

# State of Wisconsin



2015 Senate Bill 173

Date of enactment: **November 11, 2015**

Date of publication\*: **November 12, 2015**

## 2015 WISCONSIN ACT 82

AN ACT *to repeal* 769.904; *to amend* 769.101 (6), 769.103 (1), 769.307 (2) (intro.), 769.501, 769.502 (3) (b), 769.506 (2) (c), 769.506 (2) (d), 769.611 (1) (a) 1. and 769.708 (3) (intro.); *to create* 769.101 (13p) of the statutes; and *to affect* 2009 Wisconsin Act 321, section 172m (1c) and 2009 Wisconsin Act 321, section 172m (2); **relating to:** the effective date of amendments to the Uniform Interstate Family Support Act.

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

**SECTION 1.** 769.101 (6) of the statutes is amended to read:

769.101 (6) "Income-withholding order" means an order, notice, or other legal process directed to an obligor's employer or other debtor, as specified in s. 767.75 (1f), to withhold support from the income of, or other money owed to, the obligor.

**SECTION 2.** 769.101 (13p) of the statutes is created to read:

769.101 (13p) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, instrumentality, or any other legal or commercial entity.

**SECTION 3.** 769.103 (1) of the statutes, as affected by 2009 Wisconsin Act 321, is amended to read:

769.103 (1) Remedies provided by this chapter are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

**SECTION 4.** 769.307 (2) (intro.) of the statutes, as affected by 2009 Wisconsin Act 321, is amended to read:

769.307 (2) (intro.) A support enforcement agency of this state that is providing services to the petitioner shall do all of the following as appropriate applicable:

**SECTION 5.** 769.501 of the statutes, as affected by 2009 Wisconsin Act 321, is amended to read:

**769.501 Employer's receipt of income-withholding order of another state.** An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the obligor's employer or other debtor, as specified in s. 767.75 (1f), without first filing a petition or comparable pleading or registering the income-withholding order with a tribunal of this state.

**SECTION 6.** 769.502 (3) (b) of the statutes is amended to read:

769.502 (3) (b) The person ~~or agency~~ designated to receive payments and the address to which the payments are to be forwarded.

**SECTION 7.** 769.506 (2) (c) of the statutes is amended to read:

769.506 (2) (c) Except as provided in par. (d), the person ~~or agency~~ designated to receive payments in the income-withholding order.

**SECTION 8.** 769.506 (2) (d) of the statutes is amended to read:

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

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769.506 (2) (d) If no person or agency is designated to receive payments in the income-withholding order, the obligee.

**SECTION 9.** 769.611 (1) (a) 1. of the statutes, as affected by [2009 Wisconsin Act 321](#), is amended to read:

769.611 (1) (a) 1. ~~The~~ Neither the child, nor the obligee who is an individual, ~~and nor~~ the obligor ~~do not~~ reside in the issuing state.

**SECTION 10.** 769.708 (3) (intro.) of the statutes, as affected by [2009 Wisconsin Act 321](#), is amended to read:

769.708 (3) (intro.) If a tribunal of this state does not recognize a convention support order under sub. (2) (b), (d), ~~(f)~~, or (i), both of the following apply:

**SECTION 11.** 769.904 of the statutes, as created by [2009 Wisconsin Act 321](#), is repealed.

**SECTION 12.** [2009 Wisconsin Act 321](#), section 172m (1c) is amended to read:

[[2009 Wisconsin Act 321](#)] Section 172m (1c) ~~This~~ Except as provided in subsection (2), this act takes effect on the date stated in the notice published in the Wisconsin Administrative Register under section 769.904 of the statutes, as created by this act, or on December 18, 2015, whichever is earlier.

**SECTION 13.** [2009 Wisconsin Act 321](#), section 172m (2) is created to read:

[[2009 Wisconsin Act 321](#)] Section 172m (2) The creation of section 769.904 of the statutes takes effect on the day after publication.

**SECTION 14. Effective date.**

(1) This act takes effect on December 18, 2015.

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