect each camp for which
24 application to operate is made, to determine if it is in compliance with the rules of
25 the department establishing minimum standards for migrant labor camps. Except

1 as provided under subs. (6) and, (7), and (8), if the department finds that the camp
2 is in compliance with the rules, it shall issue a certificate authorizing the camp to
3 operate until March 31 of the next year. The department shall refuse to issue a
4 certificate if it finds that the camp is in violation of such rules, if the person
5 maintaining the camp has failed to pay court-ordered payments as provided in sub.
6 (6) or if the person maintaining the camp is liable for delinquent taxes as provided
7 in sub. (7) or delinquent unemployment insurance contributions as provided in sub.
8 (8).

9 **SECTION 40.** 103.92 (8) of the statutes is created to read:

10 103.92 (8) LIABILITY FOR DELINQUENT UNEMPLOYMENT INSURANCE CONTRIBUTIONS.

11 (a) The department may deny an application for the issuance or renewal of a
12 certificate to operate a migrant labor camp, or revoke such a certificate already
13 issued, if the department determines that the applicant or person operating the
14 camp is liable for delinquent contributions, as defined in s. 108.227 (1) (d).
15 Notwithstanding s. 103.005 (10), an action taken under this paragraph is subject to
16 review only as provided under s. 108.227 (5) and not as provided in ch. 227.

17 (b) If the department denies an application or revokes a certificate under par.

18 (a), the department shall mail a notice of denial or revocation to the applicant or
19 person operating the camp. The notice shall include a statement of the facts that
20 warrant the denial or revocation and a statement that the applicant or person
21 operating the camp may, within 30 days after the date on which the notice of denial
22 or revocation is mailed, file a written request with the department to have the
23 determination that the applicant or person operating the camp is liable for
24 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

1 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a
2 determination under par. (a) that an applicant or person operating a camp is liable
3 for delinquent contributions, the department shall affirm its denial or revocation.
4 An applicant or person operating a camp may seek judicial review under s. 108.227
5 (6) of an affirmation by the department of a denial or revocation under this
6 paragraph.

7 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that
8 a person whose certificate is revoked or whose application is denied under par. (a) is
9 not liable for delinquent contributions, as defined in s. 108.227 (1) (d), the
10 department shall reinstate the certificate or approve the application, unless there
11 are other grounds for revocation or denial. The department may not charge a fee for
12 reinstatement of a certificate under this paragraph.

13 **SECTION 41.** 104.07 (1) and (2) of the statutes are amended to read:

14 104.07 (1) The department shall make rules, and, except as provided under
15 subs. (5) ~~and (6), and (7)~~, grant licenses to any employer who employs any employee
16 who is unable to earn the living wage determined by the department, permitting the
17 employee to work for a wage that is commensurate with the employee's ability. Each
18 license so granted shall establish a wage for the licensee.

19 (2) The department shall make rules, and, except as provided under subs. (5)
20 ~~and (6), and (7)~~, grant licenses to sheltered workshops, to permit the employment
21 of workers with disabilities who are unable to earn the living wage at a wage that
22 is commensurate with their ability and productivity. A license granted to a sheltered
23 workshop under this subsection may be issued for the entire workshop or a
24 department of the workshop.

25 **SECTION 42.** 104.07 (7) of the statutes is created to read:

1 104.07 (7) (a) The department may deny an application for the issuance or
2 renewal of a license under sub. (1) or (2), or revoke such a license already issued, if
3 the department determines that the applicant or licensee is liable for delinquent
4 contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005 (10), an
5 action taken under this paragraph is subject to review only as provided under s.
6 108.227 (5) and not as provided in ch. 227.

7 (b) If the department denies an application or revokes a license under par. (a),
8 the department shall mail a notice of denial or revocation to the applicant or licensee.
9 The notice shall include a statement of the facts that warrant the denial or revocation
10 and a statement that the applicant or licensee may, within 30 days after the date on
11 which the notice of denial or revocation is mailed, file a written request with the
12 department to have the determination that the applicant or licensee is liable for
13 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

14 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a
15 determination under par. (a) that an applicant or licensee is liable for delinquent
16 contributions, the department shall affirm its denial or revocation. An applicant or
17 licensee may seek judicial review under s. 108.227 (6) of an affirmation by the
18 department of a denial or revocation under this paragraph.

19 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that
20 a person whose license is revoked or whose application is denied under par. (a) is not
21 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department
22 shall reinstate the license or approve the application, unless there are other grounds
23 for revocation or denial. The department may not charge a fee for reinstatement of
24 a license under this paragraph.

25 **SECTION 43.** 105.13 (1) of the statutes is amended to read:

1 105.13 (1) The department may issue licenses to employment agents, and
2 refuse to issue a license whenever, after investigation, the department finds that the
3 character of the applicant makes the applicant unfit to be an employment agent, that
4 the applicant has failed to pay court-ordered payments as provided in sub. (2) ~~or~~, that
5 the applicant is liable for delinquent taxes as provided in sub. (3), or that the
6 applicant is liable for delinquent unemployment insurance contributions as
7 provided in sub. (4), or when the premises for conducting the business of an
8 employment agent is found upon investigation to be unfit for such use. Any license
9 granted by the department may be suspended or revoked by it upon notice to the
10 licensee and good cause. Failure to comply with this chapter and rules promulgated
11 thereunder, or with any lawful orders of the department, is cause to suspend or
12 revoke a license. Failure to pay court-ordered payments as provided in sub. (2) is
13 cause to deny, suspend, restrict, refuse to renew or otherwise withhold a license.
14 Liability for delinquent taxes as provided in sub. (3) or delinquent unemployment
15 insurance contributions as provided in sub. (4) is cause to deny or revoke a license.

16 **SECTION 44.** 105.13 (4) of the statutes is created to read:

17 105.13 (4) (a) The department may deny an application for the issuance or
18 renewal of an employment agent's license, or revoke such a license already issued,
19 if the department determines that the applicant or licensee is liable for delinquent
20 contributions, as defined in s. 108.227 (1) (d). Notwithstanding s. 103.005 (10), an
21 action taken under this paragraph is subject to review only as provided under s.
22 108.227 (5) and not as provided in ch. 227.

23 (b) If the department denies an application or revokes a license under par. (a),
24 the department shall mail a notice of denial or revocation to the applicant or licensee.
25 The notice shall include a statement of the facts that warrant the denial or revocation

1 and a statement that the applicant or licensee may, within 30 days after the date on
2 which the notice of denial or revocation is mailed, file a written request with the
3 department to have the determination that the applicant or licensee is liable for
4 delinquent contributions reviewed at a hearing under s. 108.227 (5) (a).

5 (c) If, after a hearing under s. 108.227 (5) (a), the department affirms a
6 determination under par. (a) that an applicant or licensee is liable for delinquent
7 contributions, the department shall affirm its denial or revocation. An applicant or
8 licensee may seek judicial review under s. 108.227 (6) of an affirmation by the
9 department of a denial or revocation under this paragraph.

10 (d) If, after a hearing under s. 108.227 (5) (a), the department determines that
11 a person whose license is revoked or whose application is denied under par. (a) is not
12 liable for delinquent contributions, as defined in s. 108.227 (1) (d), the department
13 shall reinstate the license or approve the application, unless there are other grounds
14 for revocation or denial. The department may not charge a fee for reinstatement of
15 a license under this paragraph.

16 **SECTION 45.** 108.02 (4m) (a) of the statutes is amended to read:

17 108.02 (4m) (a) All earnings for wage-earning service which are paid to an
18 employee during his or her base period as a result of employment for an employer
19 except any payment made to or on behalf of an employee or his or her beneficiary
20 under a cafeteria plan within the meaning of 26 USC 125, if the payment would not
21 be treated as wages without regard to that plan and if 26 USC 125 would not treat
22 the payment as constructively received;

23 **SECTION 46.** 108.02 (4m) (g) of the statutes is repealed.

24 **SECTION 47.** 108.04 (2) (a) 2. of the statutes is amended to read:

1 108.04 (2) (a) 2. As of that week, the individual has registered for work; and
2 as directed by the department;

3 **SECTION 48.** 108.04 (2) (a) 3. (intro.) of the statutes is amended to read:

4 108.04 (2) (a) 3. (intro.) The individual conducts a reasonable search for
5 suitable work during that week, unless the search requirement is waived under par.
6 (b). The search for suitable work must include ~~2~~ at least 4 actions per week that
7 constitute a reasonable search as prescribed by rule of the department. This
8 subdivision does not apply to an individual if the department determines that the
9 individual is currently laid off from employment with an employer but there is a
10 reasonable expectation of reemployment of the individual by that employer. In
11 determining whether the individual has a reasonable expectation of reemployment
12 by an employer, the department shall request the employer to verify the individual's
13 employment status and shall also consider other factors, including:

14 **SECTION 49.** 108.04 (2) (a) 3. c. of the statutes is amended to read:

15 108.04 (2) (a) 3. c. Whether the individual has recall rights with the employer
16 under the terms of any applicable collective bargaining agreement.;

17 **SECTION 50.** 108.04 (2) (a) 4. and 5. of the statutes are created to read:

18 108.04 (2) (a) 4. The claimant provides information or job application materials
19 that are requested by the department; and

20 5. The claimant participates in a public employment office workshop or
21 training program or in similar reemployment services that are required by the
22 department under sub. (15) (a) 2.

23 **SECTION 51.** 108.04 (15) of the statutes is created to read:

1 108.04 (15) DEPARTMENT POWERS TO ASSIST CLAIMANTS. (a) Except as provided
2 in par. (b), the department may do any of the following for the purpose of assisting
3 claimants to find or obtain work:

4 1. Use the information or materials provided under sub. (2) (a) 4. to assess a
5 claimant's efforts, skills, and ability to find or obtain work and to develop a list of
6 potential opportunities for a claimant to obtain suitable work. A claimant who
7 otherwise satisfies the requirement under sub. (2) (a) 3. is not required to apply for
8 any specific positions on the list in order to satisfy that requirement.

9 2. Require a claimant to participate in a public employment office workshop or
10 training program or in similar reemployment services that do not charge the
11 claimant a participation fee and that offer instruction to improve the claimant's
12 ability to obtain suitable work.

13 (b) This subsection does not apply with respect to a claimant who is exempt
14 from any of the requirements in sub. (2) (a) 2. or 3. in a given week.

15 **SECTION 52.** 108.05 (3) (a) of the statutes is amended to read:

16 108.05 (3) (a) Except as provided in pars. (c), (d) and (dm) if an eligible employee
17 earns wages in a given week, the first \$30 of the wages shall be disregarded and the
18 employee's applicable weekly benefit payment shall be reduced by 67% of the
19 remaining amount, except that no such employee is eligible for benefits if the
20 employee's benefit payment would be less than \$5 for any week. For purposes of this
21 paragraph, "wages" includes ~~any salary reduction amounts earned that are not~~
22 ~~wages and that are deducted from the salary of a claimant by an employer pursuant~~
23 ~~to a salary reduction agreement under a cafeteria plan, within the meaning of 26~~
24 ~~USC 125, and any amount that a claimant would have earned in available work~~
25 under s. 108.04 (1) (a) which is treated as wages under s. 108.04 (1) (bm), but excludes

1 any amount that a claimant earns for services performed as a volunteer fire fighter,
2 volunteer emergency medical technician, or volunteer first responder. In applying
3 this paragraph, the department shall disregard discrepancies of less than \$2
4 between wages reported by employees and employers.

5 **SECTION 53.** 108.10 (intro.) of the statutes is amended to read:

6 **108.10 Settlement of issues other than benefit claims.** (intro.) In
7 connection with any issue arising under this chapter as to the status or liability of
8 an employing unit in this state, for which no review is provided under s. 108.09 or
9 108.227 (5) and whether or not a penalty is provided in s. 108.24, the following
10 procedure shall apply:

11 **SECTION 54.** 108.205 (1) of the statutes is amended to read:

12 108.205 (1) Each employer shall file with the department, in such form as the
13 department by rule requires, a quarterly report showing the name, social security
14 number and wages paid to each employee who is employed by the employer in
15 employment with the employer during the quarter. ~~The department may also by rule~~
16 ~~require each employer to include in the report any salary reduction amounts that are~~
17 ~~not wages and that would have been paid to each such employee by the employer as~~
18 ~~salary during the quarter but for a salary reduction agreement under a cafeteria~~
19 ~~plan, within the meaning of 26 USC 125.~~ The employer shall file the report no later
20 than the last day of the month following the completion of each quarter.

21 **SECTION 55.** 108.21 (1) of the statutes is amended to read:

22 108.21 (1) Every employing unit which employs one or more individuals to
23 perform work in this state shall keep an accurate work record for each individual
24 employed by it, including full name, address and social security number, which will
25 permit determination of the weekly wages earned by each such individual, the wages

1 paid within each quarter to that individual ~~and the salary reduction amounts that~~
2 ~~are not wages and that would have been paid by the employing unit to that individual~~
3 ~~as salary but for a salary reduction agreement under a cafeteria plan, within the~~
4 ~~meaning of 26 USC 125.~~ Each such employing unit shall permit any authorized
5 representative of the department to examine, at any reasonable time, the work
6 record and any other records which may show any wages paid by the employing unit,
7 ~~or any salary reduction amounts that are not wages and that would have been paid~~
8 ~~by the employing unit as salary but for a salary reduction agreement under a~~
9 ~~cafeteria plan, within the meaning of 26 USC 125,~~ regardless of the format in which
10 such a record is maintained. If such a record is maintained by an employing unit in
11 machine-readable format, the employing unit shall provide the department with
12 information necessary to retrieve the record. If the department determines that the
13 employing unit is unable to provide access to such a record or that the retrieval
14 capability at the site where the record is maintained is not adequate for efficient
15 examination, the employing unit shall provide a copy of the record to the department
16 and shall allow the department to remove the copy from that site for such period as
17 will permit examination at another location. Each such employing unit shall furnish
18 to the department upon demand a sworn statement of the information contained in
19 any such record.

20 **SECTION 56.** 108.22 (1) (a) of the statutes is amended to read:

21 108.22 (1) (a) If Except as provided in par. (cm), if any employer, other than an
22 employer which has ceased business and has not paid or incurred a liability to pay
23 wages in any quarter following the cessation of business, is delinquent in making by
24 the assigned due date any payment to the department required of it under this
25 chapter, the employer shall pay interest on the delinquent payment at that monthly

1 rate that annualized is equal to 9 percent or to 2 percent more than the prime rate
2 as published in the Wall Street Journal as of September 30 of the preceding year,
3 whichever is greater, for each month or fraction thereof that the employer is
4 delinquent from the date such payment became due. If any such employer is
5 delinquent in ~~making filing~~ any quarterly report under s. 108.205 (1) by the assigned
6 due date, ~~the employer shall pay~~ department may assess a tardy filing fee of ~~\$50 to~~
7 the employer for each delinquent quarterly report in the amount of \$100 or \$20 per
8 employee, as reported on the employer's most recent quarterly report, whichever is
9 greater, or, if the report is filed within 30 days of its due date, in the amount of \$50.
10 If the department cannot determine the number of the employer's employees from
11 the employer's most recent quarterly report, the department may reasonably
12 estimate the number of the employer's employees for purposes of this paragraph.

13 **SECTION 57.** 108.22 (1) (cm) of the statutes is created to read:

14 108.22 (1) (cm) In limited circumstances as prescribed by rule of the
15 department, the department may waive or decrease the interest charged under par.
16 (a).

17 **SECTION 58.** 108.223 of the statutes is created to read:

18 **108.223 Financial record matching program. (1) DEFINITIONS.** In this
19 section:

20 (a) "Account" means a demand deposit account, checking account, negotiable
21 withdrawal order account, savings account, time deposit account, or money market
22 mutual fund account.

23 (b) "Debtor" has the meaning given in s. 108.225 (1) (c).

24 (c) "Financial institution" has the meaning given in 12 USC 3401 (1).

1 **(2) MATCHING PROGRAM AND AGREEMENTS.** (a) The department shall operate a
2 financial record matching program under this section for the purpose of identifying
3 the assets of debtors.

4 (b) The department shall enter into agreements with financial institutions
5 doing business in this state to operate the financial record matching program under
6 this section. An agreement shall require the financial institution to participate in
7 the financial record matching program by electing either the financial institution
8 matching option under sub. (3) or the state matching option under sub. (4). The
9 financial institution and the department may by mutual agreement make changes
10 to the agreement. A financial institution that wishes to choose a different matching
11 option shall provide the department with at least 60 days notice. The department
12 shall furnish the financial institution with a signed copy of the agreement.

13 (c) The department may reimburse a financial institution up to \$125 per
14 calendar quarter for participating in the financial record matching program under
15 this section. The department shall make reimbursements under this paragraph
16 from the appropriation under s. 20.445 (1) (n).

17 (d) To the extent feasible, the information to be exchanged under the matching
18 program shall be provided by electronic data exchange as prescribed by the
19 department in the agreement under par. (b).

20 **(3) FINANCIAL INSTITUTION MATCHING OPTION.** If a financial institution with
21 which the department has an agreement under sub. (2) elects the financial
22 institution matching option under this subsection, all of the following apply:

23 (a) At least once each calendar quarter, the department shall provide to the
24 financial institution, in the manner specified in the agreement under sub. (2) (b),

1 information regarding debtors. The information shall include names and social
2 security or other taxpayer identification numbers.

3 (b) Based on the information received under par. (a), the financial institution
4 shall take actions necessary to determine whether any debtor has an ownership
5 interest in an account maintained at the financial institution. If the financial
6 institution determines that a debtor has an ownership interest in an account at the
7 financial institution, the financial institution shall provide the department with a
8 notice containing the debtor's name, address of record, social security number or
9 other taxpayer identification number, and account information. The account
10 information shall include the account number, the account type, the nature of the
11 ownership interest in the account, and the balance of the account at the time that the
12 record match is made. The notice under this paragraph shall be provided in the
13 manner specified in the agreement under sub. (2) (b) and, to the extent feasible, by
14 an electronic data exchange.

15 (4) STATE MATCHING OPTION. If a financial institution with which the department
16 has an agreement under sub. (2) elects the state matching option under this
17 subsection, all of the following apply:

18 (a) At least once each calendar quarter, the financial institution shall provide
19 the department with information concerning all accounts maintained at the
20 financial institution. For each account maintained at the financial institution, the
21 financial institution shall notify the department of the name and social security
22 number or other tax identification number of each person having an ownership
23 interest in the account, together with a description of each person's interest. The
24 information required under this paragraph shall be provided in the manner specified

1 in the agreement under sub. (2) (b) and, to the extent feasible, by an electronic data
2 exchange.

3 (b) The department shall take actions necessary to determine whether any
4 debtor has an ownership interest in an account maintained at the financial
5 institution providing information under par. (a). Upon the request of the
6 department, the financial institution shall provide to the department, for each
7 debtor who matches information provided by the financial institution under par. (a),
8 the address of record, the account number and account type, and the balance of the
9 account.

10 (5) USE OF INFORMATION BY FINANCIAL INSTITUTION; PENALTY. A financial
11 institution participating in the financial record matching program under this
12 section, and the employees, agents, officers, and directors of the financial institution,
13 may use information received from the department under sub. (3) only for the
14 purpose of matching records and may use information provided by the department
15 in requesting additional information under sub. (4) only for the purpose of providing
16 the additional information. Neither the financial institution nor any employee,
17 agent, officer, or director of the financial institution may disclose or retain
18 information received from the department concerning debtors. Any person who
19 violates this subsection may be fined not less than \$50 nor more than \$1,000 or
20 imprisoned in the county jail for not less than 10 days or more than one year or both.

21 (6) USE OF INFORMATION BY DEPARTMENT. The department may use information
22 provided by a financial institution under this section only for matching records under
23 sub. (4), for administering the financial record matching program under this section,
24 and for pursuing the collection of amounts owed to the department by debtors. The

1 department may not disclose or retain information received from a financial
2 institution under this section concerning account holders who are not debtors.

3 (7) FINANCIAL INSTITUTION LIABILITY. A financial institution is not liable to any
4 person for disclosing information to the department in accordance with an
5 agreement under this section or for any other action that the financial institution
6 takes in good faith to comply with this section.

7 SECTION 59. 108.227 of the statutes is created to read:

8 **108.227 License denial, nonrenewal, discontinuation, suspension and**
9 **revocation based on delinquent unemployment insurance contributions.**

10 (1) DEFINITIONS. In this section:

11 (a) “Contribution” includes contributions under ss. 108.17 and 108.18, interest
12 for a nontimely payment or a fee assessed on an employer, an assessment under s.
13 108.19, any payment due for a forfeiture imposed upon an employing unit under s.
14 108.04 (11) (c), and any other penalty assessed by the department under this chapter
15 against an employing unit.

16 (b) “Credential” has the meaning given in s. 440.01 (2) (a), but does not include
17 a registration as an inactive licensee under s. 452.12 (6) (b).

18 (c) “Credentialing board” means a board, examining board or affiliated
19 credentialing board in the department of safety and professional services that grants
20 a credential.

21 (d) “Liable for delinquent contributions” means that a person has exhausted
22 all of the person’s remedies under s. 108.10 to challenge the assertion that the person
23 owes the department any contributions and the person is delinquent in the payment
24 of those contributions.

25 (e) “License” means any of the following:

- 1 1. An approval specified in s. 29.024 (2r) or a license specified in s. 169.35.
- 2 2. A license issued by the department of children and families under s. 48.66
- 3 (1) (a) to a child welfare agency, group home, shelter care facility, or child care center,
- 4 as required by s. 48.60, 48.625, 48.65, or 938.22 (7).
- 5 3. A license, certificate of approval, provisional license, conditional license,
- 6 certification, certification card, registration, permit, training permit or approval
- 7 specified in s. 50.35, 50.49 (6) (a) or (10), 51.038, 51.04, 51.42 (7) (b) 11., 51.421 (3)
- 8 (a), 51.45 (8), 146.40 (3) or (3m), 252.23 (2), 252.24 (2), 254.176, 254.20 (3), 255.08 (2)
- 9 (a), 256.15 (5) (a) or (b), (6g) (a), (7), or (8) (a) or (f) or 343.305 (6) (a) or a permit for
- 10 operation of a campground specified in s. 254.47 (1).
- 11 5. A license, as defined in s. 101.02 (20) (a).
- 12 6. A license or certificate of registration issued by the department of financial
- 13 institutions, or a division of it, under ss. 138.09, 138.12, 138.14, 217.06, 218.0101 to
- 14 218.0163, 218.02, 218.04, 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch.
- 15 551.
- 16 7. A license described in s. 218.0114 (14) (a) and (g), a license described in s.
- 17 218.0114 (14) (b), (c) or (e), a license issued under s. 218.11, 218.12, 218.22, 218.32,
- 18 218.41, 343.61 or 343.62, a buyer identification card issued under s. 218.51 or a
- 19 certificate of registration issued under s. 341.51.
- 20 7m. A license issued under s. 562.05 or 563.24.
- 21 8. A license, registration or certification specified in s. 299.07 (1) (a).
- 22 9. A credential.
- 23 10. A license or permit granted by the department of public instruction.
- 24 11. A license to practice law.

1 12. A license issued under s. 628.04, 632.69 (2), or 633.14 or a temporary license
2 issued under s. 628.09.

3 13. A license issued by the government accountability board under s. 13.63 (1).

4 14. A permit under s. 170.12.

5 15. A certificate under s. 73.03 (50) or a certification under s. 73.09.

6 (f) “Licensing department” means the department of administration; the board
7 of commissioners of public lands; the department of children and families; the
8 government accountability board; the department of financial institutions; the
9 department of health services; the department of natural resources; the department
10 of public instruction; the department of revenue; the department of safety and
11 professional services; the office of the commissioner of insurance; or the department
12 of transportation.

13 (g) “Nondelinquency certificate” means a certificate that the department of
14 workforce development issues to a person and that states that the person is not liable
15 for delinquent contributions.

16 **(2) DUTIES AND POWERS OF LICENSING DEPARTMENTS.** (a) Each licensing
17 department and the supreme court, if the supreme court agrees, shall enter into a
18 memorandum of understanding with the department of workforce development
19 under sub. (4) (a) that requires the licensing department or supreme court to do all
20 of the following:

21 1. Request the department of workforce development to certify whether an
22 applicant for a license or license renewal or continuation is liable for delinquent
23 contributions. With respect to an applicant for a license granted by a credentialing
24 board, the department of safety and professional services shall make a request under

1 this subdivision. This subdivision does not apply to the department of transportation
2 with respect to licenses described in sub. (1) (e) 7.

3 2. Request the department of workforce development to certify whether a
4 license holder is liable for delinquent contributions. With respect to a holder of a
5 license granted by a credentialing board, the department of safety and professional
6 services shall make a request under this subdivision.

7 (b) Each licensing department and the supreme court, if the supreme court
8 agrees, shall do all of the following:

9 1. a. If, after a request is made under par. (a) 1. or 2., the department of
10 workforce development certifies that the license holder or applicant for a license or
11 license renewal or continuation is liable for delinquent contributions, revoke the
12 license or deny the application for the license or license renewal or continuation. The
13 department of transportation may suspend licenses described in sub. (1) (e) 7. in lieu
14 of revoking those licenses. A suspension, revocation, or denial under this subd. 1. a.
15 is not subject to administrative review or, except as provided in sub. (6), judicial
16 review. With respect to a license granted by a credentialing board, the department
17 of safety and professional services shall make a revocation or denial under this subd.
18 1. a. With respect to a license to practice law, the department of workforce
19 development shall not submit a certification under this subd. 1. a. to the supreme
20 court until after the license holder or applicant has exhausted his or her remedies
21 under subs. (5) (a) and (6) or has failed to make use of such remedies.

22 b. Mail a notice of suspension, revocation, or denial under subd. 1. a. to the
23 license holder or applicant. The notice shall include a statement of the facts that
24 warrant the suspension, revocation, or denial and a statement that the license holder
25 or applicant may, within 30 days after the date on which the notice of suspension,

1 revocation, or denial is mailed, file a written request with the department of
2 workforce development to have the certification of contribution delinquency on
3 which the suspension, revocation, or denial is based reviewed at a hearing under sub.
4 (5) (a) and that the license holder or applicant may seek judicial review under sub.
5 (6) of an affirmation under sub. (5) (b) 2. that the person is liable for delinquent
6 contributions. With respect to a license granted by a credentialing board, the
7 department of safety and professional services shall mail a notice under this subd.
8 1. b. With respect to a license to practice law, the department of workforce
9 development shall mail a notice under this subd. 1. b. and the notice shall indicate
10 that the license holder or applicant may request a hearing under sub. (5) (a) and may
11 request judicial review under sub. (6) and that the department of workforce
12 development will submit a certificate of delinquency to suspend, revoke, or deny a
13 license to practice law to the supreme court after the license holder or applicant has
14 exhausted his or her remedies under subs. (5) (a) and (6) or has failed to make use
15 of such remedies. A notice sent to a person who holds a license to practice law or who
16 is an applicant for a license to practice law shall also indicate that the department
17 of workforce development may not submit a certificate of delinquency to the supreme
18 court if the license holder or applicant pays the delinquent contributions in full or
19 enters into an agreement with the department of workforce development to satisfy
20 the delinquency.

21 2. Except as provided in subd. 2m., if notified by the department of workforce
22 development that the department of workforce development has affirmed a
23 certification of contribution delinquency after a hearing under sub. (5) (a), affirm a
24 suspension, revocation, or denial under subd. 1. a. With respect to a license granted

1 by a credentialing board, the department of safety and professional services shall
2 make an affirmation under this subdivision.

3 2m. With respect to a license to practice law, if notified by the department of
4 workforce development that the department of workforce development has affirmed
5 a certification of contribution delinquency after any requested review under subs. (5)
6 (a) and (6), decide whether to suspend, revoke, or deny a license to practice law.

7 3. If a person submits a nondelinquency certificate issued under sub. (5) (b) 1.,
8 reinstate the license or grant the application for the license or license renewal or
9 continuation, unless there are other grounds for suspending or revoking the license
10 or for denying the application for the license or license renewal or continuation. If
11 reinstatement is required under this subdivision, a person is not required to submit
12 a new application or other material or to take a new test. No separate fee may be
13 charged for reinstatement of a license under this subdivision. With respect to a
14 license granted by a credentialing board, the department of safety and professional
15 services shall reinstate a license or grant an application under this subdivision.

16 4. If a person whose license has been suspended or revoked or whose
17 application for a license or license renewal or continuation has been denied under
18 subd. 1. a. submits a nondelinquency certificate issued under sub. (3) (a) 2., reinstate
19 the license or grant the person's application for the license or license renewal or
20 continuation, unless there are other grounds for not reinstating the license or for
21 denying the application for the license or license renewal or continuation. With
22 respect to a license granted by a credentialing board, the department of safety and
23 professional services shall reinstate a license or grant an application under this
24 subdivision.