

2013 DRAFTING REQUEST

Bill

Received: **8/6/2013** Received By: **mduchek**
 Wanted: **As time permits** Same as LRB: **-4106**
 For: **Workforce Development** By/Representing: **Janell Knutson**
 May Contact: Drafter: **mduchek**
 Subject: **Unemployment Insurance** Addl. Drafters: **jkuesel**

Extra Copies:

Submit via email: **YES**
 Requester's email: **Janell.Knutson@dwd.wisconsin.gov**
 Carbon copy (CC) to: **Scott.Sussman@dwd.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Reconcile provisions related to suspension of licenses for UI contribution and tax delinquency between Acts 20 and 36

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mduchek 8/22/2013			_____			
/P1	jkuesel 9/4/2013	scalvin 9/4/2013	jmurphy 9/4/2013	_____	lparisi 9/4/2013		State
/P2	jkuesel	scalvin	rschluet	_____	mbarman		State

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	1/23/2014	9/4/2013	9/5/2013	_____	9/5/2013		
		scalvin 1/24/2014	jfrantze 1/24/2014	_____	sbasford 1/24/2014	sbasford 1/27/2014	State

FE Sent For:

alt
intro

<END>

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for the
Assembly
per MED

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/1	jkuesel 1/23/14	1 sac 01/24/2014	1 sac 01/24/2014				

Vers. Drafted

Reviewed
9/4/2013

Typed
9/5/2013

Proofed

Submitted
9/5/2013

Jacketed

Required

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Extra Copies: **JTK**

Submit via email: **YES**
Requester's email: **Janell.Knutson@dwd.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

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/?	mduchek	/PI SAC 08/29/2013	Jan 9/4	Jan 9/4			

FE Sent For:

<END>



State of Wisconsin
2013 - 2014 LEGISLATURE

In 8-22-13

By 9-6, if poss.



LRB-2855/P1

MED:J:...

SAC

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 note

- 1 AN ACT ^{Gen} relating to: ^{various} ~~license suspensions based on delinquency in payment of~~ ^{various changes in the unemployment insurance law}
- 2 ~~unemployment insurance contributions.~~

FNS
IA

Analysis by the Legislative Reference Bureau

License revocations based on UI contribution delinquencies

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. Subject to certain limitations, current law, as created by 2013 Wisconsin Act 36, similarly requires licensing departments to revoke a license or deny an application for a license if the Department of Workforce Development (DWD) certifies that the license holder or applicant is 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. 2013 Wisconsin Act 20 (Act 20) created and transferred the authority of various licensing departments to issue and administer certain licenses and modified accordingly various provisions related license revocations due to ~~to those licensees'~~ ^{to} ~~liability for delinquent taxes.~~ ^{to}

of the licensees

This bill makes similar changes related ~~license revocations due to those license holders' liability for delinquent UI contributions.~~ ^{of the licensees} Specifically, the bill does all of the following:

1. Requires the Department of Financial Institutions (DFI) to revoke or deny a registration to operate as a charitable organization, fund-raising counsel,

professional fund-raiser, or professional employer organization if DWD certifies that the registrant is liable for delinquent UI contributions. Administration of these registrations was transferred from the Department of Safety and Professional Services (DPS) to DFI by Act 20.

2. Requires the Office of the Commissioner of Insurance (OCI) to revoke or deny a navigator license or navigator entity registration if DWD certifies that the license or registration holder is liable for delinquent UI contributions. The authority for OCI to issue navigator licenses and registrations was created by Act 20.

3. Requires the Department of Agriculture, Trade and Consumer Protection (DATCP) to revoke a certification or registration of a person who works with tanks that contain hazardous substances and persons who perform assessments of sites where such tanks are located. The authority to issue these certifications or registrations was transferred to DATCP from DPS by Act 20.

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

(for assistance to individuals obtaining appropriate health insurance coverage)

JWS
ZA

Fix component

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

1 SECTION 1. 93.135 (title) of the statutes, as affected by 2013 Wisconsin Act 20,
2 is amended to read:

3 **93.135 (title) License denial, nonrenewal, suspension or restriction**
4 **based on failure to pay support or, taxes, or unemployment insurance**
5 **contributions.**

History: 1997 a. 191; 1999 a. 9; 2001 a. 16; 2007 a. 20; 2013 a. 20.

6 SECTION 2. 93.135 (4) of the statutes, as created by 2013 Wisconsin Act 20, is
7 amended to read:

8 93.135 (4) The department shall deny an application for the issuance or
9 renewal of certification or registration under s. 168.23 (3), or shall suspend or restrict
10 such a certification or registration, if the department of revenue certifies under s.
11 73.0301 that the holder of the certification or registration is liable for delinquent
12 taxes or if the department of workforce development certifies under s. 108.227 that

1 the holder of the certification or registration is liable for delinquent unemployment
2 insurance contributions.

History: 1997 a. 191; 1999 a. 9; 2001 a. 16; 2007 a. 20; 2013 a. 20.

Handwritten notes: "INS" and "2-24" circled.

3 **SECTION 3.** 108.227 (1) (e) 6. of the statutes, as created by 2013 Wisconsin Act
36, is amended to read:

5 108.227 (1) (e) 6. A license or certificate of registration issued by the
6 department of financial institutions, or a division of it, under ss. 138.09, 138.12,
7 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04,
8 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

History: 2013 a. 36.

9 **SECTION 4.** 108.227 (1) (e) 6m. of the statutes is created to read:

10 108.227 (1) (e) 6m. A certificate or registration issued under s. 168.23 (3).

11 **SECTION 5.** 108.227 (1) (e) 12. of the statutes, as created by 2013 Wisconsin Act
12 36, is amended to read:

13 108.227 (1) (e) 12. A license issued under s. 628.04, 628.92 (1), 632.69 (2), or
14 633.14, a registration under s. 628.92 (2), or a temporary license issued under s.
15 628.09.

History: 2013 a. 36.

16 **SECTION 6.** 108.227 (1) (f) of the statutes, as created by 2013 Wisconsin Act 36,
17 is amended to read:

18 108.227 (1) (f) "Licensing department" means the department of
19 administration; the department of agriculture, trade and consumer protection; the
20 board of commissioners of public lands; the department of children and families; the
21 government accountability board; the department of financial institutions; the
22 department of health services; the department of natural resources; the department
23 of public instruction; the department of revenue; the department of safety and

1 professional services; the office of the commissioner of insurance; or the department
2 of transportation.

3 History: 2013 a. 36.

SECTION 7. 202.02 (4) (c) of the statutes, as created by 2013 Wisconsin Act 20,

4 is amended to read:

5 202.02 (4) (c) The department may not disclose a social security number
6 obtained under par. (a) to any person except the department of children and families
7 to administer s. 49.22 and, the department of revenue to request certifications under
8 s. 73.0301 and administer state taxes, and the department of workforce development
9 to request certifications under s. 108.227.

10 History: 2013 a. 20.

SECTION 8. 202.03 of the statutes, as created by 2013 Wisconsin Act 20, is

11 amended to read:

12 **202.03 Registration denial, nonrenewal, or revocation based on tax**
13 **delinquency delinquent taxes or unemployment insurance contributions.**

14 Notwithstanding ss. 202.12 to 202.14 and 202.22, the department shall deny an
15 application for an initial registration or for registration renewal, or revoke a
16 registration, if the department of revenue certifies under s. 73.0301 that the
17 applicant or registrant is liable for delinquent taxes, as defined in s. 73.0301 (1) (e)
18 or if the department of workforce development certifies under s. 108.227 that the
19 applicant or registrant is liable for delinquent unemployment insurance
20 contributions.

NOTE: NOTE: This section is created eff. 11-1-13 by 2013 Wis. Act 20. NOTE:

21 History: 2013 a. 20.

SECTION 9. 628.097 (2m) of the statutes, as affected by 2013 Wisconsin Acts 20

22 and 36, is amended to read:

INSERT
7-2

1 628.097 (2m) FOR LIABILITY FOR DELINQUENT TAXES OR UNEMPLOYMENT INSURANCE
2 CONTRIBUTIONS. The commissioner shall refuse to issue a license, including a
3 temporary license, under this subchapter or subch. V, or to register a navigator entity
4 under subch. V, if the department of revenue certifies under s. 73.0301 that the
5 applicant for the license or registration is liable for delinquent taxes or if the
6 department of workforce development certifies under s. 108.227 that the applicant
7 for the license or registration is liable for delinquent unemployment insurance
8 contributions.

NOTE: NOTE: Sub. (2m) is shown as affected by 2013 Wis. Acts 20 and 36 and as merged by the legislative reference bureau under s. 13.92 (2) (i).NOTE:

History: 1997 a. 191, 237; 2001 a. 65; 2007 a. 20; 2013 a. 20, 36; s. 13.92 (2) (i).

9 SECTION 10. 628.10 (2) (cm) of the statutes, as affected by 2013 Wisconsin Acts
10 ✓ ✓
10 20 and 36, is amended to read:

11 628.10 (2) (cm) *For liability for delinquent taxes or unemployment insurance*
12 *contributions.* The commissioner shall revoke the license of an intermediary or
13 individual navigator, including a temporary license under s. 628.09, if the
14 department of revenue certifies under s. 73.0301 that the intermediary or navigator
15 is liable for delinquent taxes or if the department of workforce development certifies
16 under s. 108.227 that the intermediary or navigator is liable for delinquent
17 unemployment insurance contributions. An intermediary who is a natural person,
18 or an individual navigator, whose license is revoked under this paragraph may have
19 his or her license reinstated, or may be relicensed, as provided in sub. (5).

NOTE: NOTE: Par. (cm) is shown as affected by 2013 Wis. Acts 20 and 36 and as merged by the legislative reference bureau under s. 13.92 (2) (i).NOTE:

History: 1975 c. 371, 421; 1977 c. 363; 1979 c. 102; 1981 c. 38; 1991 a. 214; 1995 a. 27; 1997 a. 191, 237; 1999 a. 9, 30; 2005 a. 387; 2007 a. 20, 169; 2009 a. 180, 342; 2013 a. 20, 36; s. 13.92 (2) (i).

20 SECTION 11. 628.93 (2) (title) of the statutes, as created by 2013 Wisconsin Act
21 20, is amended to read:

1 628.93 (2) (title) REFUSAL TO ISSUE LICENSE; FAILURE TO PAY SUPPORT OR TO COMPLY
 2 WITH SUBPOENA OR WARRANT; ~~TAX DELINQUENCY~~ DELINQUENT TAXES OR UNEMPLOYMENT
 3 INSURANCE CONTRIBUTIONS.

Ins 6-5

History: 2013 a. 20.

SECTION 12. Initial applicability.

(1) This act ~~first applies to first apply~~ to contributions, as defined in section
 108.227 (1) (a) of the statutes that are delinquent on the effective date of this
 subsection.

SECTION 13. Effective dates. This act takes effect on the day after publication,
 except as follows:

(1) This act takes effect on November 1, 2013, or on the day after publication,
 whichever is later.

(END)

FW 5
 A+B 6-87
 10

9 - note →



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2855/P1

MED sac/jm

P2
+ JTK

Fwd 9/6

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

(regenerate)

1 AN ACT ~~to amend 93.135 (title), 93.135 (4), 108.04 (1) (hm), 108.227 (1) (e) 6,~~
2 ~~108.227 (1) (e) 12., 108.227 (1) (f), 108.245 (1), 202.02 (4) (c), 202.03, 628.097~~
3 ~~(2m), 628.10 (2) (cm) and 628.93 (2) (title), and to create 108.227 (1) (e) 6m.~~ of
4 the statutes; **relating to:** various changes in the unemployment insurance law.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the unemployment insurance law. Provisions include:

License revocations based on UI contribution delinquencies

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. Subject to certain limitations, current law, as created by 2013 Wisconsin Act 36, similarly requires licensing departments to revoke a license or deny an application for a license if the Department of Workforce Development (DWD) certifies that the license holder or applicant is 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. 2013 Wisconsin Act 20 (Act 20) created and transferred the authority of various licensing departments to issue and administer certain licenses and modified accordingly various provisions related to license revocations due to liability of the licensees for delinquent taxes.

This bill makes similar changes related to license revocations due to liability of the licensees for delinquent UI contributions. Specifically, the bill does all of the following:

1. Requires the Department of Financial Institutions (DFI) to revoke or deny a registration to operate as a charitable organization, fund-raising counsel, professional fund-raiser, or professional employer organization if DWD certifies that the registrant is liable for delinquent UI contributions. Administration of these registrations was transferred from the Department of Safety and Professional Services (DSPS) to DFI by Act 20.

2. Requires the Office of the Commissioner of Insurance (OCI) to revoke or deny a navigator license or navigator entity registration (for assistance to individuals in obtaining appropriate health insurance coverage) if DWD certifies that the license or registration holder is liable for delinquent UI contributions. The authority for OCI to issue navigator licenses and registrations was created by Act 20.

3. Requires the Department of Agriculture, Trade and Consumer Protection (DATCP) to revoke a certification or registration of a person who works with tanks that contain hazardous substances and persons who perform assessments of sites where such tanks are located. The authority to issue these certifications or registrations was transferred to DATCP from DSPS by Act 20.

Failure of claimants to comply with requests for information

Currently, if a UI claimant fails to comply with a request by DWD to provide certain information relating to the claimant's eligibility and certain demographic information, the claimant is ineligible to receive UI benefits until the claimant complies or satisfies DWD that he or she had good cause for failure to comply with the request. This bill makes a claimant ineligible to receive benefits until the claimant complies, regardless of the cause for failure to comply. Under the bill, if the claimant later complies, the claimant is eligible to receive benefits as of the week in which the failure occurred, if otherwise qualified.

FWS
ZA

(Keep Space)
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. 93.135 (title) of the statutes, as affected by 2013 Wisconsin Act 20,
2 is amended to read:

3 **93.135 (title) License denial, nonrenewal, suspension or restriction**
4 **based on failure to pay support or, taxes, or unemployment insurance**
5 **contributions.**

1 **SECTION 2.** 93.135 (4) of the statutes, as created by 2013 Wisconsin Act 20, is
2 amended to read:

3 **93.135 (4)** The department shall deny an application for the issuance or
4 renewal of certification or registration under s. 168.23 (3), or shall suspend or restrict
5 such a certification or registration, if the department of revenue certifies under s.
6 73.0301 that the holder of the certification or registration is liable for delinquent
7 taxes or if the department of workforce development certifies under s. 108.227 that
8 the holder of the certification or registration is liable for delinquent unemployment
9 insurance contributions.

10 **SECTION 3.** 108.04 (1) (hm) of the statutes, as affected by 2013 Wisconsin Act
11 36, is amended to read:

12 **108.04 (1) (hm)** The department may require any claimant to appear before it
13 and to answer truthfully, orally or in writing, any questions relating to the claimant's
14 eligibility for benefits or to provide such demographic information as may be
15 necessary to permit the department to conduct a statistically valid sample audit of
16 compliance with this chapter. A claimant is not eligible to receive benefits for any
17 week in which the claimant fails to comply with a request by the department to
18 provide the information required under this paragraph, or any subsequent week,
19 until the claimant complies ~~or satisfies the department that he or she had good cause~~
20 ~~for failure to comply with a~~ the request of the department under this paragraph.
21 Except as provided in s. 108.04 (2) (e) and (f), if a claimant later complies with a
22 request by the department within the period specified in s. 108.09 (2) (c), the
23 claimant is eligible to receive benefits as of the week in which the failure occurred,
24 if otherwise qualified.

JWS
3-24 →

1 **SECTION 4.** 108.227 (1) (e) 6. of the statutes, as created by 2013 Wisconsin Act
2 36, is amended to read:

3 108.227 (1) (e) 6. A license or certificate of registration issued by the
4 department of financial institutions, or a division of it, under ss. 138.09, 138.12,
5 138.14, 202.12 to 202.14, 202.22, 217.06, 218.0101 to 218.0163, 218.02, 218.04,
6 218.05, 224.72, 224.725, 224.93 or under subch. IV of ch. 551.

7 **SECTION 5.** 108.227 (1) (e) 6m. of the statutes is created to read:

8 108.227 (1) (e) 6m. A certificate or registration issued under s. 168.23 (3).

9 **SECTION 6.** 108.227 (1) (e) 12. of the statutes, as created by 2013 Wisconsin Act
10 36, is amended to read:

11 108.227 (1) (e) 12. A license issued under s. 628.04, 628.92 (1), 632.69 (2), or
12 633.14, a registration under s. 628.92 (2), or a temporary license issued under s.
13 628.09.

14 **SECTION 7.** 108.227 (1) (f) of the statutes, as created by 2013 Wisconsin Act 36,
15 is amended to read:

16 108.227 (1) (f) “Licensing department” means the department of
17 administration; the department of agriculture, trade and consumer protection; the
18 board of commissioners of public lands; the department of children and families; the
19 government accountability board; the department of financial institutions; the
20 department of health services; the department of natural resources; the department
21 of public instruction; the department of revenue; the department of safety and
22 professional services; the office of the commissioner of insurance; or the department
23 of transportation.

24 **SECTION 8.** 108.245 (1) of the statutes, as created by 2013 Wisconsin Act 36, is
25 amended to read:

1 108.245 (1) The Except as provided in sub. (2m), the department may
2 commence an action to preserve and recover the proceeds of any payment from the
3 fund not resulting from a departmental error, including any payment to which the
4 recipient is not entitled, from any transferee or other person that receives, possesses,
5 or retains such a payment or from any account, including an account at any financial
6 institution, resulting from the transfer, use, or disbursement of such a payment. The
7 department may also commence an action to recover from a claimant the amount of
8 any benefits that were erroneously paid to another person who was not entitled to
9 receive the benefits because the claimant or the claimant's authorized agent divulged
10 the claimant's security credentials to another person or failed to take adequate
11 measures to protect the credentials from being divulged to an unauthorized person.

12 **SECTION 9.** 202.02 (4) (c) of the statutes, as created by 2013 Wisconsin Act 20,
13 is amended to read:

14 202.02 (4) (c) The department may not disclose a social security number
15 obtained under par. (a) to any person except the department of children and families
16 to administer s. 49.22 ~~and~~, the department of revenue to request certifications under
17 s. 73.0301 and administer state taxes, and the department of workforce development
18 to request certifications under s. 108.227.

19 **SECTION 10.** 202.03 of the statutes, as created by 2013 Wisconsin Act 20, is
20 amended to read:

21 **202.03 Registration denial, nonrenewal, or revocation based on ~~tax~~**
22 **delinquency delinquent taxes or unemployment insurance contributions.**

23 Notwithstanding ss. 202.12 to 202.14 and 202.22, the department shall deny an
24 application for an initial registration or for registration renewal, or revoke a
25 registration, if the department of revenue certifies under s. 73.0301 that the

1 applicant or registrant is liable for delinquent taxes, ~~as defined in s. 73.0301 (1) (e)~~
2 or if the department of workforce development certifies under s. 108.227 that the
3 applicant or registrant is liable for delinquent unemployment insurance
4 contributions.

5 **SECTION 11.** 628.097 (2m) of the statutes, as affected by 2013 Wisconsin Acts
6 20 and 36, is amended to read:

7 **628.097 (2m) FOR LIABILITY FOR DELINQUENT TAXES OR UNEMPLOYMENT INSURANCE**
8 **CONTRIBUTIONS.** The commissioner shall refuse to issue a license, including a
9 temporary license, under this subchapter or subch. V, or to register a navigator entity
10 under subch. V, if the department of revenue certifies under s. 73.0301 that the
11 applicant for the license or registration is liable for delinquent taxes or if the
12 department of workforce development certifies under s. 108.227 that the applicant
13 for the license or registration is liable for delinquent unemployment insurance
14 contributions.

15 **SECTION 12.** 628.10 (2) (cm) of the statutes, as affected by 2013 Wisconsin Acts
16 20 and 36, is amended to read:

17 **628.10 (2) (cm) *For liability for delinquent taxes or unemployment insurance***
18 ***contributions.*** The commissioner shall revoke the license of an intermediary or
19 individual navigator, including a temporary license under s. 628.09, if the
20 department of revenue certifies under s. 73.0301 that the intermediary or navigator
21 is liable for delinquent taxes or if the department of workforce development certifies
22 under s. 108.227 that the intermediary or navigator is liable for delinquent
23 unemployment insurance contributions. An intermediary who is a natural person,
24 or an individual navigator, whose license is revoked under this paragraph may have
25 his or her license reinstated, or may be relicensed, as provided in sub. (5).

1 **SECTION 13.** 628.93 (2) (title) of the statutes, as created by 2013 Wisconsin Act
2 20, is amended to read:

3 628.93 (2) (title) **REFUSAL TO ISSUE LICENSE; FAILURE TO PAY SUPPORT OR TO COMPLY**
4 **WITH SUBPOENA OR WARRANT; ~~TAX DELINQUENCY~~ DELINQUENT TAXES OR UNEMPLOYMENT**
5 **INSURANCE CONTRIBUTIONS.**

6 **SECTION 14. Initial applicability.**

7 (1) The treatment of sections 93.135 (title) and (4), 108.227 (1) (e) 6., 6m., and
8 12. and (f), 202.02 (4) (c), 202.03, 628.097 (2m), 628.10 (2) (cm), and 628.93 (2) (title)
9 of the statutes first applies to contributions, as defined in section 108.227 (1) (a) of
10 the statutes, that are delinquent on January 1, 2014, or on the effective date of this
11 subsection, whichever is later.

12 (2) The treatment of section 108.04 (1) (hm) of the statutes first applies with
13 respect to determinations issued under section 108.09 of the statutes on January 5,
14 2014 or the first Sunday after publication, whichever is later or, with respect to
15 determinations that are appealed, to decisions issued under section 108.09 of the
16 statutes on January 5, 2014 or the first Sunday after publication, whichever is later.

17 **SECTION 15. Effective date.**

18 (1) This act takes effect on November 1, 2013, or on the day after publication,
19 whichever is later.

20

(END)

TNS
7-10-17

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2855/P2ins
JTK.....

INS 2A:

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 \$100 or \$20 per employee, whichever is greater, but if the employer files the report within 30 days of its due date, the fee is reduced to \$50. This bill makes an employer eligible for the reduced tardy filing fee if the employer files its report within 30 days after DWD assesses a tardy filing fee to that employer.

INS 3-24:

x

SECTION 1. 108.22 (1) (a) of the statutes, as affected by 2013 Wisconsin Act 36, is amended to read:

108.22 (1) (a) Except as provided in par. (cm), if any employer, other than an employer which has ceased business and has not paid or incurred a liability to pay wages in any quarter following the cessation of business, is delinquent in making by the assigned due date any payment to the department required of it under this chapter, the employer shall pay interest on the delinquent payment at that monthly rate that annualized is equal to 9 percent or to 2 percent more than the prime rate as published in the Wall Street Journal as of September 30 of the preceding year, whichever is greater, for each month or fraction thereof that the employer is delinquent from the date such payment became due. If any such employer is delinquent in filing any quarterly report under s. 108.205 (1) by the assigned due date, the department may assess a tardy filing fee to the employer for each delinquent quarterly report in the amount of \$100 or \$20 per employee, as reported on the employer's most recent quarterly report, whichever is greater, or, if the report

is filed within 30 days ~~of its due date~~ after the date that the department assesses a tardy filing fee, in the amount of \$50. If the department cannot determine the number of the employer's employees from the employer's most recent quarterly report, the department may reasonably estimate the number of the employer's employees for purposes of this paragraph.

History: 1973 c. 247; Sup. Ct. Order, 67 Wis. 2d 585, 774 (1975); 1975 c. 343; 1979 c. 52; 1981 c. 36; 1985 a. 17, 29; 1987 a. 38; 1989 a. 77; 1991 a. 89; 1993 a. 112, 373; 1995 a. 224; 1997 a. 39; 1999 a. 15; 2001 a. 35; 2003 a. 197; 2005 a. 86; 2007 a. 59; 2009 a. 287; 2011 a. 198, 236; 2013 a. 36.

INS 7-16:

(#) The treatment of section 108.22 (1) (a) of the statutes first applies with respect to quarterly wage reports required to be filed for wages earned in the first calendar year that begins after the effective date of this subsection.

INS 1A:

This bill makes various changes in the unemployment insurance law. Provisions include:

INS 2A:

Failure of claimants to comply with requests for information

Currently, if a UI claimant fails to comply with a request by DWD to provide certain information relating to the claimant's eligibility and certain demographic information, the claimant is ineligible to receive UI benefits until the claimant complies or satisfies DWD that he or she had good cause for failure to comply with the request. This bill makes a claimant ineligible to receive benefits until the claimant complies, regardless of the cause for failure to comply. Under the bill, if the claimant later complies, the claimant is eligible to receive benefits as of the week in which the failure occurred, if otherwise qualified.

INS 3-2:

SECTION 1. 108.04 (1) (hm) of the statutes, as affected by 2013 Wisconsin Act 36, is amended to read:

108.04 (1) (hm) The department may require any claimant to appear before it and to answer truthfully, orally or in writing, any questions relating to the claimant's eligibility for benefits or to provide such demographic information as may be necessary to permit the department to conduct a statistically valid sample audit of compliance with this chapter. A claimant is not eligible to receive benefits for any week in which the claimant fails to comply with a request by the department to provide the information required under this paragraph, or any subsequent week, until the claimant complies or satisfies the department that he or she had good cause for failure to comply with a the request of the department under this paragraph.

*

↑

Except as provided in s. 108.04 (2) (e) and (f), if a claimant later complies with a request by the department within the period specified in s. 108.09 (2) (c), the claimant is eligible to receive benefits as of the week in which the failure occurred, if otherwise qualified.

END/INSERT 3-2

History: 1971 c. 40, 42, 53, 211; 1973 c. 247; 1975 c. 24, 343; 1977 c. 127, 133, 286, 418; 1979 c. 52, 176; 1981 c. 28, 36, 315, 391; 1983 a. 8, 27, 99, 168; 1983 a. 189 s. 329 (28); 1985 a. 337, 384, 468, 538; 1985 a. 17, 29, 40; 1987 a. 38 ss. 23 to 59, 107, 136; 1987 a. 255, 287, 403; 1989 a. 77; 1991 a. 89; 1993 a. 112, 122, 373, 492; 1995 a. 115, 148; 1997 a. 35, 39; 1999 a. 9, 15, 83; 2001 a. 35; 2003 a. 197; 2005 a. 86; 2007 a. 59; 2009 a. 11, 287; 2011 a. 32, 123, 198, 236; 2013 a. 11, 20, 36.

INS 6-7A

SECTION 2. 108.245 (1) of the statutes, as created by 2013 Wisconsin Act 36, is

4-2
↓

amended to read:

108.245 (1) The Except as provided in sub. (2m), the department may commence an action to preserve and recover the proceeds of any payment from the fund not resulting from a departmental error, including any payment to which the recipient is not entitled, from any transferee or other person that receives, possesses, or retains such a payment or from any account, including an account at any financial institution, resulting from the transfer, use, or disbursement of such a payment. The department may also commence an action to recover from a claimant the amount of any benefits that were erroneously paid to another person who was not entitled to receive the benefits because the claimant or the claimant's authorized agent divulged the claimant's security credentials to another person or failed to take adequate measures to protect the credentials from being divulged to an unauthorized person.

History: 2013 a. 36.

INS 6-7A

(1) The treatment of section 108.04 (1) (hm) of the statutes first applies with respect to determinations issued under section 108.09 of the statutes on January 5, 2014, *or the first Sunday after publication, whichever is later* or, with respect to determinations that are appealed, to decisions issued under section 108.09 of the statutes on January 5, 2014, *or the first Sunday after publication, whichever is later*.

2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2855/P1ins
MED:.....

INSERT 6-5

1 ~~(b)~~ The treatment of sections 93.135 (title) and (4), 108.227 (1) (e) 6., 6m., and
2 12. and (f), 202.02 (4) (c), 202.03, 628.097 (2m), 628.10 (2) (cm) and 628.93 (2) (title)
3 of the statutes first applies to contributions, as defined in section 108.227 (1) (a) of
4 the statutes, that are delinquent on ^gJanuary 1, 2014, or ^{on}the effective date of this
5 subsection, whichever is later.

INSERT 6-7B

6 **SECTION 1. Effective date.**

7 (1) This act takes effect on November 1, 2013, or on the day after publication,
8 whichever is later.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2855/P1dn

MED:./:...

SAC

Date

This is a draft to update s. 108.227, as created in Act 36, to account for changes made to various licensure provisions in Act 20, as explained in the analysis. If you would like to address these differently, let me know. However, note that, due to the overlapping treatments by Acts 20 and 36, ss. 628.097 (2m) and 628.10 (2) (cm), stats., contain some inconsistent language and should be fixed regardless.

q The draft also includes the ^{change} to s. 108.04 (1) (hm), stats., that you requested and a correction to s. 108.245 (1), stats. ^{hm stats}

Michael Duchek

Legislative Attorney

Phone: (608) 266-0130

E-mail: michael.duchek@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2855/P1dn
MED:sac:jm

September 4, 2013

This is a draft to update s. 108.227, as created in Act 36, to account for changes made to various licensure provisions in Act 20, as explained in the analysis. If you would like to address these differently, let me know. However, note that, due to the overlapping treatments by Acts 20 and 36, ss. 628.097 (2m) and 628.10 (2) (cm), stats., contain some inconsistent language and should be fixed regardless.

The draft also includes the change to s. 108.04 (1) (hm), stats., that you requested and a correction to s. 108.245 (1), stats.

Michael Duchek
Legislative Attorney
Phone: (608) 266-0130
E-mail: michael.duchek@legis.wisconsin.gov

Kuesel, Jeffery

To: Sussman, Scott - DWD
Cc: Knutson, Janell - DWD (Janell.Knutson@dwd.wisconsin.gov); Duchek, Michael
Subject: RE: Technical Correction to 2013 Wisconsin Act 36

Scott,

Thank you. I don't think we'll have time to get this into LRB-2855/1, which is the draft we talked about this morning, but we will roll it into that draft shortly after our return from vacation on 9/3.

Jeff Kuesel

From: Sussman, Scott - DWD [<mailto:Scott.Sussman@dwd.wisconsin.gov>]
Sent: Friday, August 23, 2013 11:32 AM
To: Kuesel, Jeffery; Duchek, Michael
Cc: Knutson, Janell - DWD
Subject: Technical Correction to 2013 Wisconsin Act 36

Jeff & Mike: Section 102 of 2013 Wisconsin Act 36 amended s. 108.22 (1) (a) to have the last sentence of that section of the statute to read:

If any such employer is delinquent in making filing any quarterly report under s. 108.205 (1) by the assigned due date, the employer shall pay department may assess a tardy filing fee of \$50 to the employer for each delinquent quarterly report in the amount of \$100 or \$20 per employee, as reported on the employer's most recent quarterly report, whichever is greater, or, if the report is filed within 30 days of its due date, in the amount of \$50. If the department cannot determine the number of the employer's employees from the employer's most recent quarterly report, the department may reasonably estimate the number of the employer's employees for purposes of this paragraph.

The problem with this language is contained in the portion that reads "if the report is filed within 30 days **of its due date . . .**" The due date language is problematic because the Department rarely if ever assesses the \$100 or \$20 per employee tardy filing fee on an employer until well after 30 days from when the quarterly report is due. Therefore, the employer never has an opportunity to correct the mistake in not filing the quarterly report as was envisioned by the Department's proposal and get the fine reduced to \$50.

Instead, the above language should read:

in the amount of \$100 or \$20 per employee, as reported on the employer's most recent quarterly report, whichever is greater, or, if the report is filed within 30 days of its due date after the date the department assesses the tardy filing fee, in the amount of \$50. If the department cannot determine the number of the employer's employees from the employer's most recent quarterly report, the department may reasonably estimate the number of the employer's employees for purposes of this paragraph.

This will enable the employer the opportunity to correct his or her failure to provide the required report and receive the lesser penalty of \$50. Otherwise, employers will never have the opportunity to receive the lesser penalty that is provided under s. 108.22 (1) (a).

Scott Sussman
Attorney, Bureau of Legal Affairs
Division of Unemployment Insurance
State of Wisconsin Department of Workforce Development
201 East Washington Avenue, Room E313
Madison, WI 53708
(608) 266-8271(landline)

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Thank you very much.

Kuesel, Jeffery

From: Knutson, Janell - DWD <Janell.Knutson@dwd.wisconsin.gov>
Sent: Thursday, January 23, 2014 3:55 PM
To: Sussman, Scott - DWD; Kuesel, Jeffery
Cc: Rosenak, Mary J - DWD; Tichenor, Tyler L - DWD; Duchek, Michael
Subject: RE: Effective date of Technical Correction to Tardy Quarter Filing Report

Of course, the "whichever is later" language would also need to be stricken.
Thanks! :-)

From: Sussman, Scott - DWD
Sent: Thursday, January 23, 2014 3:52 PM
To: Kuesel, Jeffery - LEGIS
Cc: Rosenak, Mary J - DWD; Knutson, Janell - DWD; Tichenor, Tyler L - DWD; Duchek, Michael - LEGIS
Subject: FW: Effective date of Technical Correction to Tardy Quarter Filing Report

Jeff – I received a call from Michael regarding the effective dates contained in LRB–2855/P2, which is attached. We have to strongly emphasize that currently in Section 15 (2) there is language that provides " or, with respect to determinations that are appealed, to decisions issued under section 108.09 of the statutes on January 5, 2014 or the first Sunday after publication, whichever is later." **Please strike this language** because this effective date language has caused countless problems when it was included in 2013 Wisconsin Act 36.

We also discussed that it is LRB's intention to strike the following:

- From Section 15 (1) "on January 1, 2014, or"
- From Section 15 (2) "on January 5, 2014 or"
- From Section 16 (1) "on November 1, 2013, or"

We are fine with striking this language.

Mike had questions about Section 15 (3) and below is our Tax Division's response regarding the effective date for that matter – they want this technical correction to s. 108.22 (1) (a) to be effective the first date after publication.

<< File: 13-2855_P2 (1).pdf >>

From: Rosenak, Mary J - DWD
Sent: Thursday, January 23, 2014 3:40 PM
To: Sussman, Scott - DWD
Cc: McHugh, Thomas - DWD; Buss, Randy - DWD
Subject: RE: Effective date of Technical Correction to Tardy Quarter Filing Report

Effective date should be on passage if at all possible...you know the language, first date after publication.

Mary Jan
(608)261-0071
Fax (608) 327-6129

From: Sussman, Scott - DWD
Sent: Thursday, January 23, 2014 3:05 PM
To: Rosenak, Mary J - DWD
Cc: Knutson, Janell - DWD
Subject: Effective date of Technical Correction to Tardy Quarter Filing Report
Importance: High

Mary Jan – I just received a call from the LRB attorneys and they were interested in what effective date the Dept. would like to Sect. 15 (3) of the attached legislation regarding the Tardy Quarter Filing Report with respect to changing this from " 30 days of its due date" to "30 days after DWD assesses a tardy filing fee" The current version just uses the same language for effective dates that was used in Act 36 when the tardy filing fee language was changed i.e. "first calendar year that begins after the effective date of this subsection." That would be Jan. 1, 2015. I assume you want this sooner. If so, when. They are jacketing this today and the sooner you get a response the better.

<< File: 13-2855_P2 (1).pdf >>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-2855/12
MED&JTK:sac:fs

FR: 1/24 - AM

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

RF

Reger

1 AN ACT to amend 93.135 (title), 93.135 (4), 108.04 (1) (hm), 108.22 (1) (a), 108.227
2 (1) (e) 6., 108.227 (1) (e) 12., 108.227 (1) (f), 108.245 (1), 202.02 (4) (c), 202.03,
3 628.097 (2m), 628.10 (2) (cm) and 628.93 (2) (title); and **to create** 108.227 (1)
4 (e) 6m. of the statutes; **relating to:** various changes in the unemployment
5 insurance law.

Analysis by the Legislative Reference Bureau

*

This bill makes various changes in the unemployment insurance law. Provisions include:

(UI)

License revocations based on UI contribution delinquencies

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. Subject to certain limitations, current law, as created by 2013 Wisconsin Act 36, similarly requires licensing departments to revoke a license or deny an application for a license if the Department of Workforce Development (DWD) certifies that the license holder or applicant is 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. 2013 Wisconsin Act 20 (~~Act 20~~) created and transferred the authority of various

*

*

budget act
budget act

the budget act
Act 20

owed to DOR to the changes made by Act 20

licensing departments to issue and administer certain licenses and modified accordingly various provisions related to license revocations due to liability of the licensees for delinquent taxes.

*

This bill makes similar changes related to license revocations due to liability of the licensees for delinquent UI contributions. Specifically, the bill does all of the following:

*

1. Requires the Department of Financial Institutions (DFI) to revoke or deny a registration to operate as a charitable organization, fund-raising counsel, professional fund-raiser, or professional employer organization if DWD certifies that the registrant is liable for delinquent UI contributions. Administration of these registrations was transferred from the Department of Safety and Professional Services (DSPS) to DFI by Act 20. - the budget act

*

2. Requires the Office of the Commissioner of Insurance (OCI) to revoke or deny a navigator license or navigator entity registration (for assistance to individuals in obtaining appropriate health insurance coverage) if DWD certifies that the license or registration holder is liable for delinquent UI contributions. The authority for OCI to issue navigator licenses and registrations was created by Act 20. - the budget act

*

3. Requires the Department of Agriculture, Trade and Consumer Protection (DATCP) to revoke a certification or registration of a person who works with tanks that contain hazardous substances and persons who perform assessments of sites where such tanks are located. The authority to issue these certifications or registrations was transferred to DATCP from DSPS by Act 20. - the budget act

*

Failure of claimants to comply with requests for information

Currently, if a UI claimant fails to comply with a request by DWD to provide certain information relating to the claimant's eligibility and certain demographic information, the claimant is ineligible to receive UI benefits until the claimant complies or satisfies DWD that he or she had good cause for failure to comply with the request. This bill makes a claimant ineligible to receive benefits until the claimant complies, regardless of the cause for failure to comply. Under the bill, if the claimant later complies, the claimant is eligible to receive benefits as of the week in which the failure occurred, if otherwise qualified.

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 \$100 or \$20 per employee, whichever is greater, but if the employer files the report within 30 days of its due date, the fee is reduced to \$50. This bill makes an employer eligible for the reduced tardy filing fee if the employer files its report within 30 days after DWD assesses a tardy filing fee to that employer.

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. 93.135 (title) of the statutes, as affected by 2013 Wisconsin Act 20,
2 is amended to read:

3 **93.135 (title) License denial, nonrenewal, suspension or restriction**
4 **based on failure to pay support ~~or~~ taxes, or unemployment insurance**
5 **contributions.**

✧

6 SECTION 2. 93.135 (4) of the statutes, as created by 2013 Wisconsin Act 20, is
7 amended to read:

8 93.135 (4) The department shall deny an application for the issuance or
9 renewal of certification or registration under s. 168.23 (3), or shall suspend or restrict
10 such a certification or registration, if the department of revenue certifies under s.
11 73.0301 that the holder of the certification or registration is liable for delinquent
12 taxes or if the department of workforce development certifies under s. 108.227 that
13 the holder of the certification or registration is liable for delinquent unemployment
14 insurance contributions.

✧

15 SECTION 3. 108.04 (1) (hm) of the statutes, as affected by 2013 Wisconsin Act
16 36, is amended to read:

17 108.04 (1) (hm) The department may require any claimant to appear before it
18 and to answer truthfully, orally or in writing, any questions relating to the claimant's
19 eligibility for benefits or to provide such demographic information as may be
20 necessary to permit the department to conduct a statistically valid sample audit of
21 compliance with this chapter. A claimant is not eligible to receive benefits for any

1 week in which the claimant fails to comply with a request by the department to
 2 provide the information required under this paragraph, or any subsequent week,
 3 until the claimant complies ~~or satisfies the department that he or she had good cause~~
 4 ~~for failure to comply with a~~ the request of the department under this paragraph.
 5 Except as provided in s. 108.04 (2) (e) and (f), if a claimant later complies with a
 6 request by the department within the period specified in s. 108.09 (2) (c), the
 7 claimant is eligible to receive benefits as of the week in which the failure occurred,
 8 if otherwise qualified.

9 **SECTION 4.** 108.22 (1) (a) of the statutes, as affected by 2013 Wisconsin Act 36,
 10 is amended to read:

11 108.22 (1) (a) Except as provided in par. (cm), if any employer, other than an
 12 employer which has ceased business and has not paid or incurred a liability to pay
 13 wages in any quarter following the cessation of business, is delinquent in making by
 14 the assigned due date any payment to the department required of it under this
 15 chapter, the employer shall pay interest on the delinquent payment at that monthly
 16 rate that annualized is equal to 9 percent or to 2 percent more than the prime rate
 17 as published in the Wall Street Journal as of September 30 of the preceding year,
 18 whichever is greater, for each month or fraction thereof that the employer is
 19 delinquent from the date such payment became due. If any such employer is
 20 delinquent in filing any quarterly report under s. 108.205 (1) by the assigned due
 21 date, the department may assess a tardy filing fee to the employer for each
 22 delinquent quarterly report in the amount of \$100 or \$20 per employee, as reported
 23 on the employer's most recent quarterly report, whichever is greater, or, if the report
 24 is filed within 30 days ~~of its due date~~ after the date that the department assesses a
 25 tardy filing fee, in the amount of \$50. If the department cannot determine the

revisor
has made
technical
correction
in stats.

1 professional services; the office of the commissioner of insurance; or the department
2 of transportation.

3 SECTION 9. 108.245^x (1) of the statutes, as created by 2013 Wisconsin Act 36, is
4 amended to read:

5 108.245 (1) The Except as provided in sub. (2m), the department may
6 commence an action to preserve and recover the proceeds of any payment from the
7 fund not resulting from a departmental error, including any payment to which the
8 recipient is not entitled, from any transferee or other person that receives, possesses,
9 or retains such a payment or from any account, including an account at any financial
10 institution, resulting from the transfer, use, or disbursement of such a payment. The
11 department may also commence an action to recover from a claimant the amount of
12 any benefits that were erroneously paid to another person who was not entitled to
13 receive the benefits because the claimant or the claimant's authorized agent divulged
14 the claimant's security credentials to another person or failed to take adequate
15 measures to protect the credentials from being divulged to an unauthorized person.

16 SECTION 10. 202.02^x (4) (c) of the statutes, as created by 2013 Wisconsin Act 20,
17 is amended to read:

18 202.02 (4) (c) The department may not disclose a social security number
19 obtained under par. (a) to any person except the department of children and families
20 to administer s. 49.22 and, the department of revenue to request certifications under
21 s. 73.0301 and administer state taxes, and the department of workforce development
22 to request certifications under s. 108.227.

23 SECTION 11. 202.03^x of the statutes, as created by 2013 Wisconsin Act 20, is
24 amended to read:

1 **202.03 Registration denial, nonrenewal, or revocation based on ~~tax~~**
2 **delinquency delinquent taxes or unemployment insurance contributions.**

3 Notwithstanding ss. 202.12 to 202.14 and 202.22, the department shall deny an
4 application for an initial registration or for registration renewal, or revoke a
5 registration, if the department of revenue certifies under s. 73.0301 that the
6 applicant or registrant is liable for delinquent taxes, ~~as defined in s. 73.0301 (1) (e)~~
7 or if the department of workforce development certifies under s. 108.227 that the
8 applicant or registrant is liable for delinquent unemployment insurance
9 contributions.

x

10 **SECTION 12.** 628.097 (2m) of the statutes, as affected by 2013 Wisconsin Acts
11 20 and 36, is amended to read:

12 **628.097 (2m) FOR LIABILITY FOR DELINQUENT TAXES OR UNEMPLOYMENT INSURANCE**
13 **CONTRIBUTIONS.** The commissioner shall refuse to issue a license, including a
14 temporary license, under this subchapter or subch. V, or to register a navigator entity
15 under subch. V, if the department of revenue certifies under s. 73.0301 that the
16 applicant for the license or registration is liable for delinquent taxes or if the
17 department of workforce development certifies under s. 108.227 that the applicant
18 for the license or registration is liable for delinquent unemployment insurance
19 contributions.

x

20 **SECTION 13.** 628.10 (2) (cm) of the statutes, as affected by 2013 Wisconsin Acts
21 20 and 36, is amended to read:

22 **628.10 (2) (cm) *For liability for delinquent taxes or unemployment insurance***
23 ***contributions.*** The commissioner shall revoke the license of an intermediary or
24 individual navigator, including a temporary license under s. 628.09, if the
25 department of revenue certifies under s. 73.0301 that the intermediary or navigator

1 is liable for delinquent taxes or if the department of workforce development certifies
2 under s. 108.227 that the intermediary or navigator is liable for delinquent
3 unemployment insurance contributions. An intermediary who is a natural person,
4 or an individual navigator, whose license is revoked under this paragraph may have
5 his or her license reinstated, or may be relicensed, as provided in sub. (5).

6 SECTION 14. 628.93 (2) (title) of the statutes, as created by 2013 Wisconsin Act
7 20, is amended to read:

8 628.93 (2) (title) REFUSAL TO ISSUE LICENSE; FAILURE TO PAY SUPPORT OR TO COMPLY
9 WITH SUBPOENA OR WARRANT; ~~TAX DELINQUENCY~~ DELINQUENT TAXES OR UNEMPLOYMENT
10 INSURANCE CONTRIBUTIONS.

11 SECTION 15. Initial applicability.

12 (1) The treatment of sections 93.135 (title) and (4), 108.227 (1) (e) 6., 6m., and
13 12. and (f), 202.02 (4) (c), 202.03, 628.097 (2m), 628.10 (2) (cm), and 628.93 (2) (title)
14 of the statutes first applies to contributions, as defined in section 108.227 (1) (a) of
15 the statutes, that are delinquent on January 1, 2014, or on the effective date of this
16 subsection, whichever is later.

17 (2) The treatment of section 108.04 (1) (hm) of the statutes first applies with
18 respect to determinations issued under section 108.09 of the statutes on January 5,
19 ~~2014 or the first Sunday after publication, whichever is later or, with respect to~~
20 ~~determinations that are appealed, to decisions issued under section 108.09 of the~~
21 ~~statutes on~~ the effective date of this subsection
~~January 5, 2014 or the first Sunday after publication, whichever is later~~

22 (3) The treatment of section 108.22 (1) (a) of the statutes first applies with
23 respect to quarterly wage reports required to be filed for wages earned in the first
24 ~~calendar year that begins after~~ on the effective date of this subsection.

25 SECTION 16. Effective date.

-9-

the first Sunday after publication

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- 2
- 3

(1) This act takes effect on ~~November 1, 2013, or on the day after publication,~~
~~whichever is later.~~

(END)

Please jacket
LRB-41064-2855
(companions), one for
Senate, one for Assembly.
BJ from DWD
will pick up this
afternoon - Mike