



State of Wisconsin
2023 - 2024 LEGISLATURE

LRBb0611/1
ALL:all

**SENATE AMENDMENT 2,
TO SENATE SUBSTITUTE AMENDMENT 2,
TO SENATE BILL 70**

June 28, 2023 – Offered by Senators AGARD, CARPENTER, HESSELBEIN, L. JOHNSON,
LARSON, PFAFF, ROYS, SMITH, SPREITZER, TAYLOR and WIRCH.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 18, line 19: delete the material beginning with that line and ending
3 with page 19, line 2, and substitute:

4 “**SECTION 1.** 16.5185 (3) of the statutes is created to read:

5 16.5185 (3) (a) Subject to par. (b), beginning on June 30, 2024, in each fiscal
6 year, the secretary shall transfer from the general fund to the transportation fund
7 an amount equal to the amount calculated by the department approximating the
8 amount of sales tax generated by the sale of electric vehicles in this state.

9 (b) Beginning in fiscal year 2025–26, the transfer under par. (a) may not exceed
10 120 percent of the amount transferred in the previous year, or \$75,000,000,
11 whichever is less.

12 **SECTION 2.** 16.5185 (4) of the statutes is created to read:

1 16.5185 (4) Beginning on June 30, 2024, in each fiscal year, the secretary shall
2 transfer from the general fund to the transportation fund an amount equal to the
3 amount calculated by the department approximating the marginal difference
4 between the sales tax generated from the sale of automotive parts, accessories, tires,
5 and repair and maintenance services in fiscal year 2020-21 and the fiscal year of the
6 transfer.”.

7 **2.** Page 118, line 6: increase the dollar amount for fiscal year 2023-24 by
8 \$3,141,100 and increase the dollar amount for fiscal year 2024-25 by \$8,277,600 for
9 the purpose for which the appropriation is made.

10 **3.** Page 118, line 8: increase the dollar amount for fiscal year 2023-24 by
11 \$11,891,700 and increase the dollar amount for fiscal year 2024-25 by \$28,170,800
12 for the purpose for which the appropriation is made.

13 **4.** Page 118, line 16: increase the dollar amount for fiscal year 2023-24 by
14 \$41,600 and increase the dollar amount for fiscal year 2024-25 by \$85,300 for the
15 purpose for which the appropriation is made.

16 **5.** Page 119, line 5: increase the dollar amount for fiscal year 2023-24 by
17 \$143,900 and increase the dollar amount for fiscal year 2024-25 by \$309,300 for the
18 purpose for which the appropriation is made.

19 **6.** Page 119, line 5: increase the dollar amount for fiscal year 2023-24 by
20 \$543,900 and increase the dollar amount for fiscal year 2024-25 by \$309,300 for the
21 purpose of funding mobility management projects, coordinating services for
22 nondrivers, and implementing recommendations from the nondriver advisory
23 committee.

24 **7.** Page 120, line 3: delete lines 3 to 12.

1 **8.** Page 120, line 13: increase the dollar amount for fiscal year 2023-24 by
2 \$127,200 and increase the dollar amount for fiscal year 2024-25 by \$259,500 for the
3 purpose for which the appropriation is made.

4 **9.** Page 120, line 15: increase the dollar amount for fiscal year 2023-24 by
5 \$25,226,200 and increase the dollar amount for fiscal year 2024-25 by \$26,235,300
6 for the purpose for which the appropriation is made.

7 **10.** Page 120, line 17: increase the dollar amount for fiscal year 2023-24 by
8 \$5,345,600 and increase the dollar amount for fiscal year 2024-25 by \$5,559,500 for
9 the purpose for which the appropriation is made.

10 **11.** Page 120, line 19: increase the dollar amount for fiscal year 2023-24 by
11 \$66,132,600 and increase the dollar amount for fiscal year 2024-25 by \$68,777,900
12 for the purpose for which the appropriation is made.

13 **12.** Page 120, line 21: increase the dollar amount for fiscal year 2023-24 by
14 \$17,377,500 and increase the dollar amount for fiscal year 2024-25 by \$18,072,600
15 for the purpose for which the appropriation is made.

16 **13.** Page 122, line 12: increase the dollar amount for fiscal year 2023-24 by
17 \$2,000,000 and increase the dollar amount for fiscal year 2024-25 by \$2,000,000 for
18 the purpose for which the appropriation is made.

19 **14.** Page 122, line 14: increase the dollar amount for fiscal year 2023-24 by
20 \$1,700,000 and increase the dollar amount for fiscal year 2024-25 by \$1,850,000 for
21 the purpose for which the appropriation is made.

1 **28.** Page 127, line 12: increase the dollar amount for fiscal year 2023-24 by
2 \$16,600 and increase the dollar amount for fiscal year 2024-25 by \$16,600 for the
3 purpose for which the appropriation is made.

4 **29.** Page 127, line 16: increase the dollar amount for fiscal year 2023-24 by
5 \$644,800 and increase the dollar amount for fiscal year 2024-25 by \$644,00 for
6 project costs.

7 **30.** Page 127, line 16: increase the dollar amount for fiscal year 2023-24 by
8 \$19,300 and increase the dollar amount for fiscal year 2024-25 by \$106,200 for
9 program costs other than personnel costs.

10 **31.** Page 127, line 16: increase the dollar amount for fiscal year 2023-24 by
11 \$63,700 and increase the dollar amount for fiscal year 2024-25 by \$63,700 for the
12 purpose for which the appropriation is made.

13 **32.** Page 127, line 16: increase the dollar amount for fiscal year 2023-24 by
14 \$24,980,100 and increase the dollar amount for fiscal year 2024-25 by \$42,666,500
15 for the purpose for which the appropriation is made.

16 **33.** Page 127, line 18: decrease the dollar amount for fiscal year 2023-24 by
17 \$411,900 and increase the dollar amount for fiscal year 2024-25 by \$12,197,900 for
18 the purpose for which the appropriation is made.

19 **34.** Page 128, line 4: increase the dollar amount for fiscal year 2023-24 by
20 \$4,401,600 and increase the dollar amount for fiscal year 2024-25 by \$6,186,300 for
21 the purpose for which the appropriation is made.

1 **35.** Page 128, line 6: increase the dollar amount for fiscal year 2023–24 by
2 \$349,000 for the purpose of assisting in the initial implementation of automatic voter
3 registration.

4 **36.** Page 128, line 6: increase the dollar amount for fiscal year 2023–24 by
5 \$20,228,700 and increase the dollar amount for fiscal year 2024–25 by \$49,286,200
6 for the purpose for which the appropriation is made.

7 **37.** Page 128, line 16: increase the dollar amount for fiscal year 2023–24 by
8 \$24,221,100 and increase the dollar amount for fiscal year 2024–25 by \$21,690,400
9 for the purpose for which the appropriation is made.

10 **38.** Page 129, line 10: increase the dollar amount for fiscal year 2023–24 by
11 \$2,372,200 and increase the dollar amount for fiscal year 2024–25 by \$2,372,200 for
12 the purpose for which the appropriation is made.

13 **39.** Page 129, line 15: increase the dollar amount for fiscal year 2023–24 by
14 \$3,497,200 and increase the dollar amount for fiscal year 2024–25 by \$7,897,200 for
15 the purpose for which the appropriation is made.

16 **40.** Page 130, line 2: increase the dollar amount for fiscal year 2023–24 by
17 \$12,350,000 and increase the dollar amount for fiscal year 2024–25 by \$12,350,000
18 for the purpose for which the appropriation is made.

19 **41.** Page 131, line 3: increase the dollar amount for fiscal year 2023–24 by
20 \$75,700 and increase the dollar amount for fiscal year 2024–25 by \$97,200 to
21 increase the authorized FTE positions by 1.0 SEG position to administer diversity,
22 equity, and inclusion activities overseen by the secretary of transportation in
23 collaboration with the chief equity officer in the department of administration and

1 with other agency equity officers to identify opportunities to advance equity in
2 government operations.

3 **42.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
4 \$646,600 and increase the dollar amount for fiscal year 2024-25 by \$667,900 for the
5 purpose of providing matching funds to metropolitan planning organizations and
6 regional planning commissions.

7 **43.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
8 \$334,000 and increase the dollar amount for fiscal year 2024-25 by \$334,000 for the
9 purpose of retaining 2 contractors to improve the security of the software application
10 systems of the department of transportation.

11 **44.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
12 \$1,300,000 and increase the dollar amount for fiscal year 2024-25 by \$1,300,000 for
13 maintenance of communication towers.

14 **45.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
15 \$1,418,100 and increase the dollar amount for fiscal year 2024-25 by \$1,418,100 for
16 the purpose for which the appropriation is made.

17 **46.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
18 \$60,000 and increase the dollar amount for fiscal year 2024-25 by \$80,000 to
19 increase the authorized FTE positions for the Mississippi River Parkway
20 Commission by 1.0 SEG position for the purpose of providing administrative support
21 to the commission.

22 **47.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
23 \$131,500 and increase the dollar amount for fiscal year 2024-25 by \$131,500 to
24 increase the authorized FTE positions by 1.0 SEG position.

1 **48.** Page 131, line 3: increase the dollar amount for fiscal year 2023-24 by
2 \$6,988,900 and increase the dollar amount for fiscal year 2024-25 by \$6,988,900 for
3 the purpose for which the appropriation is made.

4 **49.** Page 131, line 5: increase the dollar amount for fiscal year 2023-24 by
5 \$5,000,000 for the purpose for which the appropriation is made.

6 **50.** Page 131, line 9: increase the dollar amount for fiscal year 2023-24 by
7 \$2,750,000 and increase the dollar amount for fiscal year 2024-25 by \$2,750,000 for
8 the purpose for which the appropriation is made.

9 **51.** Page 131, line 13: decrease the dollar amount for fiscal year 2023-24 by
10 \$6,370,100 and decrease the dollar amount for fiscal year 2024-25 by \$6,370,100 for
11 the purpose for which the appropriation is made.

12 **52.** Page 132, line 5: after that line insert:

13 “(fq) Electric vehicle infrastructure;

14 state funds	SEG	C	-0-	8,000,000
15 (fv) Electric vehicle infrastructure;				
16 local funds	SEG-L	C	4,271,600	4,356,700
17 (fx) Electric vehicle infrastructure;				
18 federal funds	SEG-F	C	17,085,000	17,426,700”.

19 **53.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
20 \$3,872,700 and increase the dollar amount for fiscal year 2024-25 by \$3,872,700 for
21 the purpose of the production and issuance of license plates under 2021 Wisconsin
22 Acts 163 and 178.

1 **54.** Page 132, line 20: increase the dollar amount for fiscal year 2024-25 by
2 \$5,000,000 for the purpose of modernizing the software systems of the division of
3 motor vehicles in the department of transportation.

4 **55.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
5 \$400,000 for the purpose of purchasing equipment needed to comply with federal P.L.
6 109-13.

7 **56.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
8 \$500,000 and increase the dollar amount for fiscal year 2024-25 by \$500,000 for the
9 purpose for which the appropriation is made.

10 **57.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
11 \$10,000 and increase the dollar amount for fiscal year 2024-25 by \$10,000 for the
12 purpose of issuing electric vehicle decals.

13 **58.** Page 132, line 20: decrease the dollar amount for fiscal year 2023-24 by
14 \$131,500 and decrease the dollar amount for fiscal year 2024-25 by \$131,500 to
15 decrease the authorized FTE positions by 1.0 SEG position.

16 **59.** Page 132, line 20: increase the dollar amount for fiscal year 2023-24 by
17 \$1,200,000 and increase the dollar amount for fiscal year 2024-25 by \$1,200,000 for
18 the purpose of expanding hour of operation of division of motor vehicles service
19 centers.

20 **60.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
21 \$8,507,600 and increase the dollar amount for fiscal year 2024-25 by \$3,587,200 to
22 increase the authorized FTE positions by 35.0 SEG traffic officer positions in the
23 state traffic patrol.

1 **61.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
2 \$1,725,000 and increase the dollar amount for fiscal year 2024-25 by \$1,725,000 for
3 overtime costs for the state traffic patrol.

4 **62.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
5 \$1,036,500 and increase the dollar amount for fiscal year 2024-25 by \$574,000 to
6 increase the authorized FTE positions by 10.0 inspector positions in the state traffic
7 patrol and for safety and weight enforcement facilities.

8 **63.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
9 \$170,700 and increase the dollar amount for fiscal year 2024-25 by \$170,700 to
10 purchase tactical helmets for the state traffic patrol.

11 **64.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
12 \$77,100 and increase the dollar amount for fiscal year 2024-25 by \$102,700 to
13 increase the authorized FTE positions by 2.0 SEG positions in the state traffic patrol
14 to fulfill open records requests for body-worn camera recordings.

15 **65.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
16 \$2,178,000 and increase the dollar amount for fiscal year 2024-25 by \$2,178,000 to
17 replace state traffic patrol in-vehicle video cameras.

18 **66.** Page 133, line 17: increase the dollar amount for fiscal year 2023-24 by
19 \$1,168,800 and increase the dollar amount for fiscal year 2024-25 by \$430,300 to
20 increase the authorized FTE positions by 1.0 SEG fleet installation center position
21 in the state traffic patrol and 4.0 SEG technical service unit positions in the bureau
22 of network engineering and data infrastructure in the state traffic patrol.

1 **67.** Page 133, line 17: increase the dollar amount for fiscal year 2023–24 by
2 \$586,600 and increase the dollar amount for fiscal year 2024–25 by \$586,600 to
3 implement microwave radio network link upgrades.

4 **68.** Page 133, line 20: increase the dollar amount for fiscal year 2023–24 by
5 \$338,200 and increase the dollar amount for fiscal year 2024–25 by \$451,000 for the
6 purpose of safety and weight enforcement facilities.

7 **69.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
8 \$76,600 and increase the dollar amount for fiscal year 2024–25 by \$98,500 to
9 increase the authorized FTE positions by 1.0 GPR position to administer diversity,
10 equity, and inclusion activities overseen by the secretary of corrections in
11 collaboration with the chief equity officer in the department of administration and
12 with other agency equity officers to identify opportunities to advance equity in
13 government operations.

14 **70.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
15 \$25,113,400 and increase the dollar amount for fiscal year 2024–25 by \$25,113,400
16 for the purpose of providing supplemental funding for overtime.

17 **71.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
18 \$185,000 and increase the dollar amount for fiscal year 2024–25 by \$185,000 to
19 provide resources to assist with recruiting and hiring staff to fill vacant positions.

20 **72.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
21 \$464,600 and increase the dollar amount for fiscal year 2024–25 by \$533,500 for the
22 purpose of increasing the authorized FTE positions for the department of corrections
23 by 5.0 GPR positions to provide additional information technology support services.

1 **73.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
2 \$103,400 and increase the dollar amount for fiscal year 2024–25 by \$120,700 for the
3 purpose of increasing the authorized FTE positions for the department of corrections
4 by 7.0 GPR positions, decreasing the authorized project positions by 6.0 GPR
5 positions, and creating and staffing a new bureau of technology management
6 cybersecurity team.

7 **74.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
8 \$527,900 and increase the dollar amount for fiscal year 2024–25 by \$566,000 for the
9 purpose of increasing the authorized FTE positions for the department of corrections
10 by 6.0 positions to create and operate a regional facilities maintenance team to
11 support department-wide projects outside the scope of routine maintenance. The
12 positions shall include 1.0 buildings grounds supervisor, 1.0 facilities maintenance
13 specialist, 1.0 HVAC/refrigeration specialist, 1.0 electrician, 1.0 plumber; and 1.0
14 electronic security technician.

15 **75.** Page 138, line 5: decrease the dollar amount for fiscal year 2023–24 by
16 \$592,700 and decrease the dollar amount for fiscal year 2024–25 by \$278,700 for
17 department of corrections rent expenses and related supplies and services expenses.

18 **76.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
19 \$6,158,200 and increase the dollar amount for fiscal year 2024–25 by \$16,776,800 to
20 reestimate average daily populations in adult correctional facilities to be 22,242 in
21 2023–24 and 23,249 in 2024–25 and provide for associated inflationary costs.

22 **77.** Page 138, line 5: decrease the dollar amount for fiscal year 2023–24 by
23 \$959,100 and increase the dollar amount for fiscal year 2024–25 by \$16,089,000 to
24 provide funding for 730 contract beds in 2023–24 (including 212 Wisconsin county

1 contract beds for overcrowding) and 1,636 contract beds in 2024-25 (including 1,118
2 Wisconsin county contract beds for overcrowding).

3 **78.** Page 138, line 5: decrease the dollar amount for fiscal year 2023-24 by
4 \$8,906,900 and decrease the dollar amount for fiscal year 2024-25 by \$8,906,900 for
5 the purpose of decreasing the authorized FTE positions for the department of
6 corrections by 110.0 GPR security positions at the Wisconsin Resource Center to
7 transfer security operations at the Wisconsin Resource Center from the department
8 of corrections to the department of health services.

9 **79.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
10 \$1,106,800 and increase the dollar amount for fiscal year 2024-25 by \$3,915,800 for
11 the purpose of increasing the authorized FTE positions for the department of
12 corrections by 1.0 GPR pharmacist position and decreasing the authorized FTE
13 positions for the department of corrections by 1.0 physician position to expand the
14 medication-assisted treatment program in the Division of Adult Institutions.

15 **80.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
16 \$975,800 and increase the dollar amount for fiscal year 2024-25 by \$975,800 for the
17 purpose of supporting instructor costs for technical mobile labs.

18 **81.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
19 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 for the
20 purpose of expanding the Windows to Work program in the department of corrections
21 to include an additional 96 participants per year.

22 **82.** Page 138, line 5: decrease the dollar amount for fiscal year 2023-24 by
23 \$125,700 and decrease the dollar amount for fiscal year 2024-25 by \$125,700 for the
24 purpose of reallocating those funds from the general program operations

1 appropriation to the appropriation for reimbursement claims of counties or
2 municipalities containing state prisons.

3 **83.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
4 \$153,300 and increase the dollar amount for fiscal year 2024-25 by \$319,000 for the
5 purpose of increasing the authorized FTE positions for the department of corrections
6 by 5.0 pharmacy technician positions in 2023-24 and an additional 5.0 pharmacy
7 technician positions in 2024-25, to be allocated to the Central Pharmacy.

8 **84.** Page 138, line 5: increase the dollar amount for fiscal year 2024-25 by
9 \$85,300 for nonpersonnel costs, including \$50,300 for permanent property such as
10 telemedicine machines, dental equipment, and dialysis machines and \$35,000 for
11 supplies and services, related to the opening of the new health services unit at the
12 Wisconsin Secure Program Facility located in Boscobel.

13 **85.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
14 \$463,000 and increase the dollar amount for fiscal year 2024-25 by \$542,700 for the
15 purpose of increasing the authorized FTE positions for the department of corrections
16 by 6.0 GPR positions to staff the Robert E. Ellsworth Correctional Center (REECC)
17 and the Milwaukee Women's Correctional Center as follows: 5.0 supervising officer
18 positions at REECC and 1.0 chaplain position who will split time between the two
19 centers.

20 **86.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
21 \$199,400 and increase the dollar amount for fiscal year 2024-25 by \$199,400 for the
22 purpose of funding nonsalary costs funded for a partial year in 2022-23 associated
23 with GPS tracking.

1 **87.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
2 \$198,500 and increase the dollar amount for fiscal year 2024–25 by \$448,400 for the
3 purpose of monitoring sex offenders who are on GPS tracking.

4 **88.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
5 \$386,400 and increase the dollar amount for fiscal year 2024–25 by \$429,300 for the
6 purpose of increasing the authorized FTE positions for the department of corrections
7 by 5.0 GPR positions as follows: 4.0 staff development program specialists – senior
8 and 1.0 staff development supervisor, to create and operate a new bureau of training
9 and staff development team, with a focus on leadership development, cultural
10 competency, and diversity awareness.

11 **89.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
12 \$115,500 and increase the dollar amount for fiscal year 2024–25 by \$115,500 for the
13 purpose of increasing agency supplies and services funding.

14 **90.** Page 138, line 5: in s. 20.455 (1) (a), increase the dollar amount for fiscal
15 year 2023–24 by \$65,100 and increase the dollar amount for fiscal year 2024–25 by
16 \$86,800 for the purpose of increasing the authorized FTE positions for the
17 department of corrections by 1.0 GPR position to create an agency tribal liaison
18 position to work with Native American tribes and bands on behalf of the agency, as
19 well as coordinate with the department of administration.

20 **91.** Page 138, line 5: increase the dollar amount for fiscal year 2023–24 by
21 \$2,728,100 and increase the dollar amount for fiscal year 2024–25 by \$3,246,800 for
22 the purpose of increasing the authorized FTE positions for the department of
23 corrections by 30.60 GPR positions as follows: 24.9 licensed practical nurses and 5.7

1 nurse clinicians to operate a medication administration pilot at 3 adult male
2 institutions.

3 **92.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
4 \$1,859,400 and increase the dollar amount for fiscal year 2024-25 by \$1,003,400 for
5 the purpose of increasing the authorized FTE positions for the department of
6 corrections by 34.0 GPR positions in 2023-24 and by 2.0 GPR positions in 2024-25
7 and to reallocate 21.5 currently vacant positions to expand treatment capacity in the
8 earned release program and substance use disorder program to serve approximately
9 450 inmates on an annualized basis.

10 **93.** Page 138, line 5: increase the dollar amount for fiscal year 2023-24 by
11 \$2,227,700 and increase the dollar amount for fiscal year 2024-25 by \$4,443,200 for
12 the purpose of expanding available options for residential community alternatives
13 to revocation by 100 additional beds.

14 **94.** Page 138, line 7: increase the dollar amount for fiscal year 2023-24 by
15 \$657,900 and increase the dollar amount for fiscal year 2024-25 by \$1,147,300 for
16 the payment of repair and maintenance costs associated with services and materials
17 for adult institutions.

18 **95.** Page 139, line 10: increase the dollar amount for fiscal year 2023-24 by
19 \$125,700 and increase the dollar amount for fiscal year 2024-25 by \$125,700 for the
20 purpose of reallocating those funds from the general program operations
21 appropriation to the appropriation for reimbursement claims of counties or
22 municipalities containing state prisons.

23 **96.** Page 139, line 16: increase the dollar amount for fiscal year 2023-24 by
24 \$3,349,800 and increase the dollar amount for fiscal year 2024-25 by \$5,213,800 for

1 the purpose of expanding participation in the Opening Avenues to Reentry Success
2 program statewide, transitioning the OARS 2 pilot program to an ongoing program
3 after the expiration of the federal grant, and expanding participation in both
4 programs.

5 **97.** Page 139, line 23: increase the dollar amount for fiscal year 2023-24 by
6 \$2,628,700 and increase the dollar amount for fiscal year 2024-25 by \$3,120,500 for
7 the purpose of paying the cost of expected changes in prices for fuel and utilities in
8 adult correctional facilities.

9 **98.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
10 \$325,500 and increase the dollar amount for fiscal year 2024-25 by \$325,500 for the
11 purpose of providing supplemental funding for overtime.

12 **99.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
13 \$34,000 and increase the dollar amount for fiscal year 2024-25 by \$44,600 for
14 department of corrections rent expenses and related supplies and services expenses.

15 **100.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
16 \$10,400 and increase the dollar amount for fiscal year 2024-25 by \$23,500 for the
17 purpose of monitoring sex offenders who are on GPS tracking.

18 **101.** Page 140, line 10: increase the dollar amount for fiscal year 2023-24 by
19 \$9,600 and increase the dollar amount for fiscal year 2024-25 by \$9,600 for the
20 purpose of funding nonsalary costs funded for a partial year in 2022-23 associated
21 with GPS tracking.

22 **102.** Page 141, line 14: increase the dollar amount for fiscal year 2023-24 by
23 \$4,400 and increase the dollar amount for fiscal year 2024-25 by \$4,400 for the

1 purpose of funding nonsalary costs funded for a partial year in 2022-23 associated
2 with the water utility operator position at the Waupun central generating plant.

3 **103.** Page 141, line 15: increase the dollar amount for fiscal year 2023-24 by
4 \$3,012,700 and increase the dollar amount for fiscal year 2024-25 by \$2,950,900 for
5 the purpose of expanding metal stamping operations and complying with the
6 requirements of 2021 Wisconsin Acts 163 and 178.

7 **104.** Page 142, line 6: increase the dollar amount for fiscal year 2023-24 by
8 \$167,500 and increase the dollar amount for fiscal year 2024-25 by \$216,700 for the
9 purpose of administering the Opening Avenues to Reentry Success program.

10 **105.** Page 143, line 1: increase the dollar amount for fiscal year 2023-24 by
11 \$1,567,700 and increase the dollar amount for fiscal year 2024-25 by \$5,999,400 for
12 the purpose for which the appropriation is made.

13 **106.** Page 152, line 17: increase the dollar amount for fiscal year 2023-24 by
14 \$9,320,600 and increase the dollar amount for fiscal year 2024-25 by \$9,320,600 for
15 the purpose of increasing the authorized FTE positions for the department of health
16 services by 110.0 GPR security positions at the Wisconsin Resource Center to
17 transfer security operations at the Wisconsin Resource Center from the department
18 of corrections to the department of health services.

19 **107.** Page 165, line 3: increase the dollar amount for fiscal year 2023-24 by
20 \$1,563,500 and increase the dollar amount for fiscal year 2024-25 by \$2,102,000 for
21 the purpose of creating a state training program for new county youth justice
22 workers and additional training on the youth assessment screening instrument for
23 current youth justice workers.

1 **108.** Page 179, line 16: increase the dollar amount for fiscal year 2023-24 by
2 \$72,900 and increase the dollar amount for fiscal year 2024-25 by \$93,500 to
3 increase the authorized FTE positions by 1.0 GPR position to administer diversity,
4 equity, and inclusion activities overseen by the attorney general in collaboration with
5 the chief equity officer in the department of administration and with other agency
6 equity officers to identify opportunities to advance equity in government operations.

7 **109.** Page 179, line 16: in s. 20.455 (1) (a) increase the dollar amount for fiscal
8 year 2023-24 by \$61,800 and increase the dollar amount for fiscal year 2024-25 by
9 \$82,500 for the purpose of increasing the authorized FTE positions for the
10 department of justice by 1.0 GPR position to create an agency tribal liaison position
11 to work with Native American tribes and bands on behalf of the agency, as well as
12 coordinate with the Department of Administration.

13 **110.** Page 179, line 16: in s. 20.455 (1) (a), increase the dollar amount for fiscal
14 year 2023-24 by \$37,400 and increase the dollar amount for fiscal year 2024-25 by
15 \$37,400 for the purpose of increasing supplies and services funding to the division
16 of legal services.

17 **111.** Page 179, line 16: in s. 20.455 (5) (a), increase the dollar amount for fiscal
18 year 2023-24 by \$817,000 and increase the dollar amount for fiscal year 2024-25 by
19 \$817,000 for the purpose of replacing 5.0 FED positions with 5.0 GPR positions that
20 provide crime victim services.

21 **112.** Page 179, line 16: increase the dollar amount for fiscal year 2023-24 by
22 \$1,173,800 and increase the dollar amount for fiscal year 2024-25 by \$1,447,500 for
23 the purpose of providing a pay increase to assistant attorneys general under the pay
24 progression plan.

1 **113.** Page 179, line 16: in s. 20.455 (2) (a), increase the dollar amount for fiscal
2 year 2023-24 by \$301,400 and increase the dollar amount for fiscal year 2024-25 by
3 \$301,400 for the purpose of increasing supplies and services funding to law
4 enforcement services. In each fiscal year the increased amount shall be allocated as
5 follows: \$159,800 to the crime laboratories, \$5,000 to the crime information bureau,
6 \$78,600 to criminal investigation, \$3,600 to administrative services, \$12,800 to
7 narcotics enforcement, \$38,000 to the internet crimes against children task force,
8 and \$3,600 to criminal justice programs.

9 **114.** Page 180, line 2: increase the dollar amount for fiscal year 2023-24 by
10 \$274,100 and increase the dollar amount for fiscal year 2024-25 by \$343,200 for the
11 purpose of providing a pay increase to assistant attorneys general under the pay
12 progression plan.

13 **115.** Page 180, line 8: increase the dollar amount for fiscal year 2023-24 by
14 \$88,000 and increase the dollar amount for fiscal year 2024-25 by \$63,000 for the
15 purpose of providing a pay increase to assistant attorneys general under the pay
16 progression plan.

17 **116.** Page 180, line 11: for s. 20.455 (2) (a), increase the dollar amount for
18 fiscal year 2024-25 by \$154,500 for the purpose of creating 4.0 GPR positions to
19 address the demand for forensic toxicology testing performed by the state crime
20 laboratories when federal ARPA funds expire.

21 **117.** Page 180, line 11: for s. 20.455 (2) (a), increase the dollar amount for
22 fiscal year 2023-24 by \$237,300 and increase the dollar amount for fiscal year
23 2024-25 by \$309,700 to create 4.0 GPR positions for the purpose of addressing
24 workload issues for forensic DNA testing performed by the state crime laboratories

1 resulting from new technologies, including probabilistic genotyping and forensic
2 investigative genetic genealogy. The increases shall be allocated as follows: (a)
3 personnel costs \$217,300 in fiscal year 2023-24 and \$289,700 in 2024-25 and (b)
4 supplies and services, \$20,000 in each fiscal year.

5 **118.** Page 180, line 11: for s. 20.455 (2) (a), increase the dollar amount for
6 fiscal year 2024-25 by \$48,700 for the purpose of creating 1.0 GPR position for a
7 crime scene response specialist when federal ARPA funds expire.

8 **119.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
9 year 2023-24 by \$64,300 and increase the dollar amount for fiscal year 2024-25 by
10 \$82,500 for the purpose of providing 1.0 FTE grant specialist position.

11 **120.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
12 year 2023-24 by \$58,400 and increase the dollar amount for fiscal year 2024-25 by
13 \$78,000 for the purpose of providing 1.0 GPR assistant attorney general position,
14 beginning on October 1, 2023, to provide training and resources for prosecutors on
15 sexual assault cases.

16 **121.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
17 year 2023-24 by \$185,800 and increase the dollar amount for fiscal year 2024-25 by
18 \$242,800 for the purpose of providing 3.0 GPR positions, beginning on October 1,
19 2023, that provide prosecutorial assistance to county district attorneys related to
20 violent crimes cases.

21 **122.** Page 180, line 11: in s. 20.455 (2) (a), increase the dollar amount for fiscal
22 year 2023-24 by \$550,500 and increase the dollar amount for fiscal year 2024-25 by
23 \$682,400 for the purpose of providing 7.0 GPR positions for criminal investigations.

1 **136.** Page 185, line 11: in s. 20.455 (5) (a), increase the dollar amount for fiscal
2 year 2023-24 by \$6,700 and increase the dollar amount for fiscal year 2024-25 by
3 \$6,700 for the purpose of increasing supplies and services funding to the office of
4 victim services.

5 **137.** Page 185, line 13: under s. 20.455 (5) (f), increase the dollar amount for
6 fiscal year 2023-24 by \$5,724,700 and increase the dollar amount for fiscal year
7 2024-25 by \$6,004,200 for the purpose of increasing the reimbursement provided to
8 county victim witness offices to the current statutory maximum of estimated 90
9 percent of county costs.

10 **138.** Page 185, line 20: in s. 20.455 (5) (h), increase the dollar amount for fiscal
11 year 2023-24 by \$59,500 and increase the dollar amount for fiscal year 2024-25 by
12 \$77,000 for the purpose of increasing the authorized FTE positions to the Crime
13 Victim Compensation Program by 1.0 PR position to assist with the processing of
14 crime victim claims.

15 **139.** Page 186, line 17: increase the dollar amount for fiscal year 2024-25 by
16 \$821,400 for the purpose of increasing the authorized FTE positions to the
17 department of military affairs by 11.0 GPR positions in 2024-25 to expand the
18 comprehensive wellness program.

19 **140.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
20 \$140,700 and increase the dollar amount for fiscal year 2024-25 by \$140,700 to
21 increase agency supplies and services funding.

22 **141.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
23 \$143,200 and increase the dollar amount for fiscal year 2024-25 by \$156,900 for the
24 purpose of increasing the authorized FTE positions to the department of military

1 affairs by 1.0 GPR position to support the wireless network at department of military
2 affairs armories.

3 **142.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
4 \$4,963,900 and increase the dollar amount for fiscal year 2024-25 by \$3,337,100 for
5 the purpose of increasing the authorized FTE positions to the department of military
6 affairs by 3.0 GPR positions and for a new aircraft for counter-drug activities, search
7 and rescue efforts, or disasters.

8 **143.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
9 \$975,100 and increase the dollar amount for fiscal year 2024-25 by \$1,118,500 to
10 fund a portion of state matching funds for the federal Department of Homeland
11 Security's State and Local Cybersecurity Grant Program.

12 **144.** Page 186, line 17: increase the dollar amount for fiscal year 2023-24 by
13 \$100,000 and increase the dollar amount for fiscal year 2024-25 by \$100,000 for a
14 consultant to assist the department of military affairs in competing as a potential
15 location for the United States Air Force to place new refueling aircraft.

16 **145.** Page 187, line 1: increase the dollar amount for fiscal year 2023-24 by
17 \$152,500 and increase the dollar amount for fiscal year 2024-25 by \$169,900 for the
18 purpose of increasing the authorized FTE positions to the department by 2.9 GPR
19 positions to support additional buildings and grounds staff positions, including 1
20 project manager, 2 heavy equipment operators, one painter, and 2 facility repair
21 workers.

22 **146.** Page 187, line 3: increase the dollar amount for fiscal year 2023-24 by
23 \$37,900 and increase the dollar amount for fiscal year 2024-25 by \$48,700 to
24 increase the authorized FTE positions by 0.5 GPR position to administer diversity,

1 equity, and inclusion activities overseen by the adjutant general in collaboration
2 with the chief equity officer in the department of administration and with other
3 agency equity officers to identify opportunities to advance equity in government
4 operations.

5 **147.** Page 187, line 15: increase the dollar amount for fiscal year 2023-24 by
6 \$6,891,900 and increase the dollar amount for fiscal year 2024-25 by \$6,891,900 for
7 improvement, repair, maintenance, or operation of armories or other military
8 property.

9 **148.** Page 187, line 15: increase the dollar amount for fiscal year 2023-24 by
10 \$91,300 and increase the dollar amount for fiscal year 2024-25 by \$101,600 for the
11 purpose of increasing the authorized FTE positions to the department by 3.1 FED
12 positions to support additional buildings and grounds staff positions, including one
13 project manager, two heavy equipment operators, one painter, and two facility repair
14 workers.

15 **149.** Page 188, line 6: increase the dollar amount for fiscal year 2023-24 by
16 \$1,000,000 for the purpose of providing a payment of \$1,000,000 to the town of Silver
17 Cliff for the town to rebuild its public safety building that was destroyed by a tornado.

18 **150.** Page 188, line 9: after that line insert:

19 “(bm) Statewide public safety
20 interoperable communication
21 system GPR C 45,000,000 -0-”.

22 **151.** Page 189, line 3: increase the dollar amount for fiscal year 2023-24 by
23 \$506,400 and increase the dollar amount for fiscal year 2024-25 by \$506,400 for the

1 purpose of urban search and rescue task force training, administration, and
2 equipment.

3 **152.** Page 189, line 8: increase the dollar amount for fiscal year 2023-24 by
4 \$152,100 and increase the dollar amount for fiscal year 2024-25 by \$152,100 for the
5 purpose for which the appropriation is made.

6 **153.** Page 190, line 6: increase the dollar amount for fiscal year 2023-24 by
7 \$26,900 and increase the dollar amount for fiscal year 2024-25 by \$26,900 for the
8 purpose for which the appropriation is made.

9 **154.** Page 190, line 8: increase the dollar amount for fiscal year 2023-24 by
10 \$15,491,700 and increase the dollar amount for fiscal year 2024-25 by \$15,491,700
11 for the purpose for which the appropriation is made.

12 **155.** Page 190, line 10: increase the dollar amount for fiscal year 2023-24 by
13 \$2,981,900 and increase the dollar amount for fiscal year 2024-25 by \$2,981,900 for
14 the purpose for which the appropriation is made.

15 **156.** Page 190, line 12: increase the dollar amount for fiscal year 2023-24 by
16 \$6,000,000 and increase the dollar amount for fiscal year 2024-25 by \$6,000,000 for
17 the purpose of providing additional public safety answering point grants.

18 **157.** Page 190, line 17: increase the dollar amount for fiscal year 2023-24 by
19 \$500 and increase the dollar amount for fiscal year 2024-25 by \$500 to increase
20 agency supplies and services funding.

21 **158.** Page 191, line 2: increase the dollar amount for fiscal year 2023-24 by
22 \$1,700 and increase the dollar amount for fiscal year 2024-25 by \$1,700 for the
23 purpose for which the appropriation is made.

1 **159.** Page 191, line 10: increase the dollar amount for fiscal year 2023-24 by
2 \$2,032,800 and increase the dollar amount for fiscal year 2024-25 by \$2,032,800 for
3 the purpose of restoring the turnover reduction for district attorneys.

4 **160.** Page 191, line 10: decrease the dollar amount for fiscal year 2023-24 by
5 \$71,900 and decrease the dollar amount for fiscal year 2024-25 by \$71,900 for the
6 purpose of increasing the hourly compensation of elected district attorneys.

7 **161.** Page 191, line 10: increase the dollar amount for fiscal year 2023-24 by
8 \$3,345,400 and increase the dollar amount for fiscal year 2024-25 by \$4,359,300 for
9 the purpose of increasing the authorized FTE positions for the department of
10 administration by an additional 43.0 GPR District Attorney positions in 2023-24 by
11 an additional 41.9 GPR District Attorney positions in 2024-25.

12 **162.** Page 191, line 10: increase from base the dollar amount for fiscal year
13 2023-24 by \$703,900 and increase from base the dollar amount for fiscal year
14 2024-25 by \$703,900 for the purpose of increasing agency supplies and services
15 funding.

16 **163.** Page 191, line 10: decrease the dollar amount for fiscal year 2023-24 by
17 \$1,107,800 and decrease the dollar amount for fiscal year 2024-25 by \$1,540,200 for
18 the purpose of providing a pay increase to deputy and assistant district attorneys
19 under the pay progression plan.

20 **164.** Page 192, line 13: increase from base the dollar amount for fiscal year
21 2023-24 by \$1,300,000 and increase from base the dollar amount for fiscal year
22 2024-25 by \$1,300,000 to fund increases in the cost of the contract with Health
23 Dimensions Group to operate the Wisconsin Veterans Home at Chippewa Falls.

1 **165.** Page 192, line 13: increase from base the dollar amount for fiscal year
2 2023-24 by \$210,000 and increase from base the dollar amount for fiscal year
3 2024-25 by \$210,000 to increase the supplies and services budget at the Union Grove
4 State Veterans Home, for increasing costs for custodial supplies, lawn care, snow
5 removal, and specialty tradesmen.

6 **166.** Page 193, line 4: increase the dollar amount for fiscal year 2023-24 by
7 \$38,600 and increase the dollar amount for fiscal year 2024-25 by \$49,600 to
8 increase the authorized FTE positions by 0.5 SEG position to administer diversity,
9 equity, and inclusion activities overseen by the secretary of veterans affairs in
10 collaboration with the chief equity officer in the department of administration and
11 with other agency equity officers to identify opportunities to advance equity in
12 government operations.

13 **167.** Page 194, line 4: increase the dollar amount for fiscal year 2024-25 by
14 \$342,500 for the purpose of increasing the authorized positions to the department of
15 veterans affairs by 7.0 SEG positions to convert federally funded project positions to
16 permanent positions for the veterans outreach and recovery program.

17 **168.** Page 194, line 5: increase the dollar amount for fiscal year 2023-24 by
18 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 for the
19 purpose for which the appropriation is made.

20 **169.** Page 194, line 5: increase the dollar amount for fiscal year 2023-24 by
21 \$250,000 and increase the dollar amount for fiscal year 2024-25 by \$250,000 to fund
22 data collection and analysis related to the future long-term care needs of post-9/11
23 veterans.

1 **170.** Page 195, line 1: increase the dollar amount for fiscal year 2023-24 by
2 \$1,096,600 and increase the dollar amount for fiscal year 2024-25 by \$1,096,600 for
3 the purpose of increasing funding for grants to county and tribal veteran service
4 offices.

5 **171.** Page 195, line 10: increase the dollar amount for fiscal year 2023-24 by
6 \$100 and increase the dollar amount for fiscal year 2024-25 by \$100 to increase
7 agency supplies and services funding.

8 **172.** Page 195, line 11: increase from base the dollar amount for fiscal year
9 2023-24 by \$425,000 and increase from base the dollar amount for fiscal year
10 2024-25 by \$355,000 for equipment replacement at the three state veterans
11 cemeteries and for the purchase of new equipment for expanded operations at the
12 Southern Wisconsin Veterans Cemetery.

13 **173.** Page 195, line 16: increase the dollar amount for fiscal year 2023-24 by
14 \$3,100 and increase the dollar amount for fiscal year 2024-25 by \$3,100 to increase
15 agency supplies and services funding.

16 **174.** Page 196, line 13: increase the dollar amount for fiscal year 2023-24 by
17 \$700,000 and increase the dollar amount for fiscal year 2024-25 by \$700,000 for
18 building costs at 30 West Mifflin following purchase of the building.

19 **175.** Page 196, line 13: increase the dollar amount for fiscal year 2023-24 by
20 \$60,000 for the purpose of funding a portion of the cost to complete a comprehensive
21 inventory and evaluation of state-owned historical and fine arts collections.

22 **176.** Page 202, line 22: increase the dollar amount for fiscal year 2023-24 by
23 \$2,577,300 and increase the dollar amount for fiscal year 2024-25 by \$2,599,100 for
24 the purpose of increasing the authorized FTE positions to the department of

1 administration by 1.0 PR positions to purchase and maintain a new aircraft for the
2 department of military affairs.

3 **177.** Page 203, line 21: increase the dollar amount for fiscal year 2023-24 by
4 \$65,700 and increase the dollar amount for fiscal year 2024-25 by \$84,200 for the
5 purpose of increasing the authorized FTE positions for the department of
6 administration by 1.0 GPR Attorney position to represent state attorneys before the
7 Office of Lawyer Regulation in the event that a grievance against their law license
8 is filed.

9 **178.** Page 204, line 6: increase the dollar amount for fiscal year 2023-24 by
10 \$45,100 and increase the dollar amount for fiscal year 2024-25 by \$60,100 for the
11 purpose of increasing the authorized FTE positions to the department of
12 administration by 1.0 PR position and for building costs at 30 West Mifflin following
13 purchase of the building.

14 **179.** Page 217, line 3: increase the dollar amount for fiscal year 2023-24 by
15 \$2,784,200 and increase the dollar amount for fiscal year 2024-25 by \$3,579,000 for
16 the purpose of increasing the authorized FTE positions for the department of
17 administration by 50.0 GPR support staff positions to address workload issues for
18 staff assisting state public defender attorneys.

19 **180.** Page 217, line 3: decrease the dollar amount for fiscal year 2023-24 by
20 \$1,115,100 and decrease the dollar amount for fiscal year 2024-25 by \$1,239,000 for
21 the purpose of providing a pay increase to assistant state public defenders under the
22 pay progression plan.

23 **181.** Page 217, line 12: in s. 20.550 (1) (L), increase the dollar amount for fiscal
24 year 2023-24 by \$8,797,200 and increase the dollar amount for fiscal year 2024-25

1 by \$8,797,200 for the purpose of increasing the rate at which private bar attorneys
2 are compensated.

3 **182.** Page 218, line 3: increase the dollar amount for fiscal year 2023-24 by
4 \$1,953,400 and increase the dollar amount for fiscal year 2024-25 by \$2,177,500 for
5 the purpose of supplies and services to implement an advanced technology system
6 and for the purpose of providing 11.0 GPR positions to enhance delinquent tax
7 collection efforts.

8 **183.** Page 218, line 14: increase the dollar amount for fiscal year 2023-24 by
9 \$1,854,500 and increase the dollar amount for fiscal year 2024-25 by \$1,224,600 for
10 the purpose of providing 7.0 PR positions annually to increase efforts to collect debts
11 owed to state agencies and local governments under the statewide debt collection
12 program and for supplies and services to implement an advanced technology system.

13 **184.** Page 220, line 2: increase the dollar amount for fiscal year 2023-24 by
14 \$274,500 and increase the dollar amount for fiscal year 2024-25 by \$334,700 for the
15 purpose of providing 2.0 GPR positions for the department's manufacturing and
16 utility bureau and 1.0 GPR position for the department's local government services
17 bureau.

18 **185.** Page 220, line 9: increase the dollar amount for fiscal year 2023-24 by
19 \$140,100 and increase the dollar amount for fiscal year 2024-25 by \$171,100 for the
20 purpose of providing 2.0 PR positions for the department's manufacturing and utility
21 bureau.

22 **186.** Page 221, line 2: increase the dollar amount for fiscal year 2023-24 by
23 \$74,800 and increase the dollar amount for fiscal year 2024-25 by \$96,000 to
24 increase the authorized FTE positions by 1.0 GPR position to administer diversity,

1 equity, and inclusion activities overseen by the secretary of revenue in collaboration
2 with the chief equity officer in the department of administration and with other
3 agency equity officers to identify opportunities to advance equity in government
4 operations.

5 **187.** Page 223, line 1: increase the dollar amount for fiscal year 2023-24 by
6 \$256,800 and increase the dollar amount for fiscal year 2024-25 by \$337,200 for the
7 purpose of providing 1.0 SEG position for lottery draw staff and providing 3.0 SEG
8 positions for lottery investigators.

9 **188.** Page 223, line 2: increase the dollar amount for fiscal year 2023-24 by
10 \$7,061,800 and increase the dollar amount for fiscal year 2024-25 by \$7,061,800 for
11 lottery retailer compensation.

12 **189.** Page 223, line 4: increase the dollar amount for fiscal year 2023-24 by
13 \$2,546,000 and increase the dollar amount for fiscal year 2024-25 by \$2,546,000 for
14 vendor fees.

15 **190.** Page 225, line 5: delete that line and substitute:

16 “(cg) Circuit court costs; generally GPR B 28,356,300 28,392,900

17 (d) Circuit court costs; pretrial risk

18 assessments GPR B 1,000,000 -0-”.

19 **191.** Page 225, line 7: delete lines 7 and 8.

20 **192.** Page 234, line 19: increase the dollar amount for fiscal year 2023-24 by
21 \$45,185,200 and increase the dollar amount for fiscal year 2024-25 by \$18,989,300
22 for the purpose of paying the lottery and gaming credits.

1 **193.** Page 237, line 15: increase the dollar amount for fiscal year 2024-25 by
2 \$342,500 for the purpose of supplementing the veterans trust fund.

3 **194.** Page 237, line 15: increase the dollar amount for fiscal year 2023-24 by
4 \$700,000 and increase the dollar amount for fiscal year 2024-25 by \$700,000 for the
5 purpose of supplementing the veterans trust fund.

6 **195.** Page 237, line 15: increase from base the dollar amount for fiscal year
7 2023-24 by \$425,000 and increase from base the dollar amount for fiscal year
8 2024-25 by \$355,000 for the purpose of supplementing the veterans trust fund.

9 **196.** Page 260, line 19: delete the material beginning with that line and
10 ending with page 261, line 8.

11 **197.** Page 269, line 10: delete that line.

12 **198.** Page 281, line 4: delete lines 4 to 11 and substitute:

13 “**SECTION 3.** 20.866 (2) (ugm) of the statutes is amended to read:

14 20.866 (2) (ugm) *Transportation; major interstate bridge construction.* From
15 the capital improvement fund, a sum sufficient for the department of transportation
16 to fund major interstate bridge projects under s. 84.016. The state may contract
17 public debt in an amount not to exceed ~~\$245,000,000~~ \$319,200,000 for this purpose.
18 ~~The state may contract additional public debt in an amount up to \$27,000,000 for this~~
19 ~~purpose.”.~~

20 **199.** Page 334, line 18: delete the material beginning with that line and
21 ending with page 337, line 2, and substitute:

22 “**SECTION 368m.** 85.20 (4m) (a) 6. cm. of the statutes is amended to read:

1 85.20 (4m) (a) 6. cm. From the appropriation under s. 20.395 (1) (ht), the
2 department shall pay ~~\$65,477,800 for aid payable for calendar years 2020 and 2021,~~
3 ~~\$32,738,900 for calendar year 2022,~~ and \$65,477,800 for aid payable for calendar
4 year 2023, \$68,096,900 for calendar year 2024, and \$70,820,800 for calendar year
5 2025 and thereafter, to the eligible applicant that pays the local contribution
6 required under par. (b) 1. for an urban mass transit system that has annual operating
7 expenses of \$80,000,000 or more. If the eligible applicant that receives aid under this
8 subd. 6. cm. is served by more than one urban mass transit system, the eligible
9 applicant may allocate the aid between the urban mass transit systems in any
10 manner the eligible applicant considers desirable.

11 **SECTION 369m.** 85.20 (4m) (a) 6. d. of the statutes is amended to read:

12 85.20 (4m) (a) 6. d. From the appropriation under s. 20.395 (1) (hu), the
13 department shall pay ~~\$17,205,400 for aid payable for calendar years 2020 and 2021,~~
14 ~~\$8,602,700 for calendar year 2022,~~ and \$17,205,400 for aid payable for calendar year
15 2023, \$17,893,600 for calendar year 2024, and \$18,609,400 for calendar year 2025
16 and thereafter, to the eligible applicant that pays the local contribution required
17 under par. (b) 1. for an urban mass transit system that has annual operating
18 expenses in excess of \$20,000,000 but less than \$80,000,000. If the eligible applicant
19 that receives aid under this subd. 6. d. is served by more than one urban mass transit
20 system, the eligible applicant may allocate the aid between the urban mass transit
21 systems in any manner the eligible applicant considers desirable.

22 **SECTION 372m.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

23 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
24 amounts for aids are ~~\$24,486,700 in calendar years 2015 to 2019 and \$24,976,400 in~~
25 ~~calendar year 2020~~ \$25,975,500 in calendar year 2024 and \$27,014,500 in calendar

1 year 2025 and thereafter. These amounts, to the extent practicable, shall be used to
2 determine the uniform percentage in the particular calendar year.

3 **SECTION 374m.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

4 85.20 **(4m)** (a) 8. b. For the purpose of making allocations under subd. 8. a., the
5 amounts for aids are ~~\$5,188,900 in calendar years 2015 to 2019 and \$5,292,700 in~~
6 ~~calendar year 2020~~ \$5,504,400 in calendar year 2024 and \$5,724,600 in calendar
7 year 2025 and thereafter. These amounts, to the extent practicable, shall be used to
8 determine the uniform percentage in the particular calendar year.”.

9 **200.** Page 337, line 4: delete lines 4 to 24 and substitute:

10 “**SECTION 4.** 86.30 (2) (a) 3. of the statutes is amended to read:

11 86.30 **(2)** (a) 3. For each mile of road or street under the jurisdiction of a
12 municipality as determined under s. 86.302, the mileage aid payment shall be ~~\$2,628~~
13 ~~in calendar years 2020 and 2021, \$2,681 in calendar year 2022, and \$2,734 in~~
14 ~~calendar year 2023,~~ \$2,843 in calendar year 2024, and \$2,957 in calendar year 2025
15 and thereafter.

16 **SECTION 5.** 86.30 (9) (b) of the statutes is amended to read:

17 86.30 **(9)** (b) For the purpose of calculating and distributing aids under sub. (2),
18 the amounts for aids to counties are ~~\$122,203,200 in calendar years 2020 and 2021,~~
19 ~~\$124,647,300 in calendar year 2022, and \$127,140,200 in calendar year 2023,~~
20 \$132,225,800 in calendar year 2024, and \$137,514,800 in calendar year 2025 and
21 thereafter. These amounts, to the extent practicable, shall be used to determine the
22 statewide county average cost-sharing percentage in the particular calendar year.

23 **SECTION 6.** 86.30 (9) (c) of the statutes is amended to read:

1 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
2 the amounts for aids to municipalities are ~~\$383,503,200 in calendar years 2020 and~~
3 ~~\$391,173,300 in calendar year 2022, and \$398,996,800 in calendar year 2023,~~
4 \$414,956,700 in calendar year 2024, and \$431,555,000 in calendar year 2025 and
5 thereafter. These amounts, to the extent practicable, shall be used to determine the
6 statewide municipal average cost-sharing percentage in the particular calendar
7 year.”.

8 **201.** Page 338, line 3: delete the material beginning with that line and ending
9 with page 339, line 2, and substitute:

10 “**SECTION 380m.** 86.31 (3g) of the statutes is amended to read:

11 86.31 (3g) COUNTY TRUNK HIGHWAY IMPROVEMENTS — DISCRETIONARY GRANTS.
12 From the appropriation under s. 20.395 (2) (ft), the department shall allocate
13 \$5,127,000 in fiscal years 2014-15 to 2016-17 and \$5,393,400 in fiscal year
14 ~~2017-2018 and each fiscal year thereafter, years 2017-18 to 2022-23~~ to fund county
15 trunk highway improvements with eligible costs totaling more than \$250,000. In
16 fiscal year 2023-24 and each fiscal year thereafter, the department shall allocate
17 35.6 percent of the amounts appropriated under s. 20.395 (2) (ft) to fund county trunk
18 highway improvements with eligible costs totaling more than \$250,000. The funding
19 of improvements under this subsection is in addition to the allocation of funds for
20 entitlements under sub. (3).

21 **SECTION 387m.** 86.31 (3m) of the statutes is amended to read:

22 86.31 (3m) TOWN ROAD IMPROVEMENTS — DISCRETIONARY GRANTS. From the
23 appropriation under s. 20.395 (2) (ft), the department shall allocate \$5,732,500 in
24 fiscal years 2011-12 to 2016-17 and \$5,923,600 in fiscal year years 2017-18 and each

1 ~~fiscal year thereafter, to 2022-23~~ to fund town road improvements with eligible costs
2 totaling \$100,000 or more. In fiscal year 2023-24 and each fiscal year thereafter, the
3 department shall allocate 39.0 percent of the amounts appropriated under s. 20.395
4 (2) (ft) to fund town road improvements with eligible costs totaling \$100,000 or more.
5 The funding of improvements under this subsection is in addition to the allocation
6 of funds for entitlements under sub. (3).

7 **SECTION 382m.** 86.31 (3r) of the statutes is amended to read:

8 86.31 (3r) MUNICIPAL STREET IMPROVEMENTS — DISCRETIONARY GRANTS. From the
9 appropriation under s. 20.395 (2) (ft), the department shall allocate \$976,500 in fiscal
10 years 2009-10 to 2016-17 and \$3,850,400 in fiscal year years 2017-18 ~~and each~~
11 ~~fiscal year thereafter, to 2022-23~~ to fund municipal street improvement projects
12 having total estimated costs of \$250,000 or more. In fiscal year 2023-24 and each
13 fiscal year thereafter, the department shall allocate 25.4 percent of the amounts
14 appropriated under s. 20.395 (2) (ft) to fund municipal street improvement projects
15 having total estimated costs of \$250,000 or more. The funding of improvements
16 under this subsection is in addition to the allocation of funds for entitlements under
17 sub. (3).”.

18 **202.** Page 361, line 5: delete that line.

19 **203.** Page 371, line 14: delete the material beginning with that line and
20 ending with page 372, line 3, and substitute:

21 “**SECTION 456m.** 341.13 (5) of the statutes is created to read:

22 341.13 (5) A hybrid electric vehicle, as defined under s. 341.25 (1) (L) 1. b., or
23 a nonhybrid electric vehicle, as defined under s. 341.25 (1) (L) 1. c., shall bear decals

1 issued by the department to indicate that the vehicle is an electric vehicle. The decals
2 shall be displayed as provided in s. 341.15 (1m) (c).

3 **SECTION 457m.** 341.15 (1m) (a) of the statutes is amended to read:

4 341.15 (1m) (a) Except as provided in par. (b) or (c), any registration decal or
5 tag issued by the department shall be placed on the rear registration plate of the
6 vehicle in the manner directed by the department.

7 **SECTION 458m.** 341.15 (1m) (c) of the statutes is created to read:

8 341.15 (1m) (c) Decals issued by the department to indicate that a vehicle is
9 an electric vehicle shall be displayed on the registration plates attached to the front
10 and the rear of the vehicle.”.

11 **204.** Page 372, line 9: delete lines 9 to 13 and substitute:

12 “**SECTION 460m.** 341.26 (8) of the statutes is created to read:

13 341.26 (8) ELECTRIC VEHICLES. A registration fee of \$1 shall be paid to the
14 department for the issuance of the decals required under s. 341.13 (5) for a hybrid
15 electric vehicle, as defined under s. 341.25 (1) (L) 1. b., or a nonhybrid electric vehicle,
16 as defined under s. 341.25 (1) (L) 1. c.”.

17 **205.** Page 374, line 11: after that line insert:

18 “**SECTION 8.** 302.05 (title) of the statutes is amended to read:

19 **302.05** (title) **Wisconsin substance abuse earned release program.**

20 **SECTION 9.** 302.05 (1) (am) (intro.) of the statutes is amended to read:

21 302.05 (1) (am) (intro.) The department of corrections and the department of
22 health services may designate a section of a mental health institute as a correctional
23 treatment facility for the treatment of substance ~~abuse~~ use disorder of inmates
24 transferred from Wisconsin state prisons. ~~This section shall be administered by the~~

1 ~~department of corrections and shall be known as the Wisconsin substance abuse~~
2 ~~program.~~ The department of corrections and the department of health services shall
3 ensure that the residents at the institution and the residents in the substance abuse
4 use disorder program:

5 **SECTION 10.** 302.05 (1) (b) of the statutes is amended to read:

6 302.05 (1) (b) The department of corrections and the department of health
7 services shall, at any correctional facility the departments determine is appropriate,
8 provide a substance abuse use disorder treatment program for inmates for the
9 purposes of the program described in sub. (3).

10 **SECTION 11.** 302.05 (1) (c) of the statutes is created to read:

11 302.05 (1) (c) 1. In this paragraph, “vocational readiness training program”
12 means an educational, vocational, treatment, or other evidence-based training
13 program to reduce recidivism.

14 2. The department shall, at any correctional facility the department
15 determines is appropriate, provide vocational readiness training programs for the
16 purposes of the program described in sub. (3).

17 **SECTION 12.** 302.05 (2) of the statutes is amended to read:

18 302.05 (2) Transfer to a correctional treatment facility for the treatment of a
19 substance abuse use disorder shall be considered a transfer under s. 302.18.

20 **SECTION 13.** 302.05 (3) (a) 2. of the statutes is amended to read:

21 302.05 (3) (a) 2. ~~If the inmate is serving a bifurcated sentence imposed under~~
22 ~~s. 973.01, the sentencing court decided under par. (e) or s. 973.01 (3g) The department~~
23 determines that the inmate is eligible to participate in the earned release program
24 described in this subsection. In making its determination, the department shall

1 consider a decision of the sentencing court under s. 302.05 (3) (e), 2021 stats., or s.
2 973.01 (3g), 2021 stats.

3 **SECTION 14.** 302.05 (3) (b) of the statutes is amended to read:

4 302.05 (3) (b) Except as provided in par. (d), if the department determines that
5 an eligible inmate serving a sentence other than one imposed under s. 973.01 has
6 successfully completed a substance use disorder treatment program described in
7 sub. (1) (b) or a vocational readiness training program described in sub. (1) (c), the
8 parole commission shall parole the inmate for that sentence under s. 304.06,
9 regardless of the time the inmate has served. If the parole commission grants parole
10 under this paragraph for the completion of a substance use disorder treatment
11 program, it shall require the parolee to participate in an intensive supervision
12 program for drug abusers as a condition of parole.

13 **SECTION 15.** 302.05 (3) (c) 1. of the statutes is amended to read:

14 302.05 (3) (c) 1. Except as provided in par. (d), if the department determines
15 that an eligible inmate serving the term of confinement in prison portion of a
16 bifurcated sentence imposed under s. 973.01 has successfully completed a substance
17 use disorder treatment program described in sub. (1) (b) or a vocational readiness
18 training program described in sub. (1) (c), the department shall inform the court that
19 sentenced the inmate.

20 **SECTION 16.** 302.05 (3) (c) 2. (intro.) of the statutes is amended to read:

21 302.05 (3) (c) 2. (intro.) Upon being informed by the department under subd.
22 1. that an inmate whom the court sentenced under s. 973.01 has successfully
23 completed a substance use disorder treatment program described in sub. (1) (b) or
24 a vocational readiness training program described in sub. (1) (c), the court shall
25 modify the inmate's bifurcated sentence as follows:

1 **SECTION 17.** 302.05 (3) (d) of the statutes is amended to read:

2 302.05 **(3)** (d) The department may place intensive sanctions program
3 participants in a treatment program described in sub. (1) (b), but pars. (b) and (c) do
4 not apply to those participants.

5 **SECTION 18.** 302.05 (3) (e) of the statutes is repealed.

6 **SECTION 19.** 302.11 (7) (am) of the statutes is amended to read:

7 302.11 **(7)** (am) The reviewing authority may return a parolee released under
8 sub. (1) or (1g) (b) or s. 304.02 or 304.06 (1) to prison for a period up to the remainder
9 of the sentence for a violation of the conditions of parole. The remainder of the
10 sentence is the entire sentence, less time served in custody prior to parole and less
11 any earned compliance credit under s. 973.156. The revocation order shall provide
12 the parolee with credit in accordance with ss. 304.072 and 973.155.

13 **SECTION 20.** 302.113 (9) (ag) of the statutes is renumbered 302.113 (9) (ag)
14 (intro.) and amended to read:

15 302.113 **(9)** (ag) (intro.) In this subsection “~~reviewing~~:

16 1. “Reviewing authority” means the division of hearings and appeals in the
17 department of administration, upon proper notice and hearing, or the department
18 of corrections, if the person on extended supervision waives a hearing.

19 **SECTION 21.** 302.113 (9) (am) of the statutes is renumbered 302.113 (9) (am) 1.
20 and amended to read:

21 302.113 **(9)** (am) 1. If a person released to extended supervision under this
22 section violates a condition of extended supervision, the reviewing authority may
23 revoke the extended supervision of the person. If the extended supervision of the
24 person is revoked, the reviewing authority shall order the person to be returned to

1 prison for any specified period of time that does not exceed the time remaining on the
2 bifurcated sentence. ~~The time~~

3 (ag) 2. "Time remaining on the bifurcated sentence is" means the total length
4 of the bifurcated sentence, less time served by the person in confinement under the
5 sentence before release to extended supervision under sub. (2), less any earned
6 compliance credit under s. 973.156, and less all time served in confinement for
7 previous revocations of extended supervision under the sentence.

8 (am) 2. The order returning a person to prison under this paragraph shall
9 provide the person whose extended supervision was revoked with credit in
10 accordance with ss. 304.072 and 973.155.

11 **SECTION 22.** 302.113 (9) (b) of the statutes is amended to read:

12 302.113 (9) (b) A person who is returned to prison after revocation of extended
13 supervision shall be incarcerated for the entire period of time specified by the order
14 under par. (am) 1. The period of time specified under par. (am) 1, may be extended
15 in accordance with sub. (3). If a person is returned to prison under par. (am) 1, for
16 a period of time that is less than the time remaining on the bifurcated sentence, the
17 person shall be released to extended supervision after he or she has served the period
18 of time specified by the order under par. (am) 1, and any periods of extension imposed
19 in accordance with sub. (3).

20 **SECTION 23.** 302.113 (9) (c) of the statutes is amended to read:

21 302.113 (9) (c) A person who is subsequently released to extended supervision
22 after service of the period of time specified by the order under par. (am) 1, is subject
23 to all conditions and rules under sub. (7) and, if applicable, sub. (7m) until the
24 expiration of the time remaining extended supervision portion of on the bifurcated
25 sentence. ~~The remaining extended supervision portion of the bifurcated sentence is~~

1 ~~the total length of the bifurcated sentence, less the time served by the person in~~
2 ~~confinement under the bifurcated sentence before release to extended supervision~~
3 ~~under sub. (2) and less all time served in confinement for previous revocations of~~
4 ~~extended supervision under the bifurcated sentence.~~

5 **SECTION 24.** 302.114 (9) (ag) of the statutes is amended to read:

6 302.114 (9) (ag) In this subsection “reviewing authority” has the meaning given
7 in s. 302.113 (9) (ag) 1.

8 **SECTION 25.** 304.072 (4) of the statutes is amended to read:

9 304.072 (4) The sentence of a revoked parolee or person on extended
10 supervision resumes running on the day he or she is received at a correctional
11 institution subject to sentence credit for the period of custody in a jail, correctional
12 institution or any other detention facility pending revocation according to the terms
13 of s. 973.155 and subject to earned compliance credit under s. 973.156.

14 **SECTION 26.** 973.15 (5) of the statutes is amended to read:

15 973.15 (5) A convicted offender who is made available to another jurisdiction
16 under ch. 976 or in any other lawful manner shall be credited with service of his or
17 her Wisconsin sentence or commitment under the terms of s. ss. 973.155 and 973.156
18 for the duration of custody in the other jurisdiction.

19 **SECTION 27.** 973.156 of the statutes is created to read:

20 **973.156 Earned compliance credit. (1)** In this section, “qualifying offense”
21 means a crime other than a violation of ch. 940 or s. 948.02, 948.025, 948.03, 948.05,
22 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095.

23 **(2)** Upon the revocation of extended supervision under s. 302.113 (9) or parole
24 under s. 302.11 (7), a person shall be given earned compliance credit toward the
25 service of his or her sentence for a qualifying offense for each day that the person

1 spent on extended supervision or parole without violating a condition or rule of
2 extended supervision or parole prior to the violation that resulted in the revocation.

3 (3) Subsection (2) does not apply to a person who is required to register under
4 s. 301.45.

5 (4) If a person is serving more than one sentence, earned compliance credit
6 under sub. (2) is earned only for the time spent on extended supervision or parole for
7 qualifying offenses.

8 (5) The amount of the earned compliance credit under sub. (2) shall be
9 calculated and applied by the appropriate reviewing authority under s. 302.11 (7)
10 (am) or 302.113 (9) (am) 1.

11 **SECTION 9108. Nonstatutory provisions; Corrections.**

12 (1) EARNED RELEASE PROGRAM RULES. The department of corrections shall update
13 its administrative rules to implement earned release for completion of a vocational
14 readiness training program under s. 302.05 (3), including specification of the
15 eligibility criteria for persons sentenced before the effective date of this subsection
16 to participate in the program.

17 (2) EARNED COMPLIANCE CREDIT. A person who is serving a sentence for a
18 violation other than a crime specified in ch. 940 or s. 948.02, 948.025, 948.03, 948.05,
19 948.051, 948.055, 948.06, 948.07, 948.075, 948.08, 948.085, or 948.095 and who is in
20 custody upon revocation of extended supervision or parole on the effective date of this
21 subsection may petition the department of corrections to be given credit under s.
22 973.156. Upon proper verification of the facts alleged in the petition, credit under
23 s. 973.156 shall be applied retroactively to the person. If the department of
24 corrections is unable to determine whether credit under s. 973.156 should be given,
25 or otherwise refuses to award retroactive credit, the person may petition the

1 sentencing court for relief. This subsection applies regardless of the date the person
2 was sentenced. A person who is required to register under s. 301.45 is not eligible
3 to receive credit under this subsection.”.

4 **206.** Page 374, line 11: after that line insert:

5 “**SECTION 28.** 961.443 (2) (title) of the statutes is amended to read:

6 961.443 (2) (title) IMMUNITY FROM CRIMINAL PROSECUTION AND REVOCATION OF
7 PAROLE, PROBATION, OR EXTENDED SUPERVISION.

8 **SECTION 29.** 961.443 (2) of the statutes is renumbered 961.443 (2) (a) and
9 amended to read:

10 961.443 (2) (a) ~~An~~ No aider may have his or her parole, probation, or extended
11 supervision revoked, and an aider is immune from prosecution under s. 961.573 for
12 the possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a
13 controlled substance or a controlled substance analog, and under s. 961.69 (2) for
14 possession of a masking agent under the circumstances surrounding or leading to his
15 or her commission of an act described in sub. (1) if the aider’s attempt to obtain
16 assistance occurs immediately after the aider believes the other person is suffering
17 from the overdose or other adverse reaction.

18 **SECTION 30.** 961.443 (2) (b) of the statutes is created to read:

19 961.443 (2) (b) 1. No aided person person may have his or her parole, probation,
20 or extended supervision revoked under the circumstances surrounding or leading to
21 an aider’s commission of an act described in sub. (1) if the aided person completes a
22 treatment program as a condition of his or her parole, probation, or extended
23 supervision or, if a treatment program is unavailable or would be prohibitive
24 financially, agrees to be imprisoned in the county jail for not less than 15 days.

1 2. If an aided person is subject to prosecution under s. 961.573 for the
2 possession of drug paraphernalia, under s. 961.41 (3g) for the possession of a
3 controlled substance or a controlled substance analog, or under s. 961.69 (2) for
4 possession of a masking agent under the circumstances surrounding or leading to an
5 aider's commission of an act described in sub. (1), the district attorney shall offer the
6 aided person a deferred prosecution agreement that includes the completion of a
7 treatment program. This subdivision does not apply to an aided person who is on
8 parole, probation, or extended supervision and fails to meet a condition under subd.
9 1.”.

10 **207.** Page 374, line 11: after that line insert:

11 “**SECTION 31.** 20.115 (7) (gc) of the statutes is amended to read:

12 20.115 (7) (gc) *Industrial hemp and marijuana*. All moneys received under s.
13 94.55 for regulation of activities relating to industrial hemp under s. 94.55 and to
14 marijuana under s. 94.56.

15 **SECTION 32.** 20.115 (7) (ge) of the statutes is created to read:

16 20.115 (7) (ge) *Marijuana producers and processors; official logotype*. All
17 moneys received under s. 94.56 for regulation of activities relating to marijuana
18 under s. 94.56, for conducting public awareness campaigns under s. 94.56, and for
19 the creation of a logotype under s. 100.145.

20 **SECTION 33.** 20.435 (5) (q) of the statutes is created to read:

21 20.435 (5) (q) *Payments to counties*. From the community reinvestment fund,
22 all moneys received under subch. IV of ch. 139 for grants to counties under s. 250.22.

23 **SECTION 34.** 20.566 (1) (bn) of the statutes is created to read:

1 20.566 (1) (bn) *Administration and enforcement of marijuana tax and*
2 *regulation.* The amounts in the schedule for the purposes of administering the
3 marijuana tax imposed under subch. IV of ch. 139 and for the costs incurred in
4 enforcing the taxing and regulation of marijuana producers, marijuana processors,
5 and marijuana retailers under subch. IV of ch. 139.

6 **SECTION 35.** 20.835 (2) (eq) of the statutes is created to read:

7 20.835 (2) (eq) *Marijuana tax refunds.* A sum sufficient to pay refunds under
8 subch. IV of ch. 139.

9 **SECTION 36.** 25.316 of the statutes is created to read:

10 **25.316 Community reinvestment fund.** There is established a separate
11 nonlapsible trust fund, designated the community reinvestment fund consisting of
12 all moneys received under subch. IV of ch. 139, including interest and penalties.

13 **SECTION 37.** 49.148 (4) (a) of the statutes is amended to read:

14 49.148 (4) (a) A Wisconsin ~~works~~ Works agency shall require a participant in
15 a community service job or transitional placement who, after August 22, 1996, was
16 convicted in any state or federal court of a felony that had as an element possession,
17 use or distribution of a controlled substance to submit to a test for use of a controlled
18 substance as a condition of continued eligibility. If the test results are positive, the
19 Wisconsin ~~works~~ Works agency shall decrease the presanction benefit amount for
20 that participant by not more than 15 percent for not fewer than 12 months, or for the
21 remainder of the participant's period of participation in a community service job or
22 transitional placement, if less than 12 months. If, at the end of 12 months, the
23 individual is still a participant in a community service job or transitional placement
24 and submits to another test for use of a controlled substance and if the results of the
25 test are negative, the Wisconsin ~~works~~ Works agency shall discontinue the reduction

1 under this paragraph. In this subsection, “controlled substance” does not include
2 tetrahydrocannabinols in any form, including tetrahydrocannabinols contained in
3 marijuana, obtained from marijuana, or chemically synthesized.

4 **SECTION 38.** 49.79 (1) (b) of the statutes is amended to read:

5 49.79 (1) (b) “Controlled substance” has the meaning given in 21 USC 802 (6),
6 except that “controlled substance” does not include tetrahydrocannabinols in any
7 form, including tetrahydrocannabinols contained in marijuana, obtained from
8 marijuana, or chemically synthesized.

9 **SECTION 39.** 59.54 (25) (title) of the statutes is amended to read:

10 59.54 (25) (title) POSSESSION REGULATION OF MARIJUANA.

11 **SECTION 40.** 59.54 (25) (a) (intro.) of the statutes is amended to read:

12 59.54 (25) (a) (intro.) The board may enact and enforce an ordinance ~~to prohibit~~
13 ~~the possession of marijuana, as defined in s. 961.01 (14), subject to the exceptions in~~
14 ~~s. 961.41 (3g) (intro.), and provide a forfeiture for a violation of the ordinance that~~
15 ~~is consistent with s. 961.71 or 961.72; except that if a complaint is issued regarding~~
16 ~~an allegation of possession of more than 25 grams of marijuana, or possession of any~~
17 ~~amount of marijuana following a conviction in this state for possession of marijuana~~
18 ~~alleging a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may~~
19 ~~not be prosecuted under this subsection for the same action that is the subject of the~~
20 ~~complaint unless all of the following occur:~~

21 **SECTION 41.** 66.0107 (1) (bm) of the statutes is amended to read:

22 66.0107 (1) (bm) Enact and enforce an ordinance ~~to prohibit the possession of~~
23 ~~marijuana, as defined in s. 961.01 (14), subject to the exceptions in s. 961.41 (3g)~~
24 ~~(intro.), and provide a forfeiture for a violation of the ordinance that is consistent~~
25 ~~with s. 961.71 or 961.72; except that if a complaint is issued regarding an allegation~~

1 of possession of more than 25 grams of marijuana, or possession of any amount of
2 marijuana following a conviction in this state for possession of marijuana alleging
3 a violation of s. 961.72 (2) (b) 2. or (c) 3., the subject of the complaint may not be
4 prosecuted under this paragraph for the same action that is the subject of the
5 complaint unless the charges are dismissed or the district attorney declines to
6 prosecute the case.

7 **SECTION 42.** 66.04185 of the statutes is created to read:

8 **66.04185 Cultivation of tetrahydrocannabinols.** No city, village, town, or
9 county may prohibit cultivating tetrahydrocannabinols outdoors if the cultivation is
10 by an individual who has no more than 6 marijuana plants at one time for his or her
11 personal use.

12 **SECTION 43.** 73.17 of the statutes is created to read:

13 **73.17 Medical marijuana registry program. (1) DEFINITIONS.** In this
14 section:

15 (a) “Debilitating medical condition or treatment” means any of the following:

16 1. Cancer; glaucoma; acquired immunodeficiency syndrome; a positive test for
17 the presence of HIV, antigen or nonantigenic products of HIV, or an antibody to HIV;
18 inflammatory bowel disease, including ulcerative colitis or Crohn’s disease; a
19 hepatitis C virus infection; Alzheimer’s disease; amyotrophic lateral sclerosis; nail
20 patella syndrome; Ehlers-Danlos Syndrome; post-traumatic stress disorder; or the
21 treatment of these conditions.

22 2. A chronic or debilitating disease or medical condition or the treatment of
23 such a disease or condition that causes cachexia, severe pain, severe nausea,
24 seizures, including those characteristic of epilepsy, or severe and persistent muscle
25 spasms, including those characteristic of multiple sclerosis.

1 (b) “Department” means the department of revenue.

2 (c) “Physician” means a person licensed under s. 448.04 (1) (a).

3 (d) “Qualifying patient” means a person who has been diagnosed by a physician
4 as having or undergoing a debilitating medical condition or treatment but does not
5 include a person under the age of 18 years.

6 (e) “Tax exemption certificate” means a certificate to claim the exemption under
7 s. 77.54 (71).

8 (f) “Usable marijuana” has the meaning given in s. 139.97 (13).

9 (g) “Written certification” means means a statement made by a person’s
10 physician if all of the following apply:

11 1. The statement indicates that, in the physician’s professional opinion, the
12 person has or is undergoing a debilitating medical condition or treatment and the
13 potential benefits of the person’s use of usable marijuana would likely outweigh the
14 health risks for the person.

15 2. The statement indicates that the opinion described in subd. 1. was formed
16 after a full assessment of the person’s medical history and current medical condition
17 that was conducted no more than 6 months prior to making the statement and that
18 was made in the course of a bona fide physician–patient relationship.

19 3. The statement is signed by the physician or is contained in the person’s
20 medical records.

21 4. The statement contains an expiration date that is no more than 48 months
22 after issuance and the statement has not expired.

23 **(2) APPLICATION.** An adult who is claiming to be a qualifying patient may apply
24 for a registry identification card by submitting to the department a signed
25 application form containing or accompanied by all of the following:

- 1 (a) His or her name, address, and date of birth.
- 2 (b) A written certification.
- 3 (c) The name, address, and telephone number of the person's current physician,
4 as listed in the written certification.

5 **(3) PROCESSING THE APPLICATION.** The department shall verify the information
6 contained in or accompanying an application submitted under sub. (2) and shall
7 approve or deny the application within 30 days after receiving it. The department
8 may deny an application submitted under sub. (2) only if the required information
9 has not been provided or if false information has been provided.

10 **(4) ISSUING A REGISTRY IDENTIFICATION CARD AND TAX EXEMPTION CERTIFICATE.** The
11 department shall issue to the applicant a registry identification card and tax
12 exemption certificate within 5 days after approving an application under sub. (3).
13 Unless voided under sub. (5) (b) or revoked under rules issued by the department
14 under sub. (7), a registry identification card and tax exemption certificate shall
15 expire 4 years from the date of issuance. A tax exemption certificate shall contain
16 the information determined by the department. A registry identification card shall
17 contain all of the following:

- 18 (a) The name, address, and date of birth of the registrant.
- 19 (b) The date of issuance and expiration date of the registry identification card.
- 20 (c) A photograph of the registrant.
- 21 (d) Other information the department may require by rule.

22 **(5) ADDITIONAL INFORMATION TO BE PROVIDED BY REGISTRANT.** (a) A registrant
23 shall notify the department of any change in the registrant's name and address. A
24 registrant who is a qualifying patient shall notify the department of any change in

1 his or her physician or of any significant improvement in his or her health as it
2 relates to his or her debilitating medical condition or treatment.

3 (b) If a registrant fails to notify the department within 10 days after any change
4 for which notification is required under par. (a), his or her registry identification card
5 and tax exemption certificate is void.

6 **(6) RECORDS.** (a) The department shall maintain a list of all registrants.

7 (b) Notwithstanding s. 19.35 and except as provided in par. (c), the department
8 may not disclose information from an application submitted or a registry
9 identification card issued under this section.

10 (c) The department may disclose to state or local law enforcement agencies
11 information from an application submitted by, or from a registry identification card
12 issued to, a specific person under this section for the purpose of verifying that the
13 person possesses a valid registry identification card.

14 **(7) RULES.** The department shall promulgate rules to implement this section.

15 **SECTION 44.** 77.54 (71) of the statutes is created to read:

16 77.54 **(71)** The sales price from the sale of and the storage, use, or other
17 consumption of usable marijuana, as defined in s. 139.97 (13), purchased by an
18 individual who holds a valid certificate issued under s. 73.17 (4).

19 **SECTION 45.** 94.55 (2t) of the statutes is repealed.

20 **SECTION 46.** 94.56 of the statutes is created to read:

21 **94.56 Marijuana producers and processors.** **(1) DEFINITIONS.** In this
22 section:

23 (a) "Labor peace agreement" means an agreement between a person applying
24 for a permit under this section and a labor organization, as defined in s. 5.02 (8m),
25 that does all of the following:

1 1. Prohibits labor organizations and its members from engaging in picketing,
2 work stoppages, boycotts, and any other economic interference with persons doing
3 business in this state.

4 2. Prohibits the applicant from disrupting the efforts of the labor organization
5 to communicate with and to organize and represent the applicant's employees.

6 3. Provides the labor organization access at reasonable times to areas in which
7 the applicant's employees work for the purpose of meeting with employees to discuss
8 their right to representation, employment rights under state law, and terms and
9 conditions of employment.

10 (b) "Marijuana" has the meaning given in s. 961.70 (2).

11 (c) "Marijuana processor" has the meaning given in s. 139.97 (6).

12 (d) "Marijuana producer" has the meaning given in s. 139.97 (7).

13 (e) "Usable marijuana" has the meaning given in s. 139.97 (13).

14 (f) "Permittee" means a marijuana producer or marijuana processor who is
15 issued a permit under this section.

16 **(2) PERMIT REQUIRED.** (a) No person may operate in this state as a marijuana
17 producer or marijuana processor without a permit from the department. A person
18 who acts as a marijuana producer and a marijuana processor shall obtain a separate
19 permit for each activity. A permit issued under this section is not transferable from
20 one person to another or from one premises to another. A separate permit is required
21 for each place in this state where the operations of a marijuana producer or
22 marijuana processor occur. A person is not required to obtain a permit under this
23 section if the person produces or processes only industrial hemp and holds a valid
24 license under s. 94.55.

1 (b) This subsection applies to all officers, directors, agents, and stockholders
2 holding 5 percent or more of the stock of any corporation applying for a permit under
3 this section.

4 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
5 not be granted to any person to whom any of the following applies:

6 1. The person has been convicted of a violent misdemeanor, as defined in s.
7 941.29 (1g) (b), at least 3 times.

8 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
9 (a), unless pardoned.

10 3. During the preceding 3 years, the person has been committed under s. 51.20
11 for being drug dependent.

12 4. The person chronically and habitually uses alcohol beverages or other
13 substances to the extent that his or her normal faculties are impaired. A person is
14 presumed to chronically and habitually use alcohol beverages or other substances to
15 the extent that his or her normal faculties are impaired if, within the preceding 3
16 years, any of the following applies:

17 a. The person has been committed for involuntary treatment under s. 51.45
18 (13).

19 b. The person has been convicted of a violation of s. 941.20 (1) (b).

20 c. In 2 or more cases arising out of separate incidents, a court has found the
21 person to have committed a violation of s. 346.63 or a local ordinance in conformity
22 with that section; a violation of a law of a federally recognized American Indian tribe
23 or band in this state in conformity with s. 346.63; or a violation of the law of another
24 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
25 intoxicated, while under the influence of a controlled substance, a controlled

1 substance analog, or a combination thereof, with an excess or specified range of
2 alcohol concentration, or while under the influence of any drug to a degree that
3 renders the person incapable of safely driving, as those or substantially similar
4 terms are used in that jurisdiction's laws.

5 5. The person has income that comes principally from gambling or has been
6 convicted of 2 or more gambling offenses.

7 6. The person has been convicted of crimes relating to prostitution.

8 7. The person has been convicted of crimes relating to loaning money or
9 anything of value to persons holding licenses or permits pursuant to ch. 125.

10 8. The person is under the age of 21.

11 9. The person has not been a resident of this state continuously for at least 90
12 days prior to the application date.

13 (cm) An applicant with 20 or more employees may not receive a permit under
14 this section unless the applicant certifies to the department that the applicant has
15 entered into a labor peace agreement and will abide by the terms of the agreement
16 as a condition of maintaining a valid permit under this section. The applicant shall
17 submit to the department a copy of the page of the labor peace agreement that
18 contains the signatures of the labor organization representative and the applicant.

19 (cn) The department shall use a competitive scoring system to determine which
20 applicants are eligible to receive a permit under this section. The department shall
21 issue permits to the highest scoring applicants that it determines will best protect
22 the environment; provide stable, family-supporting jobs to local residents; ensure
23 worker and consumer safety; operate secure facilities; and uphold the laws of the
24 jurisdictions in which they operate. The department may deny a permit to an
25 applicant with a low score as determined under this paragraph. The department

1 may request that the applicant provide any information or documentation that the
2 department deems necessary for purposes of making a determination under this
3 paragraph.

4 (d) 1. Before the department issues a new or renewed permit under this section,
5 the department shall give notice of the permit application to the governing body of
6 the municipality where the permit applicant intends to operate the premises of a
7 marijuana producer or marijuana processor. No later than 30 days after the
8 department submits the notice, the governing body of the municipality may file with
9 the department a written objection to granting or renewing the permit. At the
10 municipality's request, the department may extend the period for filing objections.

11 2. A written objection filed under subd. 1. shall provide all the facts on which
12 the objection is based. In determining whether to grant or deny a permit for which
13 an objection has been filed under this paragraph, the department shall give
14 substantial weight to objections from a municipality based on chronic illegal activity
15 associated with the premises for which the applicant seeks a permit or the premises
16 of any other operation in this state for which the applicant holds or has held a valid
17 permit or license, the conduct of the applicant's patrons inside or outside the
18 premises of any other operation in this state for which the applicant holds or has held
19 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
20 illegal activity" means a pervasive pattern of activity that threatens the public
21 health, safety, and welfare of the municipality, including any crime or ordinance
22 violation, and that is documented in crime statistics, police reports, emergency
23 medical response data, calls for service, field data, or similar law enforcement agency
24 records.

1 (e) After denying a permit, the department shall immediately notify the
2 applicant in writing of the denial and the reasons for the denial. After making a
3 decision to grant or deny a permit for which a municipality has filed an objection
4 under par. (d), the department shall immediately notify the governing body of the
5 municipality in writing of its decision and the reasons for the decision.

6 (f) 1. The department's denial of a permit under this section is subject to judicial
7 review under ch. 227.

8 2. The department's decision to grant a permit under this section regardless of
9 an objection filed under par. (d) is subject to judicial review under ch. 227.

10 (g) The department shall not issue a permit under this section to any person
11 who does not hold a valid certificate under s. 73.03 (50).

12 **(3) FEES; TERM.** (a) Each person who applies for a permit under this section
13 shall submit with the application a \$250 fee. A permit issued under this section is
14 valid for one year and may be renewed, except that the department may revoke or
15 suspend a permit prior to its expiration. A person is not entitled to a refund of the
16 fees paid under this subsection if the person's permit is denied, revoked, or
17 suspended.

18 (b) A permittee shall annually pay to the department a fee for as long as the
19 person holds a valid permit under this section. The annual fee for a marijuana
20 processor permittee is \$2,000. The annual fee for a marijuana producer permittee
21 is one of the following, unless the department, by rule, establishes a higher amount:

22 1. If the permittee plants, grows, cultivates, or harvests not more than 1,800
23 marijuana plants, \$1,800.

24 2. If the permittee plants, grows, cultivates, or harvests more than 1,800 but
25 not more than 3,600 marijuana plants, \$2,900.

1 3. If the permittee plants, grows, cultivates, or harvests more than 3,600 but
2 not more than 6,000 marijuana plants, \$3,600.

3 4. If the permittee plants, grows, cultivates, or harvests more than 6,000 but
4 not more than 10,200 marijuana plants, \$5,100.

5 5. If the permittee plants, grows, cultivates, or harvests more than 10,200
6 marijuana plants, \$7,100 plus \$800 for every 3,600 marijuana plants over 10,200.

7 **(4) SCHOOLS.** The department may not issue a permit under this section to
8 operate any premises that are within 500 feet of the perimeter of the grounds of any
9 elementary or secondary school, playground, recreation facility, child care facility,
10 public park, public transit facility, or library.

11 **(5) EDUCATION AND AWARENESS CAMPAIGN.** The department shall develop and
12 make available training programs for marijuana producers on how to safely and
13 efficiently plant, grow, cultivate, harvest, and otherwise handle marijuana, and for
14 marijuana processors on how to safely and efficiently produce and handle marijuana
15 products and test marijuana for contaminants. The department shall conduct an
16 awareness campaign to inform potential marijuana producers and marijuana
17 processors of the availability and viability of marijuana as a crop or product in this
18 state.

19 **(6) RULES.** The department shall promulgate rules necessary to administer and
20 enforce this section, including rules relating to the inspection of the plants, facilities,
21 and products of permittees; training requirements for employees of permittees; and
22 the competitive scoring system for determining which applicants are eligible to
23 receive a permit under this section.

24 **(7) PENALTIES.** (a) Unless another penalty is prescribed for the violation, any
25 person who violates sub. (2), fails to pay the required fee under sub. (3), or violates

1 any of the requirements established by the rules promulgated under sub. (6) shall
2 be fined not less than \$100 nor more than \$500 or imprisoned not more than 6 months
3 or both.

4 (b) In addition to the penalties imposed under par. (a), the department shall
5 revoke the permit of any person convicted of any violation described under par. (a)
6 and not issue another permit to that person for a period of 2 years following the
7 revocation. The department may suspend or revoke the permit of any permittee who
8 violates s. 100.30, any provision of this section, or any rules promulgated under sub.
9 (6). The department shall revoke the permit of any permittee who violates s. 100.30
10 3 or more times within a 5-year period.

11 **SECTION 47.** 94.57 of the statutes is created to read:

12 **94.57 Testing laboratories.** The department shall register entities as
13 tetrahydrocannabinols testing laboratories. The laboratories may possess or
14 manufacture tetrahydrocannabinols or drug paraphernalia and shall perform the
15 following services:

16 (1) Test marijuana produced for the medical use of tetrahydrocannabinols for
17 potency and for mold, fungus, pesticides, and other contaminants.

18 (2) Collect information on research findings and conduct research related to
19 the medical use of tetrahydrocannabinols, including research that identifies
20 potentially unsafe levels of contaminants.

21 (3) Provide training on the following:

22 (a) The safe and efficient cultivation, harvesting, packaging, labeling, and
23 distribution of marijuana for the medical use of tetrahydrocannabinols.

24 (b) Security and inventory accountability procedures.

25 (c) The most recent research on the use of tetrahydrocannabinols.

1 **SECTION 48.** 100.145 of the statutes is created to read:

2 **100.145 Recreational marijuana logotype.** The department shall design
3 an official logotype appropriate for including on a label affixed to recreational
4 marijuana under s. 139.973 (10) (a).

5 **SECTION 49.** 108.02 (18r) of the statutes is created to read:

6 108.02 (18r) MARIJUANA. “Marijuana” has the meaning given in s. 111.32 (11m).

7 **SECTION 50.** 108.04 (5m) of the statutes is created to read:

8 108.04 (5m) DISCHARGE FOR USE OF MARIJUANA. (a) Notwithstanding sub. (5),
9 “misconduct,” for purposes of sub. (5), does not include the employee’s use of
10 marijuana off the employer’s premises during nonworking hours or a violation of the
11 employer’s policy concerning such use, unless termination of the employee because
12 of that use is permitted under s. 111.35.

13 (b) Notwithstanding sub. (5g), “substantial fault,” for purposes of sub. (5g), does
14 not include the employee’s use of marijuana off the employer’s premises during
15 nonworking hours or a violation of the employer’s policy concerning such use, unless
16 termination of the employee because of that use is permitted under s. 111.35.

17 **SECTION 51.** 111.32 (9m) of the statutes is created to read:

18 111.32 (9m) “Lawful product” includes marijuana.

19 **SECTION 52.** 111.32 (11m) of the statutes is created to read:

20 111.32 (11m) “Marijuana” means all parts of the plants of the genus Cannabis,
21 whether growing or not; the seeds thereof; the resin extracted from any part of the
22 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
23 of the plant, its seeds or resin, including tetrahydrocannabinols.

24 **SECTION 53.** 111.35 (2) (e) of the statutes is amended to read:

1 111.35 (2) (e) Conflicts with any federal or state statute, rule or regulation.
2 This paragraph does not apply with respect to violations concerning marijuana or
3 tetrahydrocannabinols under 21 USC 841 to 865.

4 **SECTION 54.** 114.09 (2) (bm) 1. (intro.) of the statutes is amended to read:

5 114.09 (2) (bm) 1. (intro.) Except as provided in subd. 1. a. or b., the court shall
6 order the person violating sub. (1) (b) 1. or 1m. to submit to and comply with an
7 assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for
8 examination of the person's use of alcohol, tetrahydrocannabinols, controlled
9 substances, or controlled substance analogs and development of an airman safety
10 plan for the person. The court shall notify the person, the department, and the proper
11 federal agency of the assessment order. The assessment order shall:

12 **SECTION 55.** 114.09 (2) (bm) 4. of the statutes is amended to read:

13 114.09 (2) (bm) 4. The assessment report shall order compliance with an
14 airman safety plan. The report shall inform the person of the fee provisions under
15 s. 46.03 (18) (f). The safety plan may include a component that makes the person
16 aware of the effect of his or her offense on a victim and a victim's family. The safety
17 plan may include treatment for the person's misuse, abuse, or dependence on alcohol,
18 tetrahydrocannabinols, controlled substances, or controlled substance analogs. If
19 the plan requires inpatient treatment, the treatment shall not exceed 30 days. An
20 airman safety plan under this paragraph shall include a termination date consistent
21 with the plan that shall not extend beyond one year. The county department under
22 s. 51.42 shall assure notification of the department of transportation and the person
23 of the person's compliance or noncompliance with assessment and treatment.

24 **SECTION 56.** 115.35 (1) of the statutes is renumbered 115.35 (1) (a) (intro.) and
25 amended to read:

1 **139.97 Definitions.** In this subchapter:

2 **(1)** “Department” means the department of revenue.

3 **(2)** “Lot” means a definite quantity of marijuana or usable marijuana identified
4 by a lot number, every portion or package of which is consistent with the factors that
5 appear in the labeling.

6 **(3)** “Lot number” means a number that specifies the person who holds a valid
7 permit under this subchapter and the harvesting or processing date for each lot.

8 **(4)** “Marijuana” has the meaning given in s. 961.70 (2).

9 **(5)** “Marijuana distributor” means a person in this state who purchases or
10 receives usable marijuana from a marijuana processor and who sells or otherwise
11 transfers the usable marijuana to a marijuana retailer for the purpose of resale to
12 consumers.

13 **(6)** “Marijuana processor” means a person in this state who processes
14 marijuana into usable marijuana, packages and labels usable marijuana for sale in
15 retail outlets, and sells at wholesale or otherwise transfers usable marijuana to
16 marijuana distributors.

17 **(7)** “Marijuana producer” means a person in this state who produces marijuana
18 and sells it at wholesale or otherwise transfers it to marijuana processors.

19 **(8)** “Marijuana retailer” means a person in this state that sells usable
20 marijuana at a retail outlet.

21 **(9)** “Microbusiness” means a marijuana producer that produces marijuana in
22 one area that is less than 10,000 square feet and who also operates as any 2 of the
23 following:

24 (a) A marijuana processor.

25 (b) A marijuana distributor.

1 (c) A marijuana retailer.

2 (10) "Permittee" means a marijuana producer, marijuana processor, marijuana
3 distributor, marijuana retailer, or microbusiness that is issued a permit under s.
4 139.972.

5 (11) "Retail outlet" means a location for the retail sale of usable marijuana.

6 (12) "Sales price" has the meaning given in s. 77.51 (15b).

7 (13) "Usable marijuana" means marijuana that has been processed for human
8 consumption and includes dried marijuana flowers, marijuana-infused products,
9 and marijuana edibles.

10 **139.971 Marijuana tax.** (1) (a) An excise tax is imposed on a marijuana
11 producer at the rate of 15 percent of the sales price on each wholesale sale or transfer
12 in this state of marijuana to a marijuana processor. This paragraph applies to a
13 microbusiness that transfers marijuana to a processing operation within the
14 microbusiness.

15 (b) An excise tax is imposed on a marijuana retailer at the rate of 10 percent
16 of the sales price on each retail sale in this state of usable marijuana, except that the
17 tax does not apply to sales of usable marijuana to an individual who holds a valid tax
18 exemption certificate issued under s. 73.17 (4).

19 (2) Each person liable for the taxes imposed under sub. (1) shall pay the taxes
20 to the department no later than the 15th day of the month following the month in
21 which the person's tax liability is incurred and shall include with the payment a
22 return on a form prescribed by the department.

23 (3) For purposes of this section, a marijuana producer may not sell marijuana
24 directly to a marijuana distributor or marijuana retailer, and a marijuana retailer
25 may purchase usable marijuana for resale only from a marijuana distributor. This

1 subsection does not apply to a microbusiness that transfers marijuana or usable
2 marijuana to another operation with the microbusiness.

3 **139.972 Permits required. (1)** (a) No person may operate in this state as a
4 marijuana producer, marijuana processor, marijuana distributor, marijuana
5 retailer, or microbusiness without first filing an application for and obtaining the
6 proper permit from the department to perform such operations. In addition, no
7 person may operate in this state as a marijuana producer or marijuana processor
8 without first filing an application for and obtaining the proper permit under s. 94.56.

9 (b) This section applies to all officers, directors, agents, and stockholders
10 holding 5 percent or more of the stock of any corporation applying for a permit under
11 this section.

12 (c) Subject to ss. 111.321, 111.322, and 111.335, a permit under this section may
13 not be granted to any person to whom any of the following applies:

14 1. The person has been convicted of a violent misdemeanor, as defined in s.
15 941.29 (1g) (b), at least 3 times.

16 2. The person has been convicted of a violent felony, as defined in s. 941.29 (1g)
17 (a), unless pardoned.

18 3. During the preceding 3 years, the person has been committed under s. 51.20
19 for being drug dependent.

20 4. The person chronically and habitually uses alcohol beverages or other
21 substances to the extent that his or her normal faculties are impaired. A person is
22 presumed to chronically and habitually use alcohol beverages or other substances to
23 the extent that his or her normal faculties are impaired if, within the preceding 3
24 years, any of the following applies:

1 a. The person has been committed for involuntary treatment under s. 51.45
2 (13).

3 b. The person has been convicted of a violation of s. 941.20 (1) (b).

4 c. In 2 or more cases arising out of separate incidents, a court has found the
5 person to have committed a violation of s. 346.63 or a local ordinance in conformity
6 with that section; a violation of a law of a federally recognized American Indian tribe
7 or band in this state in conformity with s. 346.63; or a violation of the law of another
8 jurisdiction, as defined in s. 340.01 (41m), that prohibits use of a motor vehicle while
9 intoxicated, while under the influence of a controlled substance, a controlled
10 substance analog, or a combination thereof, with an excess or specified range of
11 alcohol concentration, or while under the influence of any drug to a degree that
12 renders the person incapable of safely driving, as those or substantially similar
13 terms are used in that jurisdiction's laws.

14 5. The person has income that comes principally from gambling or has been
15 convicted of 2 or more gambling offenses.

16 6. The person has been convicted of crimes relating to prostitution.

17 7. The person has been convicted of of crimes relating to loaning money or
18 anything of value to persons holding licenses or permits pursuant to ch. 125.

19 8. The person is under the age of 21.

20 9. The person has not been a resident of this state continuously for at least 90
21 days prior to the application date.

22 (cm) An applicant with 20 or more employees may not receive a permit under
23 this section to operate as a marijuana distributor or marijuana retailer unless the
24 applicant certifies to the department that the applicant has entered into a labor
25 peace agreement, as defined in s. 94.56 (1) (a), and will abide by the terms of the

1 agreement as a condition of maintaining a valid permit under this section. The
2 applicant shall submit to the department a copy of the page of the labor peace
3 agreement that contains the signatures of the labor organization representative and
4 the applicant.

5 (cn) The department shall use a competitive scoring system to determine which
6 applicants are eligible to receive a permit under this section. The department shall
7 issue permits to the highest scoring applicants that it determines will best protect
8 the environment; provide stable, family-supporting jobs to local residents; ensure
9 worker and consumer safety; operate secure facilities; and uphold the laws of the
10 jurisdictions in which they operate. The department shall, using criteria established
11 by rule, score an applicant for a permit to operate as a marijuana retailer on the
12 applicant's ability to articulate a social equity plan related to the operation of a
13 marijuana retail establishment. The department may deny a permit to an applicant
14 with a low score as determined under this paragraph. The department may request
15 that the applicant provide any information or documentation that the department
16 deems necessary for purposes of making a determination under this paragraph.

17 (d) 1. Before the department issues a new or renewed permit under this section,
18 the department shall give notice of the permit application to the governing body of
19 the municipality where the permit applicant intends to operate the premises of a
20 marijuana producer, marijuana processor, marijuana distributor, marijuana
21 retailer, or microbusiness. No later than 30 days after the department submits the
22 notice, the governing body of the municipality may file with the department a written
23 objection to granting or renewing the permit. At the municipality's request, the
24 department may extend the period for filing objections.

1 2. A written objection filed under subd. 1. shall provide all the facts on which
2 the objection is based. In determining whether to grant or deny a permit for which
3 an objection has been filed under this paragraph, the department shall give
4 substantial weight to objections from a municipality based on chronic illegal activity
5 associated with the premises for which the applicant seeks a permit or the premises
6 of any other operation in this state for which the applicant holds or has held a valid
7 permit or license, the conduct of the applicant's patrons inside or outside the
8 premises of any other operation in this state for which the applicant holds or has held
9 a valid permit or license, and local zoning ordinances. In this subdivision, "chronic
10 illegal activity" means a pervasive pattern of activity that threatens the public
11 health, safety, and welfare of the municipality, including any crime or ordinance
12 violation, and that is documented in crime statistics, police reports, emergency
13 medical response data, calls for service, field data, or similar law enforcement agency
14 records.

15 (e) After denying a permit, the department shall immediately notify the
16 applicant in writing of the denial and the reasons for the denial. After making a
17 decision to grant or deny a permit for which a municipality has filed an objection
18 under par. (d), the department shall immediately notify the governing body of the
19 municipality in writing of its decision and the reasons for the decision.

20 (f) 1. The department's denial of a permit under this section is subject to judicial
21 review under ch. 227.

22 2. The department's decision to grant a permit under this section regardless of
23 an objection filed under par. (d) is subject to judicial review under ch. 227.

24 (g) The department shall not issue a permit under this section to any person
25 who does not hold a valid certificate under s. 73.03 (50).

1 **(2)** Each person who applies for a permit under this section shall submit with
2 the application a \$250 fee. Each person who is granted a permit under this section
3 shall annually pay to the department a \$2,000 fee for as long as the person holds a
4 valid permit under this section. A permit issued under this section is valid for one
5 year and may be renewed, except that the department may revoke or suspend a
6 permit prior to its expiration. A person is not entitled to a refund of the fees paid
7 under this subsection if the person's permit is denied, revoked, or suspended.

8 **(3)** The department may not issue a permit under this section to operate any
9 premises which are within 500 feet of the perimeter of the grounds of any elementary
10 or secondary school, playground, recreation facility, child care facility, public park,
11 public transit facility, or library.

12 **(4)** Under this section, a separate permit is required for and issued to each class
13 of permittee, and the permit holder may perform only the operations authorized by
14 the permit. A permit issued under this section is not transferable from one person
15 to another or from one premises to another. A separate permit is required for each
16 place in this state where the operations of a marijuana producer, marijuana
17 processor, marijuana distributor, marijuana retailer, or microbusiness occur,
18 including each retail outlet. No person who has been issued a permit to operate as
19 a marijuana retailer, or who has any direct or indirect financial interest in the
20 operation of a marijuana retailer, shall be issued a permit to operate as a marijuana
21 producer, marijuana processor, or marijuana distributor. A person who has been
22 issued a permit to operate as a microbusiness is not required to hold separate permits
23 to operate as a marijuana processor, marijuana distributor, or marijuana retailer,
24 but shall specify on the person's application for a microbusiness permit the activities
25 that the person will be engaged in as a microbusiness.

1 (5) Each person issued a permit under this section shall post the permit in a
2 conspicuous place on the premises to which the permit relates.

3 **139.973 Regulation.** (1) (a) No permittee may employ an individual who is
4 under the age of 21 to work in the business to which the permit relates.

5 (b) Subject to ss. 111.321, 111.322, and 111.335, no permittee may employ an
6 individual if any of the conditions under s. 139.972 (1) (c) 1. to 7. applies to the
7 individual.

8 (2) A retail outlet shall sell no products or services other than usable marijuana
9 or paraphernalia intended for the storage or use of usable marijuana.

10 (3) No marijuana retailer may allow a person who is under the age of 21 to enter
11 or be on the premises of a retail outlet in violation of s. 961.71 (2m), unless that person
12 is a qualifying patient, as defined in s. 73.17 (1) (d).

13 (4) The maximum amount of usable marijuana that a retail outlet may sell to
14 an individual consumer in a single transaction may not exceed a permissible amount,
15 as defined in s. 961.70 (3).

16 (4m) A marijuana retailer may not collect, retain, or distribute personal
17 information regarding the retailer's customers except that which is necessary to
18 complete a sale of usable marijuana.

19 (5) No marijuana retailer may display any signage in a window, on a door, or
20 on the outside of the premises of a retail outlet that is visible to the general public
21 from a public right-of-way, other than a single sign that is no larger than 1,600
22 square inches identifying the retail outlet by the permittee's business or trade name.

23 (6) No marijuana retailer may display usable marijuana in a manner that is
24 visible to the general public from a public right-of-way.

1 **(7)** No marijuana retailer or employee of a retail outlet may consume, or allow
2 to be consumed, any usable marijuana on the premises of the retail outlet.

3 **(7m)** A marijuana retailer may operate a retail outlet only between the hours
4 of 8 a.m. and 8 p.m.

5 **(8)** Except as provided under sub. (5), no marijuana producer, marijuana
6 processor, marijuana distributor, marijuana retailer, or microbusiness may place or
7 maintain, or cause to be placed or maintained, an advertisement of usable marijuana
8 in any form or through any medium.

9 **(9)** (a) On a schedule determined by the department, every marijuana
10 producer, marijuana processor, or microbusiness shall submit representative
11 samples of the marijuana and usable marijuana produced or processed by the
12 marijuana producer, marijuana processor, or microbusiness to a testing laboratory
13 registered under s. 94.57 for testing marijuana and usable marijuana in order to
14 certify that the marijuana and usable marijuana comply with standards prescribed
15 by the department by rule, including testing for potency and for mold, fungus,
16 pesticides, and other contaminants. The laboratory testing the sample shall destroy
17 any part of the sample that remains after the testing.

18 (b) Marijuana producers, marijuana processors, and microbusinesses shall
19 submit the results of the testing provided under par. (a) to the department in the
20 manner prescribed by the department by rule.

21 (c) If a representative sample tested under par. (a) does not meet the standards
22 prescribed by the department, the department shall take the necessary action to
23 ensure that the entire lot from which the sample was taken is destroyed. The
24 department shall promulgate rules to determine lots and lot numbers for purposes
25 of this subsection and for the reporting of lots and lot numbers to the department.

1 **(10)** (a) A marijuana processor or a microbusiness that operates as a marijuana
2 processor shall affix a label to all usable marijuana that the marijuana processor or
3 microbusiness sells to marijuana distributors. The label may not be designed to
4 appeal to persons under the age of 18. The label shall include all of the following:

5 1. The ingredients and the tetrahydrocannabinols concentration in the usable
6 marijuana.

7 2. The producer's business or trade name.

8 3. The producer's permit number.

9 4. The harvest batch number of the marijuana.

10 5. The harvest date.

11 6. The strain name and product identity.

12 7. The net weight.

13 8. The activation time.

14 9. The name of laboratory performing any test, the test batch number, and the
15 test analysis dates.

16 10. The logotype for recreational marijuana developed by the department of
17 agriculture, trade and consumer protection under s. 100.145.

18 11. Warnings about the risks of marijuana use and pregnancy and risks of
19 marijuana use by persons under the age of 18.

20 (b) No marijuana processor or microbusiness that operates as a marijuana
21 processor may make usable marijuana using marijuana grown outside this state.
22 The label on each package of usable marijuana may indicate that the usable
23 marijuana is made in this state.

24 **(11)** (a) No permittee may sell marijuana or usable marijuana that contains
25 more than 3 parts tetrahydrocannabinols to one part cannabidiol.

1 (b) No permittee may sell marijuana or usable marijuana that tests positive
2 under sub. (9) (a) for mold, fungus, pesticides, or other contaminants if the
3 contaminants, or level of contaminants, are identified by a testing laboratory to be
4 potentially unsafe to the consumer.

5 (12) Immediately after beginning employment with a permittee, every
6 employee of a permittee shall receive training, approved by the department, on the
7 safe handling of marijuana and usable marijuana and on security and inventory
8 accountability procedures.

9 (13) The department shall deposit all moneys received under this subchapter
10 into the community reinvestment fund.

11 **139.974 Records and reports.** (1) Every permittee shall keep accurate and
12 complete records of the production and sales of marijuana and usable marijuana in
13 this state. The records shall be kept on the premises described in the permit and in
14 such manner as to ensure permanency and accessibility for inspection at reasonable
15 hours by the department's authorized personnel. The department shall prescribe
16 reasonable and uniform methods of keeping records and making reports and shall
17 provide the necessary forms to permittees.

18 (2) If the department determines that any permittee's records are not kept in
19 the prescribed form or are in such condition that the department requires an unusual
20 amount of time to determine from the records the amount of the tax due, the
21 department shall give notice to the permittee that the permittee is required to revise
22 the permittee's records and keep them in the prescribed form. If the permittee fails
23 to comply within 30 days, the permittee shall pay the expenses reasonably
24 attributable to a proper examination and tax determination at the rate of \$30 a day
25 for each auditor used to make the examination and determination. The department

1 shall send a bill for such expenses, and the permittee shall pay the amount of such
2 bill within 10 days.

3 (3) If any permittee fails to file a report when due, the permittee shall be
4 required to pay a late filing fee of \$10. A report that is mailed is filed on time if it is
5 mailed in a properly addressed envelope with postage prepaid, the envelope is
6 officially postmarked, or marked or recorded electronically as provided under section
7 7502 (f) (2) (c) of the Internal Revenue Code, on the date due, and the report is
8 actually received by the department or at the destination that the department
9 prescribes within 5 days of the due date. A report that is not mailed is timely if it
10 is received on or before the due date by the department or at the destination that the
11 department prescribes. For purposes of this subsection, "mailed" includes delivery
12 by a delivery service designated under section 7502 (f) of the Internal Revenue Code.

13 (4) Sections 71.78 (1), (1m), and (4) to (9) and 71.83 (2) (a) 3. and 3m., relating
14 to confidentiality of income, franchise, and gift tax returns, apply to any information
15 obtained from any permittee under this subchapter on a tax return, report, schedule,
16 exhibit, or other document or from an audit report relating to any of those documents,
17 except that the department shall publish production and sales statistics.

18 **139.975 Administration and enforcement.** (1) The department shall
19 administer and enforce this subchapter and promulgate rules necessary to
20 administer and enforce this subchapter.

21 (2) The duly authorized employees of the department have all necessary police
22 powers to prevent violations of this subchapter.

23 (3) Authorized personnel of the department of justice and the department of
24 revenue, and any law enforcement officer, within their respective jurisdictions, may
25 at all reasonable hours enter the premises of any permittee and examine the books

1 and records to determine whether the tax imposed by this subchapter has been fully
2 paid and may enter and inspect any premises where marijuana or usable marijuana
3 is produced, processed, made, sold, or stored to determine whether the permittee is
4 complying with this subchapter.

5 (4) The department may suspend or revoke the permit of any permittee who
6 violates s. 100.30, any provision of this subchapter, or any rules promulgated under
7 sub. (1). The department shall revoke the permit of any permittee who violates s.
8 100.30 3 or more times within a 5-year period.

9 (5) No suit shall be maintained in any court to restrain or delay the collection
10 or payment of the tax levied in s. 139.971. The aggrieved taxpayer shall pay the tax
11 when due and, if paid under protest, may at any time within 90 days from the date
12 of payment sue the state to recover the tax paid. If it is finally determined that any
13 part of the tax was wrongfully collected, the secretary of administration shall pay the
14 amount wrongfully collected. A separate suit need not be filed for each separate
15 payment made by any taxpayer, but a recovery may be had in one suit for as many
16 payments as may have been made.

17 (6) (a) Any person may be compelled to testify in regard to any violation of this
18 subchapter of which the person may have knowledge, even though such testimony
19 may tend to incriminate the person, upon being granted immunity from prosecution
20 in connection with the testimony, and upon the giving of such testimony, the person
21 shall not be prosecuted because of the violation relative to which the person has
22 testified.

23 (b) The immunity provided under par. (a) is subject to the restrictions under
24 s. 972.085.

1 (7) The provisions on timely filing under s. 71.80 (18) apply to the tax imposed
2 under this subchapter.

3 (8) Sections 71.74 (1), (2), (10), (11), and (14), 71.77, 71.91 (1) (a) and (c) and
4 (2) to (7), 71.92, and 73.0301 as they apply to the taxes under ch. 71 apply to the taxes
5 under this subchapter. Section 71.74 (13) as it applies to the collection of the taxes
6 under ch. 71 applies to the collection of the taxes under this subchapter, except that
7 the period during which notice of an additional assessment shall be given begins on
8 the due date of the report under this subchapter.

9 (9) Any building or place of any kind where marijuana or usable marijuana is
10 sold, possessed, stored, or manufactured without a lawful permit or in violation of
11 s. 139.972 or 139.973 is declared a public nuisance and may be closed and abated as
12 such.

13 (10) At the request of the secretary of revenue, the attorney general may
14 represent this state or assist a district attorney in prosecuting any case arising under
15 this subchapter.

16 **139.976 Theft of tax moneys.** All marijuana tax moneys received by a
17 permittee for the sale of marijuana or usable marijuana on which the tax under this
18 subchapter has become due and has not been paid are trust funds in the permittee's
19 possession and are the property of this state. Any permittee who fraudulently
20 withholds, appropriates, or otherwise uses marijuana tax moneys that are the
21 property of this state is guilty of theft under s. 943.20 (1), whether or not the
22 permittee has or claims to have an interest in those moneys.

23 **139.977 Seizure and confiscation.** (1) All marijuana and usable marijuana
24 produced, processed, made, kept, stored, sold, distributed, or transported in violation
25 of this subchapter, and all tangible personal property used in connection with the

1 marijuana or usable marijuana, is unlawful property and subject to seizure by the
2 department or a law enforcement officer. Except as provided in sub. (2), all
3 marijuana and usable marijuana seized under this subsection shall be destroyed.

4 (2) If marijuana or usable marijuana on which the tax has not been paid is
5 seized as provided under sub. (1), it may be given to law enforcement officers to use
6 in criminal investigations or sold to qualified buyers by the department, without
7 notice. If the department finds that the marijuana or usable marijuana may
8 deteriorate or become unfit for use in criminal investigations or for sale, or that those
9 uses would otherwise be impractical, the department may order it destroyed.

10 (3) If marijuana or usable marijuana on which the tax has been paid is seized
11 as provided under sub. (1), it shall be returned to the true owner if ownership can be
12 ascertained and the owner or the owner's agent is not involved in the violation
13 resulting in the seizure. If the ownership cannot be ascertained or if the owner or
14 the owner's agent was guilty of the violation that resulted in the seizure of the
15 marijuana or usable marijuana, it may be sold or otherwise disposed of as provided
16 in sub. (2).

17 (4) If tangible personal property other than marijuana or usable marijuana is
18 seized as provided under sub. (1), the department shall advertise the tangible
19 personal property for sale by publication of a class 2 notice under ch. 985. If no person
20 claiming a lien on, or ownership of, the property has notified the department of the
21 person's claim within 10 days after last insertion of the notice, the department shall
22 sell the property. If a sale is not practical the department may destroy the property.
23 If a person claiming a lien on, or ownership of, the property notifies the department
24 within the time prescribed in this subsection, the department may apply to the
25 circuit court in the county where the property was seized for an order directing

1 disposition of the property or the proceeds from the sale of the property. If the court
2 orders the property to be sold, all liens, if any, may be transferred from the property
3 to the sale proceeds. Neither the property seized nor the proceeds from the sale shall
4 be turned over to any claimant of lien or ownership unless the claimant first
5 establishes that the property was not used in connection with any violation under
6 this subchapter or that, if so used, it was done without the claimant's knowledge or
7 consent and without the claimant's knowledge of facts that should have given the
8 claimant reason to believe it would be put to such use. If no claim of lien or ownership
9 is established as provided under this subsection the property may be ordered
10 destroyed.

11 **139.978 Interest and penalties.** (1) Any person who makes or signs any
12 false or fraudulent report under this subchapter or who attempts to evade the tax
13 imposed by s. 139.971, or who aids in or abets the evasion or attempted evasion of
14 that tax, may be fined not more than \$10,000 or imprisoned for not more than 9
15 months or both.

16 (2) Any permittee who fails to keep the records required by s. 139.974 (1) and
17 (2) shall be fined not less than \$100 nor more than \$500 or imprisoned not more than
18 6 months or both.

19 (3) Any person who refuses to permit the examination or inspection authorized
20 under s. 139.975 (3) may be fined not more than \$500 or imprisoned not more than
21 6 months or both. The department shall immediately suspend or revoke the permit
22 of any person who refuses to permit the examination or inspection authorized under
23 s. 139.975 (3).

1 **(4)** Any person who violates any of the provisions of this subchapter for which
2 no other penalty is prescribed shall be fined not less than \$100 nor more than \$1,000
3 or imprisoned not less than 10 days nor more than 90 days or both.

4 **(5)** Any person who violates any of the rules promulgated in accordance with
5 this subchapter shall be fined not less than \$100 nor more than \$500 or imprisoned
6 not more than 6 months or both.

7 **(6)** In addition to the penalties imposed for violating the provisions of this
8 subchapter or any of the department's rules, the department shall revoke the permit
9 of any person convicted of such a violation and not issue another permit to that
10 person for a period of 2 years following the revocation.

11 **(7)** Unpaid taxes bear interest at the rate of 12 percent per year from the due
12 date of the return until paid or deposited with the department, and all refunded taxes
13 bear interest at the rate of 3 percent per year from the due date of the return to the
14 date on which the refund is certified on the refund rolls.

15 **(8)** All nondelinquent payments of additional amounts owed shall be applied
16 in the following order: penalties, interest, tax principal.

17 **(9)** Delinquent marijuana taxes bear interest at the rate of 1.5 percent per
18 month until paid. The taxes imposed by this subchapter shall become delinquent if
19 not paid:

20 (a) In the case of a timely filed return, no return filed or a late return, on or
21 before the due date of the return.

22 (b) In the case of a deficiency determination of taxes, within 2 months after the
23 date of demand.

24 **(10)** If due to neglect an incorrect return is filed, the entire tax finally
25 determined is subject to a penalty of 25 percent of the tax exclusive of interest or

1 other penalty. A person filing an incorrect return has the burden of proving that the
2 error or errors were due to good cause and not due to neglect.

3 **139.979 Personal use.** An individual who possesses no more than 6
4 marijuana plants that have reached the flowering stage at any one time is not subject
5 to the tax imposed under s. 139.971. An individual who possesses more than 6
6 marijuana plants that have reached the flowering stage at any one time shall apply
7 for the appropriate permit under s. 139.972 and pay the appropriate tax imposed
8 under s. 139.971.

9 **139.980 Agreement with tribes.** The department may enter into an
10 agreement with a federally recognized American Indian tribe in this state for the
11 administration and enforcement of this subchapter and to provide refunds of the tax
12 imposed under s. 139.971 on marijuana sold on tribal land by or to enrolled members
13 of the tribe residing on the tribal land.

14 **SECTION 58.** 157.06 (11) (hm) of the statutes is created to read:

15 157.06 (11) (hm) Unless otherwise required by federal law, a hospital,
16 physician, procurement organization, or other person may not determine the
17 ultimate recipient of an anatomical gift based solely upon a positive test for the use
18 of marijuana by a potential recipient.

19 **SECTION 59.** 157.06 (11) (i) of the statutes is amended to read:

20 157.06 (11) (i) Except as provided under ~~par.~~ pars. (a) 2. and (hm), nothing in
21 this section affects the allocation of organs for transplantation or therapy.

22 **SECTION 60.** 250.22 of the statutes is created to read:

23 **250.22 Payments to counties.** The department shall promulgate rules to
24 establish grants to counties to support mental health and substance use disorder

1 services. The department shall fund all grants established under this section from
2 the appropriation under s. 20.435 (5) (q).

3 **SECTION 61.** 289.33 (3) (d) of the statutes is amended to read:

4 289.33 (3) (d) "Local approval" includes any requirement for a permit, license,
5 authorization, approval, variance or exception or any restriction, condition of
6 approval or other restriction, regulation, requirement or prohibition imposed by a
7 charter ordinance, general ordinance, zoning ordinance, resolution or regulation by
8 a town, city, village, county or special purpose district, including without limitation
9 because of enumeration any ordinance, resolution or regulation adopted under s.
10 91.73, 2007 stats., s. 59.03 (2), 59.11 (5), 59.42 (1), 59.48, 59.51 (1) and (2), 59.52 (2),
11 (5), (6), (7), (8), (9), (11), (12), (13), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24),
12 (25), (26) and (27), 59.53 (1), (2), (3), (4), (5), (7), (8), (9), (11), (12), (13), (14), (15), (19),
13 (20) and (23), 59.535 (2), (3) and (4), 59.54 (1), (2), (3), (4), (4m), (5), (6), (7), (8), (10),
14 (11), (12), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25) (a), and (26), 59.55 (3),
15 (4), (5) and (6), 59.56 (1), (2), (4), (5), (6), (7), (9), (10), (11), (12), (12m), (13) and (16),
16 59.57 (1), 59.58 (1) and (5), 59.62, 59.69, 59.692, 59.693, 59.696, 59.697, 59.698, 59.70
17 (1), (2), (3), (5), (7), (8), (9), (10), (11), (21), (22) and (23), 59.79 (1), (2), (3), (5), (7), (8),
18 and (10), 59.792 (2) and (3), 59.80, 59.82, 60.10, 60.22, 60.23, 60.54, 60.77, 61.34,
19 61.35, 61.351, 61.353, 61.354, 62.11, 62.23, 62.231, 62.233, 62.234, 66.0101, 66.0415,
20 87.30, 196.58, 200.11 (8), 236.45, 281.43 or 349.16, subch. VIII of ch. 60, or subch. III
21 of ch. 91.

22 **SECTION 62.** 349.02 (2) (b) 4. of the statutes is amended to read:

23 349.02 (2) (b) 4. Local ordinances enacted under s. 59.54 (25) (a) or (25m) or
24 66.0107 (1) (bm).

1 **SECTION 63.** 961.01 (14) of the statutes is renumbered 961.70 (2) and amended
2 to read:

3 961.70 (2) “Marijuana” means all parts of the plants of the genus Cannabis,
4 whether growing or not; the seeds thereof; the resin extracted from any part of the
5 plant; and every compound, manufacture, salt, derivative, mixture, or preparation
6 of the plant, its seeds or resin, including if the tetrahydrocannabinols concentration
7 of the plant part, seeds, resin, compound, manufacture, salt, derivative, mixture, or
8 preparation is greater than 0.3 percent on a dry weight basis. “Marijuana” does
9 include the mature stalks if mixed with other parts of the plant, but does not include
10 fiber produced from the stalks, oil or cake made from the seeds of the plant, any other
11 compound, manufacture, salt, derivative, mixture, or preparation of the mature
12 stalks (except the resin extracted therefrom), fiber, oil, or cake or the sterilized seed
13 of the plant which is incapable of germination. “Marijuana” does not include hemp,
14 as defined in s. 94.55 (1).

15 **SECTION 64.** 961.11 (4g) of the statutes is repealed.

16 **SECTION 65.** 961.14 (4) (t) of the statutes is repealed.

17 **SECTION 66.** 961.32 (2m) of the statutes is repealed.

18 **SECTION 67.** 961.34 of the statutes is renumbered 961.75, and 961.75 (title), as
19 renumbered, is amended to read:

20 **961.75 (title) ~~Controlled substances~~ Marijuana therapeutic research.**

21 **SECTION 68.** 961.38 (1n) of the statutes is repealed.

22 **SECTION 69.** 961.41 (1) (h) of the statutes is repealed.

23 **SECTION 70.** 961.41 (1m) (h) of the statutes is repealed.

24 **SECTION 71.** 961.41 (1q) of the statutes is repealed.

25 **SECTION 72.** 961.41 (1r) of the statutes is amended to read:

1 **961.41 (1r) DETERMINING WEIGHT OF SUBSTANCE.** In determining amounts under
2 s. 961.49 (2) (b), 1999 stats., and subs. (1) and (1m), an amount includes the weight
3 of cocaine, cocaine base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic
4 acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine,
5 tetrahydrocannabinols, synthetic cannabinoids, or substituted cathinones, or any
6 controlled substance analog of any of these substances together with any compound,
7 mixture, diluent, plant material or other substance mixed or combined with the
8 controlled substance or controlled substance analog. ~~In addition, in determining~~
9 ~~amounts under subs. (1) (h) and (1m) (h), the amount of tetrahydrocannabinols~~
10 ~~means anything included under s. 961.14 (4) (t) and includes the weight of any~~
11 ~~marijuana.~~

12 **SECTION 73.** 961.41 (1x) of the statutes is amended to read:

13 **961.41 (1x) CONSPIRACY.** Any person who conspires, as specified in s. 939.31,
14 to commit a crime under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g) is subject to the
15 applicable penalties under sub. (1) (cm) to ~~(h)~~ (g) or (1m) (cm) to ~~(h)~~ (g).

16 **SECTION 74.** 961.41 (3g) (c) of the statutes is amended to read:

17 **961.41 (3g) (c) Cocaine and cocaine base.** If a person possesses or attempts to
18 possess cocaine or cocaine base, or a controlled substance analog of cocaine or cocaine
19 base, the person shall be fined not more than \$5,000 and may be imprisoned for not
20 more than one year in the county jail upon a first conviction and is guilty of a Class
21 I felony for a 2nd or subsequent offense. For purposes of this paragraph, an offense
22 is considered a 2nd or subsequent offense if, prior to the offender's conviction of the
23 offense, the offender has at any time been convicted of any felony or misdemeanor
24 under this chapter or under any statute of the United States or of any state relating

1 to controlled substances, controlled substance analogs, narcotic drugs, ~~marijuana~~,
2 or depressant, stimulant, or hallucinogenic drugs.

3 **SECTION 75.** 961.41 (3g) (d) of the statutes is amended to read:

4 961.41 (3g) (d) *Certain hallucinogenic and stimulant drugs.* If a person
5 possesses or attempts to possess lysergic acid diethylamide, phencyclidine,
6 amphetamine, 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
7 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
8 (u) to (xb), or (7) (L), psilocin, or psilocybin, or a controlled substance analog of
9 lysergic acid diethylamide, phencyclidine, amphetamine,
10 3,4-methylenedioxymethamphetamine, methcathinone, cathinone,
11 N-benzylpiperazine, a substance specified in s. 961.14 (4) (a) to (h), (m) to (q), (sm),
12 (u) to (xb), or (7) (L), psilocin, or psilocybin, the person may be fined not more than
13 \$5,000 or imprisoned for not more than one year in the county jail or both upon a first
14 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
15 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
16 prior to the offender's conviction of the offense, the offender has at any time been
17 convicted of any felony or misdemeanor under this chapter or under any statute of
18 the United States or of any state relating to controlled substances, controlled
19 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
20 hallucinogenic drugs.

21 **SECTION 76.** 961.41 (3g) (e) of the statutes is repealed.

22 **SECTION 77.** 961.41 (3g) (em) of the statutes is amended to read:

23 961.41 (3g) (em) *Synthetic cannabinoids.* If a person possesses or attempts to
24 possess a controlled substance specified in s. 961.14 (4) (tb), or a controlled substance
25 analog of a controlled substance specified in s. 961.14 (4) (tb), the person may be fined

1 not more than \$1,000 or imprisoned for not more than 6 months or both upon a first
2 conviction and is guilty of a Class I felony for a 2nd or subsequent offense. For
3 purposes of this paragraph, an offense is considered a 2nd or subsequent offense if,
4 prior to the offender's conviction of the offense, the offender has at any time been
5 convicted of any felony or misdemeanor under this chapter or under any statute of
6 the United States or of any state relating to controlled substances, controlled
7 substance analogs, narcotic drugs, ~~marijuana~~, or depressant, stimulant, or
8 hallucinogenic drugs.

9 **SECTION 78.** 961.47 (1) of the statutes is amended to read:

10 961.47 (1) Whenever any person who has not previously been convicted of any
11 offense under this chapter, or of any offense under any statute of the United States
12 or of any state or of any county ordinance relating to controlled substances or
13 controlled substance analogs, narcotic drugs, ~~marijuana~~ or stimulant, depressant,
14 or hallucinogenic drugs, pleads guilty to or is found guilty of possession or attempted
15 possession of a controlled substance or controlled substance analog under s. 961.41
16 (3g) (b), the court, without entering a judgment of guilt and with the consent of the
17 accused, may defer further proceedings and place him or her on probation upon terms
18 and conditions. Upon violation of a term or condition, the court may enter an
19 adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the
20 terms and conditions, the court shall discharge the person and dismiss the
21 proceedings against him or her. Discharge and dismissal under this section shall be
22 without adjudication of guilt and is not a conviction for purposes of disqualifications
23 or disabilities imposed by law upon conviction of a crime, including the additional
24 penalties imposed for 2nd or subsequent convictions under s. 961.48. There may be
25 only one discharge and dismissal under this section with respect to any person.

1 **SECTION 79.** 961.48 (3) of the statutes is amended to read:

2 961.48 (3) For purposes of this section, a felony offense under this chapter is
3 considered a 2nd or subsequent offense if, prior to the offender's conviction of the
4 offense, the offender has at any time been convicted of any felony or misdemeanor
5 offense under this chapter or under any statute of the United States or of any state
6 relating to controlled substances or controlled substance analogs, narcotic drugs,
7 ~~marijuana~~ or depressant, stimulant, or hallucinogenic drugs.

8 **SECTION 80.** 961.48 (5) of the statutes is amended to read:

9 961.48 (5) This section does not apply if the person is presently charged with
10 a felony under s. 961.41 (3g) (c), (d), ~~(e)~~, or (g).

11 **SECTION 81.** 961.49 (1m) (intro.) of the statutes is amended to read:

12 961.49 (1m) (intro.) If any person violates s. 961.41 (1) (cm), (d), (dm), (e), (f),
13 ~~or (g) or (h)~~ by delivering or distributing, or violates s. 961.41 (1m) (cm), (d), (dm), (e),
14 (f), ~~or (g) or (h)~~ by possessing with intent to deliver or distribute, cocaine, cocaine
15 base, fentanyl, a fentanyl analog, heroin, phencyclidine, lysergic acid diethylamide,
16 psilocin, psilocybin, amphetamine, methamphetamine, or methcathinone ~~or any~~
17 ~~form of tetrahydrocannabinols~~ or a controlled substance analog of any of these
18 substances and the delivery, distribution or possession takes place under any of the
19 following circumstances, the maximum term of imprisonment prescribed by law for
20 that crime may be increased by 5 years:

21 **SECTION 82.** 961.571 (1) (a) 7. of the statutes is repealed.

22 **SECTION 83.** 961.571 (1) (a) 11. (intro.) of the statutes is amended to read:

23 961.571 (1) (a) 11. (intro.) Objects used, designed for use or primarily intended
24 for use in ingesting, inhaling, or otherwise introducing ~~marijuana~~, cocaine, hashish
25 or hashish oil into the human body, such as:

1 **SECTION 84.** 961.571 (1) (a) 11. e. of the statutes is repealed.

2 **SECTION 85.** 961.571 (1) (a) 11. k. and L. of the statutes are repealed.

3 **SECTION 86.** Subchapter VIII of chapter 961 [precedes 961.70] of the statutes
4 is created to read:

5 **CHAPTER 961**

6 SUBCHAPTER VIII

7 REGULATION OF MARIJUANA

8 **961.70 Definitions.** In this subchapter:

9 **(1)** “Extreme measure to avoid detection” means any of the following:

10 (a) A system that aims to alert a person if law enforcement approaches an area
11 that contains marijuana plants if the system exceeds a security system that would
12 be used by a reasonable person in the person’s region.

13 (b) A method of intimidating individuals who approach an area that contains
14 marijuana plants if the method exceeds a method that would be used by a reasonable
15 person in the person’s region.

16 (c) A system that is designed so that an individual approaching the area that
17 contains marijuana plants may be injured or killed by the system.

18 **(1m)** “Legal age” means 21 years of age, except that in the case of a qualifying
19 patient, as defined in s. 73.17 (1) (d), “legal age” means 18 years of age.

20 **(3)** “Permissible amount” means one of the following:

21 (a) For a person who is a resident of Wisconsin, an amount that does not exceed
22 2 ounces of usable marijuana.

23 (b) For a person who is not a resident of Wisconsin, an amount that does not
24 exceed one-quarter ounce of usable marijuana.

25 **(4)** “Permittee” has the meaning given under s. 139.97 (10).

1 (5) “Retail outlet” has the meaning given in s. 139.97 (11).

2 (6) “Tetrahydrocannabinols concentration” means the percent of
3 tetrahydrocannabinol content per dry weight of any part of the plant Cannabis, or
4 per volume or weight of marijuana product, or the combined percent of
5 tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant
6 Cannabis regardless of moisture content.

7 (7) “Underage person” means a person who has not attained the legal age.

8 (8) “Usable marijuana” has the meaning given in s. 139.97 (13).

9 **961.71 Underage persons prohibitions; penalties.** (1) (a) 1. No permittee
10 may sell, distribute, or deliver marijuana to any underage person.

11 2. No permittee may directly or indirectly permit an underage person to violate
12 sub. (2m).

13 (b) A permittee that violates par. (a) 1. or 2. may be subject to a forfeiture of not
14 more than \$500 and to a suspension of the permittee’s permit for an amount of time
15 not to exceed 30 days.

16 (c) In determining whether a permittee has violated par. (a) 2., all relevant
17 circumstances surrounding the presence of the underage person may be considered.
18 In determining whether a permittee has violated par. (a) 1., all relevant
19 circumstances surrounding the selling, distributing, or delivering of marijuana may
20 be considered. In addition, proof of all of the following facts by the permittee is a
21 defense to any prosecution for a violation under par. (a):

22 1. That the underage person falsely represented that he or she had attained the
23 legal age.

24 2. That the appearance of the underage person was such that an ordinary and
25 prudent person would believe that the underage person had attained the legal age.

1 3. That the action was made in good faith and in reliance on the representation
2 and appearance of the underage person in the belief that the underage person had
3 attained the legal age.

4 4. That the underage person supported the representation under subd. 1. with
5 documentation that he or she had attained the legal age.

6 **(2)** Any underage person who does any of the following is subject to a forfeiture
7 of not less than \$250 nor more than \$500:

8 (a) Procures or attempts to procure marijuana from a permittee.

9 (b) Falsely represents his or her age for the purpose of receiving marijuana from
10 a permittee.

11 (c) Knowingly possesses or consumes marijuana.

12 (d) Violates sub. (2m).

13 **(2m)** An underage person not accompanied by his or her parent, guardian, or
14 spouse who has attained the legal age may not enter, knowingly attempt to enter, or
15 be on the premises of a retail outlet.

16 **(3)** An individual who has attained the legal age and who knowingly does any
17 of the following may be subject to a forfeiture that does not exceed \$1,000:

18 (a) Permits or fails to take action to prevent a violation of sub. (2) (c) on premises
19 owned by the individual or under the individual's control.

20 (b) Encourages or contributes to a violation of sub. (2) (a).

21 **961.72 Restrictions; penalties. (1)** No person except a permittee may sell,
22 or possess with the intent to sell, marijuana. No person may distribute or deliver,
23 or possess with the intent to distribute or deliver, marijuana except a permittee. Any
24 person who violates a prohibition under this subsection is guilty of the following:

25 (a) Except as provided in par. (b), a Class I felony.

1 (b) If the individual to whom the marijuana is, or is intended to be, sold,
2 distributed, or delivered has not attained the legal age and the actual or intended
3 seller, distributor, or deliverer is at least 3 years older than the individual to whom
4 the marijuana is, or is intended to be, sold, distributed, or delivered, a Class H felony.

5 (2) (a) A person that is not a permittee who possesses an amount of marijuana
6 that exceeds the permissible amount by not more than one ounce is subject to a civil
7 forfeiture not to exceed \$1,000.

8 (b) A person who is not a permittee who possesses an amount of marijuana that
9 exceeds the permissible amount by more than one ounce is one of the following:

10 1. Except as provided in subd. 2., subject to a fine not to exceed \$1,000 or
11 imprisonment not to exceed 90 days, or both.

12 2. Guilty of a Class I felony if the person has taken action to hide how much
13 marijuana the person possesses and has in place an extreme measure to avoid
14 detection.

15 (c) A person who is not a permittee that possesses more than 6 marijuana plants
16 that have reached the flowering stage at one time must apply for a permit under s.
17 139.972 and is one of the following:

18 1. Except as provided in subds. 2. and 3., subject to a civil forfeiture that is not
19 more than twice the permitting fee under s. 139.972.

20 2. Except as provided in subd. 3., subject to a fine not to exceed \$1,000 or
21 imprisonment not to exceed 90 days, or both, if the number of marijuana plants that
22 have reached the flowering stage is more than 12.

23 3. Guilty of a Class I felony if the number of marijuana plants that have reached
24 the flowering stage is more than 12, if the individual has taken action to hide the

1 number of marijuana plants that have reached the flowering stage and if the person
2 has in place an extreme measure to avoid detection.

3 (d) Whoever uses or displays marijuana in a public space is subject to a civil
4 forfeiture of not more than \$100.

5 (3) Any person who sells or attempts to sell marijuana via mail, telephone, or
6 Internet is subject to a fine not to exceed \$10,000 or imprisonment not to exceed 9
7 months, or both.

8 **SECTION 87.** 967.055 (1m) (b) 5. of the statutes is repealed.

9 **SECTION 88.** 971.365 (1) (a) of the statutes is amended to read:

10 971.365 (1) (a) In any case under s. 961.41 (1) (em), 1999 stats., or s. 961.41 (1)
11 (cm), (d), (dm), (e), (f), or (g) ~~or (h)~~ involving more than one violation, all violations
12 may be prosecuted as a single crime if the violations were pursuant to a single intent
13 and design.

14 **SECTION 89.** 971.365 (1) (b) of the statutes is amended to read:

15 971.365 (1) (b) In any case under s. 961.41 (1m) (em), 1999 stats., or s. 961.41
16 (1m) (cm), (d), (dm), (e), (f), or (g) ~~or (h)~~ involving more than one violation, all
17 violations may be prosecuted as a single crime if the violations were pursuant to a
18 single intent and design.

19 **SECTION 90.** 971.365 (1) (c) of the statutes is amended to read:

20 971.365 (1) (c) In any case under s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41
21 (3g) (dm), 1999 stats., or s. 961.41 (3g) (am), (c), (d), ~~(e)~~, or (g) involving more than
22 one violation, all violations may be prosecuted as a single crime if the violations were
23 pursuant to a single intent and design.

24 **SECTION 91.** 971.365 (2) of the statutes is amended to read:

1 971.365 (2) An acquittal or conviction under sub. (1) does not bar a subsequent
2 prosecution for any acts in violation of s. 961.41 (1) (em), 1999 stats., s. 961.41 (1m)
3 (em), 1999 stats., s. 961.41 (3g) (a) 2., 1999 stats., or s. 961.41 (3g) (dm), 1999 stats.,
4 or s. 961.41 (1) (cm), (d), (dm), (e), (f), or (g), ~~or (h)~~, (1m) (cm), (d), (dm), (e), (f), or (g),
5 ~~or (h)~~ or (3g) (am), (c), (d), ~~(e)~~, or (g) on which no evidence was received at the trial
6 on the original charge.

7 **SECTION 92.** 973.016 of the statutes is created to read:

8 **973.016 Special disposition for marijuana-related crimes. (1)**

9 RESENTENCING PERSONS SERVING A SENTENCE OR PROBATION. (a) A person serving a
10 sentence or on probation may request resentencing or dismissal as provided under
11 par. (b) if all of the following apply:

12 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
13 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

14 2. One of the following applies:

15 a. The person would not have been guilty of a crime had the violation occurred
16 on or after the effective date of this subd. 2. a. [LRB inserts date].

17 b. The person would have been guilty of a lesser crime had the violation
18 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

19 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
20 court to request resentencing, adjustment of probation, or dismissal.

21 2. If the court receiving a petition under subd. 1. determines that par. (a)
22 applies, the court shall schedule a hearing to consider the petition. At the hearing,
23 if the court determines that par. (a) 2. b. applies, the court shall resentence the person
24 or adjust the probation and change the record to reflect the lesser crime, and, if the
25 court determines that par. (a) 2. a. applies, the court shall dismiss the conviction and

1 expunge the record. Before resentencing, adjusting probation, or dismissing a
2 conviction under this subdivision, the court shall determine that the action does not
3 present an unreasonable risk of danger to public safety.

4 3. If the court resentences the person or adjusts probation, the person shall
5 receive credit for time or probation served for the relevant offense.

6 **(2) REDESIGNATING OFFENSE FOR PERSONS WHO COMPLETED A SENTENCE OR**
7 **PROBATION.** (a) A person who has completed his or her sentence or period of probation
8 may request under par. (b) expungement of the conviction because the conviction is
9 legally invalid or redesignation to a lesser crime if all of the following apply:

10 1. The sentence or probation period was imposed for a violation of s. 961.41 (1)
11 (h), 2021 stats., s. 961.41 (1m) (h), 2021 stats., or s. 961.41 (3g) (e), 2021 stats.

12 2. One of the following applies:

13 a. The person would not have been guilty of a crime had the violation occurred
14 on or after the effective date of this subd. 2. a. [LRB inserts date].

15 b. The person would have been guilty of a lesser crime had the violation
16 occurred on or after the effective date of this subd. 2. b. [LRB inserts date].

17 (b) 1. A person to whom par. (a) applies shall file a petition with the sentencing
18 court to request expungement or redesignation.

19 2. If the court receiving a petition under subd. 1. determines that par. (a)
20 applies, the court shall schedule a hearing to consider the petition. At the hearing,
21 if the court determines that par. (a) 2. b. applies, the court shall redesignate the crime
22 to a lesser crime and change the record to reflect the lesser crime, and if the court
23 determines that par. (a) 2. a. applies, the court shall expunge the conviction. Before
24 redesignating or expunging under this subdivision, the court shall determine that
25 the action does not present an unreasonable risk of danger to public safety.

1 **(3) EFFECT OF RESENTENCING, DISMISSAL, REDESIGNATION, OR EXPUNGEMENT.** If the
2 court changes or expunges a record under this section, a conviction that was changed
3 or expunged is not considered a conviction for any purpose under state or federal law,
4 including for purposes of s. 941.29 or 18 USC 921.

5 **SECTION 9128. Nonstatutory provisions; Legislature.**

6 (1) JOINT LEGISLATIVE COUNCIL STUDY. The joint legislative council shall study
7 the implementation of the marijuana tax and regulation provided under subch. IV
8 of ch. 139 and identify uses for the revenues generated by the tax. The joint
9 legislative council shall report its findings, conclusions, and recommendations to the
10 joint committee on finance no later than 2 years after the effective date of this
11 subsection.”.

12 **208.** Page 374, line 11: after that line insert:

13 **“SECTION 9137. Nonstatutory provisions; Revenue**

14 “(1) AGENT POSITIONS. The authorized FTE positions for the department of
15 revenue, funded from the appropriation under s. 20.566 (1) (a), are decreased by 38.0
16 GPR project positions and the authorized positions for the department of revenue,
17 funded from the appropriation under s. 20.566 (1), are increased by 38.0 GPR
18 positions to serve as special agents for the department.”.

19 **209.** Page 374, line 11: after that line insert:

20 **“SECTION 93.** 125.06 (6) of the statutes is amended to read:

21 125.06 **(6) PUBLIC PARKS.** The sale of fermented malt beverages and wine in any
22 public park operated by a county or municipality. Fermented malt beverages and
23 wine shall be sold by officers or employees of the county or municipality under an
24 ordinance, resolution, rule or regulation enacted by the governing body.

1 **SECTION 94.** 125.09 (6) of the statutes is amended to read:

2 125.09 (6) MUNICIPAL STORES SALES. No municipality may engage in the sale of
3 alcohol beverages, except as authorized under ~~s.~~ ss. 125.06 (6) and 125.26 (6). This
4 subsection does not apply to municipal stores in operation on November 6, 1969.”.

5 **210.** Page 374, line 11: after that line insert:

6 **“SECTION 9137. Nonstatutory provisions; Revenue**

7 (7m) CLOSING HOURS EXCEPTION FOR CERTAIN ALCOHOL BEVERAGE RETAILERS DURING
8 THE REPUBLICAN NATIONAL CONVENTION IN MILWAUKEE.

9 (a) In this subsection:

10 1. “Municipality” has the meaning given in s. 125.02 (11).

11 2. “Southeast Wisconsin municipality” means a municipality any part of which
12 is located within Kenosha, Racine, Walworth, Rock, Milwaukee, Waukesha,
13 Jefferson, Dane, Ozaukee, Washington, Dodge, Columbia, Sheboygan, or Fond du
14 Lac County.

15 (b) 1. Notwithstanding s. 125.32 (3) (a), from July 15 to July 19, 2024, the
16 closing hours for premises operating under a Class “B” license issued by a southeast
17 Wisconsin municipality shall be between 4 a.m. and 6 a.m. if the municipality that
18 issued the license has adopted a resolution allowing extended closing hours within
19 the municipality and has authorized this extended closing hour as provided in subd.
20 2.

21 2. If a southeast Wisconsin municipality has adopted a resolution under subd.
22 1., the municipality shall establish a process to authorize, and may upon application
23 so authorize, the extended closing hour under subd. 1. for any Class “B” licensed
24 premises within the municipality.

1 (c) 1. Notwithstanding s. 125.68 (4) (c) 1. and 3m., from July 15 to July 19, 2024,
2 the closing hours for premises operating under a “Class B” or “Class C” license issued
3 by a southeast Wisconsin municipality shall be between 4 a.m. and 6 a.m. if the
4 municipality that issued the license has adopted a resolution allowing extended
5 closing hours within the municipality and has authorized this extended closing hour
6 as provided in subd. 2.

7 2. If a southeast Wisconsin municipality has adopted a resolution under subd.
8 1., the municipality shall establish a process to authorize, and may upon application
9 so authorize, the extended closing hour under subd. 1. for any “Class B” or “Class C”
10 licensed premises within the municipality.”.

11 **211.** Page 374, line 11: after that line insert:

12 “SECTION 95. 25.36 of the statutes is repealed.

13 SECTION 96. 20.855 (4) (bv) of the statutes is repealed.

14 SECTION 9448. **Effective dates; Veterans Affairs.**

15 (1) REPEAL OF VETERANS TRUST FUND. The treatment of ss. 25.36 and 20.855 (4)
16 (bv) takes effect on July 1, 2025.”.

17 **212.** Page 374, line 11: after that line insert:

18 “SECTION 97. 20.485 (1) (gk) of the statutes is amended to read:

19 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
20 care of the members of the Wisconsin veterans homes under s. 45.50, for the payment
21 of stipends under s. 45.50 (2m) (f), for the transfer of moneys to the appropriation
22 account under s. 20.435 (4) (ky) for payment of the state share of the medical
23 assistance costs related to the provision of stipends under s. 45.50 (2m) (f), for the
24 payment of assistance to indigent veterans under s. 45.43 to allow them to reside at

1 the Wisconsin Veterans Home at Union Grove, for the transfer of moneys to the
2 appropriation accounts under pars. (kc) and (kj), for the transfer of moneys in an
3 amount up to \$10,000,000 to the appropriation account under par. (ks), and for the
4 payment of grants under s. 45.82. Not more than 1 percent of the moneys credited
5 to this appropriation account may be used for the payment of assistance to indigent
6 veterans under s. 45.43. All moneys received under par. (m) and s. 45.51 (7) (b) and
7 (8) and all moneys received for the care of members under medical assistance, as
8 defined in s. 49.43 (8), shall be credited to this appropriation account. All moneys
9 transferred under 2023 Wisconsin Act ... (this act), section 9248 (1r), shall be
10 credited to this appropriation account. Except for the moneys transferred under this
11 paragraph to the appropriation account under par. (kc), no moneys may be expended
12 from this appropriation for the purposes specified in par. (kc).

13 **SECTION 9148. Nonstatutory provisions; Veterans Affairs.**

14 (1) STUDY FOR A MASTER PLAN FOR THE WISCONSIN VETERANS HOME AT KING. From
15 the appropriation under s. 20.485 (2) (u), during the 2023-25 fiscal biennium, the
16 department of veterans affairs shall contract with a vendor to study the campus of
17 the Wisconsin Veterans Home at King. The study shall provide a framework to guide
18 decision-making for future operations and development on the campus of the
19 Wisconsin Veterans Home at King. The study shall be completed before June 1, 2025.

20 **SECTION 9248. Fiscal changes; Veterans Affairs.**

21 (1r) VETERANS HOMES INSTITUTIONAL OPERATIONS. There is transferred from the
22 general fund to the appropriation account under s. 20.485 (1) (gk) \$10,000,000 in
23 fiscal year 2023-24.”.

24 **213.** Page 374, line 11: after that line insert:

1 **“SECTION 98.** 45.82 (2) of the statutes is amended to read:

2 45.82 (2) The department of veterans affairs shall award a grant annually to
3 a county that meets the standards developed under this section if the county
4 executive, administrator, or administrative coordinator certifies to the department
5 that it employs a county veterans service officer who, if chosen after April 15, 2015,
6 is chosen from a list of candidates who have taken a civil service examination for the
7 position of county veterans service officer developed and administered by the bureau
8 of merit recruitment and selection in the department of administration, or is
9 appointed under a civil service competitive examination procedure under s. 59.52 (8)
10 or ch. 63. The grant shall be ~~\$9,350~~ \$18,700 for a county with a population of less
11 than 20,000, ~~\$11,000~~ \$22,000 for a county with a population of 20,000 to 45,499,
12 ~~\$12,650~~ \$25,300 for a county with a population of 45,500 to 74,999, and ~~\$14,300~~
13 \$28,600 for a county with a population of 75,000 or more. The department of veterans
14 affairs shall use the most recent Wisconsin official population estimates prepared by
15 the demographic services center when making grants under this subsection.

16 **SECTION 99.** 45.82 (3) of the statutes is repealed.

17 **SECTION 100.** 45.82 (4) of the statutes is amended to read:

18 45.82 (4) The department shall provide grants to the governing bodies of
19 federally recognized American Indian tribes and bands from the appropriation
20 under s. 20.485 (2) (km) or (vu) if that governing body enters into an agreement with
21 the department regarding the creation, goals, and objectives of a tribal veterans
22 service officer, appoints a veteran to act as a tribal veterans service officer, and gives
23 that veteran duties similar to the duties described in s. 45.80 (5), except that the
24 veteran shall report to the governing body of the tribe or band. The department may

1 make annual grants in an amount not to exceed ~~\$16,500~~ \$33,000 per grant under this
2 subsection and shall promulgate rules to implement this subsection.”.

3 **214.** Page 374, line 11: after that line insert:

4 “**SECTION 101.** 20.485 (2) (vm) (title) of the statutes is repealed and recreated
5 to read:

6 20.485 (2) (vm) (title) *Veterans assistance grants*.

7 **SECTION 102.** 45.40 (title) of the statutes is repealed and recreated to read:

8 **45.40** (title) **Veterans assistance grants**.

9 **SECTION 103.** 45.40 (1g) (a) of the statutes is amended to read:

10 45.40 (1g) (a) “Health care provider” means ~~an advanced practice nurse~~
11 ~~prescriber certified under s. 441.16 (2), an audiologist licensed under ch. 459, a~~
12 ~~dentist licensed under ch. 447, an optometrist licensed under ch. 449, a physician~~
13 ~~licensed under s. 448.02, or a podiatrist licensed under s. 448.63~~ has the meaning
14 given in s. 146.81 (1) and includes an ambulatory surgery center.

15 **SECTION 104.** 45.40 (1m) (a) of the statutes is amended to read:

16 45.40 (1m) (a) The department may provide subsistence payments to a veteran
17 on a month-to-month basis or for a 3-month period. The department may pay
18 subsistence aid for a 3-month period if the veteran will be incapacitated for more
19 than 3 months and if earned or unearned income or aid from sources other than those
20 listed in the application will not be available in the 3-month period. The department
21 may provide subsistence payments only to a veteran who has suffered a loss of
22 income ~~due to illness, injury, or natural disaster~~. The department may grant
23 subsistence aid under this subsection to a veteran whose loss of income is the result
24 of abuse of alcohol or other drugs only if the veteran is participating in an alcohol and

1 other drug abuse treatment program that is approved by the department. No
2 payment may be made under this subsection if the veteran has other assets or income
3 available to meet basic subsistence needs or if the veteran is eligible to receive aid
4 from other sources to meet those needs. When determining the assets available to
5 the veteran, the department may not include the first \$50,000 of cash surrender
6 value of any life insurance.

7 **SECTION 105.** 45.40 (1m) (b) of the statutes is amended to read:

8 45.40 **(1m)** (b) The maximum amount that any veteran may receive under this
9 subsection per occurrence during a consecutive 12-month period may not exceed
10 ~~\$3,000~~ \$5,000.

11 **SECTION 106.** 45.40 (2) (a) of the statutes is amended to read:

12 45.40 **(2)** (a) The department may provide health care aid to a veteran for
13 dental care, including dentures; vision care, including eyeglass frames and lenses;
14 and hearing care, including hearing aids; and for any other medical device prescribed
15 by a health care provider.

16 **SECTION 107.** 45.40 (2m) (a) of the statutes is amended to read:

17 45.40 **(2m)** (a) The unremarried spouse and dependent children of a veteran
18 ~~who died on active duty, or in the line of duty while on active or inactive duty for~~
19 ~~training purposes, in the U.S. armed forces or forces incorporated in the U.S. armed~~
20 ~~forces~~ are eligible to receive payments under subs. (1m) and (2) if the household
21 income of those persons does not exceed the income limitations established under
22 sub. (3m).

23 **SECTION 108.** 45.40 (3) of the statutes is amended to read:

24 45.40 **(3)** LIMITATIONS. The total cumulative amount that any veteran may
25 receive under this section may not exceed ~~\$7,500~~ \$10,000.”.

1 **215.** Page 374, line 11: after that line insert:

2 “**SECTION 109.** 36.27 (2) (b) 5. of the statutes is created to read:

3 36.27 (2) (b) 5. A person who is a resident of and living in this state at the time
4 of registering at an institution, and who is a veteran as described in s. 45.01 (12) (fm),
5 is entitled to the exemption under par. (a).

6 **SECTION 110.** 36.27 (3p) (a) 1r. g. of the statutes is created to read:

7 36.27 (3p) (a) 1r. g. The person meets the criteria described in s. 45.01 (12) (fm).

8 **SECTION 111.** 38.24 (8) (a) 1r. g. of the statutes is created to read:

9 38.24 (8) (a) 1r. g. The person meets the criteria described in s. 45.01 (12) (fm).

10 **SECTION 112.** 45.01 (12) (fm) of the statutes is created to read:

11 45.01 (12) (fm) A person who was naturalized pursuant to section 2 (1) of the
12 federal Hmong Veterans’ Naturalization Act of 2000, P.L. 106-207, and resides in
13 this state or a person who the secretary determines served honorably with a special
14 guerrilla unit or irregular forces operating from a base in Laos in support of the
15 armed forces of the United States at any time during the period beginning February
16 28, 1961, and ending May 7, 1975; is a citizen of the United States or an alien lawfully
17 admitted for permanent residence in the United States; and resides in the state.

18 **SECTION 113.** 45.44 (3) (c) (intro.) of the statutes is amended to read:

19 45.44 (3) (c) (intro.) A veteran, as defined in s. 45.01 (12) (a) to (f) (fm), or one
20 of the following:

21 **SECTION 114.** 45.51 (2) (a) 1. of the statutes is amended to read:

22 45.51 (2) (a) 1. A veteran, other than a veteran described in s. 45.01 (12) (fm).”.

23 **216.** Page 374, line 11: after that line insert:

24 “**SECTION 115.** 45.61 (2) (a) of the statutes is amended to read:

1 45.61 (2) (a) A person who died while on active duty or who was discharged or
2 released from active duty in the U.S. armed forces under conditions other than
3 dishonorable and who was a resident of this state at the time of his or her entry into
4 ~~active service~~ and his or her dependent child and surviving spouse.

5 **SECTION 116.** 45.61 (2) (am) of the statutes is repealed.

6 **SECTION 117.** 45.61 (2) (b) of the statutes is repealed.

7 **SECTION 118.** 45.61 (2) (c) (intro.) of the statutes is repealed.

8 **SECTION 119.** 45.61 (2) (c) 1. of the statutes is amended to read:

9 45.61 (2) (c) 1. Is The spouse or dependent child of a person who is serving on
10 active duty at the time of the spouse's or dependent child's death ~~if the person was~~
11 ~~a resident of this state at the time of his or her entry or reentry into active service.~~

12 **SECTION 120.** 45.61 (2) (c) 2. of the statutes is amended to read:

13 45.61 (2) (c) 2. ~~Was a resident of this state at the time of his or her entry or~~
14 ~~reentry into active service and~~ The spouse of a person who was discharged or released
15 from active duty in the U.S. armed forces under honorable conditions.

16 **SECTION 121.** 45.61 (2) (c) 3. of the statutes is repealed.

17 **SECTION 122.** 45.61 (2) (d) of the statutes is amended to read:

18 45.61 (2) (d) A person who ~~was a resident of this state at the time of his or her~~
19 ~~entry or reentry into service~~ served in any a national guard or a reserve component
20 of the U.S. armed forces ~~or who was a resident of this state for at least 12 consecutive~~
21 ~~months immediately preceding his or her death~~, and the person's spouse, surviving
22 spouse, and dependent children, if the person is eligible for burial in a national
23 cemetery under 38 USC 2402.

24 **SECTION 123.** 45.61 (2) (e) of the statutes is repealed.

25 **SECTION 124.** 45.61 (3) of the statutes is amended to read:

1 45.61 (3) FEES AND COSTS. The department may charge a fee for burials under
2 this section and may promulgate rules for the assessment of any fee. The cost of
3 preparing the grave and the erection of a marker for a person described under sub.
4 (2) (a), ~~(b)~~, or (d), ~~or~~ (e) shall be paid from the appropriation under s. 20.485 (1) (gk).

5 **SECTION 125.** 45.61 (4) (a) of the statutes is amended to read:

6 45.61 (4) (a) Application for burial shall be made to the department. The
7 surviving spouse of the person described under sub. (2) (a), ~~(b)~~, or (d), ~~or~~ (e), if that
8 person is interred at the Central Wisconsin Veterans Memorial Cemetery, shall have
9 the privilege of selecting a plot next to that person if available. The department shall
10 hold the plot for the surviving spouse for a period of one year from the date of granting
11 the privilege, but may extend the hold, on request, for additional one-year periods.

12 **SECTION 126.** 45.61 (5) (a) of the statutes is renumbered 45.61 (5) and amended
13 to read:

14 45.61 (5) Expenses incident to the burial under this section of persons
15 described in sub. (2) (a) ~~and (b) to (e)~~ shall be paid from the estate of the decedent,
16 except that if there is no estate or the estate is insufficient, the expense of burial, or
17 necessary part of the burial, shall be paid from the appropriation accounts under s.
18 20.485 (4) (g), (m), or (q) or, for members of veterans homes, from the appropriation
19 account under s. 20.485 (1) (gk) ~~for members of veterans homes, and the.~~ The amount
20 expended for those expenses under this subsection shall not exceed the amount
21 established for funeral and burial expenses under s. 49.785 (1) (b).

22 **SECTION 127.** 45.61 (5) (b) of the statutes is repealed.”.

23 **217.** Page 374, line 11: after that line insert:

1 regarding whether those substantive changes to the Uniform Code of Military
2 Justice should be incorporated into the Wisconsin Code of Military Justice. The
3 report shall be the subject of a public hearing, conducted no less often than annually,
4 by the appropriate standing committees of the legislature.

5 **SECTION 129.** 321.03 (1) (g) of the statutes is created to read:

6 321.03 (1) (g) Establish and maintain a case management system that allows
7 the national guard to manage and track all case-related information for cases of
8 misconduct within the national guard.

9 **SECTION 130.** 321.04 (1) (s) of the statutes is created to read:

10 321.04 (1) (s) 1. By February 1 of each year, submit to the governor and to the
11 appropriate standing committees of the legislature in the manner provided under s.
12 13.172 (3), and publish on the department's website, an annual report on sexual
13 assault and sexual harassment within the Wisconsin national guard. The report
14 shall be the subject of a public hearing, conducted no less often than annually, by the
15 appropriate standing committees of the legislature. The report shall include, at a
16 minimum, all of the following information for the prior federal fiscal year:

17 a. Data regarding all reported incidents of sexual assault and sexual
18 harassment made by members of the Wisconsin national guard during that period,
19 including the numbers of restricted and unrestricted reports of sexual assault and
20 reports of sexual harassment, and historical trends relating to that data for the 5
21 fiscal years preceding the fiscal year covered in the report. For unrestricted reports
22 of sexual assault and for reports of sexual harassment, the report shall also include
23 all of the following information: the type of conduct that was reported to have
24 occurred; the duty status of the members involved at the time of the incident;
25 information on the status of the report, including whether the case was referred for

1 additional investigation; and a summary of any resolution or discipline taken,
2 including whether criminal charges were referred or filed.

3 b. A summary of any training relating to preventing and responding to
4 incidents of sexual assault and sexual harassment that was provided to members of
5 the Wisconsin national guard in the preceding year.

6 c. A summary of any current federal national guard bureau policies relating to
7 preventing and responding to incidents of sexual assault and sexual harassment
8 that were enacted during that period and a description of how those policies are being
9 implemented in the Wisconsin national guard.

10 d. A summary of the current policies and procedures related to preventing and
11 responding to incidents of sexual assault and sexual harassment in the Wisconsin
12 national guard and any changes made since the prior report.

13 2. The report under subd. 1. shall protect the privacy of victims of sexual
14 assault and sexual harassment and may not provide any personal identifying
15 information that would allow a victim to be identified.

16 **SECTION 131.** 321.04 (1) (t) of the statutes is created to read:

17 321.04 (1) (t) Prescribe in writing, make publicly available on the department's
18 website, and implement a policy that ensures that any victim of an offense under the
19 Wisconsin code of military justice is treated with dignity, respect, courtesy,
20 sensitivity, and fairness.

21 **SECTION 132.** 321.04 (1) (u) of the statutes is created to read:

22 321.04 (1) (u) Prescribe in writing and make publicly available on the
23 department's website the procedures required under s. 322.036.

24 **SECTION 133.** 322.001 (15) of the statutes is amended to read:

1 322.001 (15) “Military offenses” means those offenses prescribed under articles
2 77, principals; 78, accessory after the fact; 80, attempts; 81, conspiracy; 82,
3 solicitation; 83, fraudulent enlistment, appointment, or separation; 84, unlawful
4 enlistment, appointment, or separation; 85, desertion; 86, absence without leave; 87,
5 missing movement; 88, contempt toward officials; 89, disrespect towards superior
6 commissioned officer; 90, assaulting or willfully disobeying superior commissioned
7 officer; 91, insubordinate conduct toward warrant officer, noncommissioned officer,
8 or petty officer; 92, failure to obey order or regulation; 93, cruelty and maltreatment;
9 93a, prohibited activities with military recruit or trainee by a person in a position of
10 special trust; 94, mutiny or sedition; 95, resistance, flight, breach of arrest, and
11 escape; 96, releasing prisoner without proper authority; 97, unlawful detention; 98,
12 noncompliance with procedural rules; 99, misbehavior before the enemy; 100,
13 subordinate compelling surrender; 101, improper use of countersign; 102, forcing a
14 safeguard; 103, captured or abandoned property; 104, aiding the enemy; 105,
15 misconduct as prisoner; 107, false official statements; 108, military property — loss,
16 damage, destruction, or wrongful disposition; 109, property other than military
17 property — waste, spoilage, or destruction; 110, improper hazarding of vessel; 111,
18 drunken or reckless operation of a vehicle, aircraft, or vessel; 112, drunk on duty;
19 112a, wrongful use, or possession of controlled substances; 113, misbehavior of
20 sentinel; 114, dueling; 115, malingering; 116, riot or breach of peace; 117, provoking
21 speeches or gestures; ~~120, rape and sexual assault generally; 120a, stalking; 120b,~~
22 ~~rape and sexual assault of a child; 120c, sexual misconduct; 121, larceny and~~
23 ~~wrongful appropriation; 122, robbery; 123, forgery; 124, maiming; 126, arson; 127,~~
24 ~~extortion; 128, assault; 129, burglary; 130, housebreaking; 131, perjury; 132, frauds~~

1 against the government; 132a, retaliation; 133, conduct unbecoming an officer and
2 a gentleman; and; 134, general; and 134h, sexual harassment; of this code.

3 **SECTION 134.** 322.001 (16) of the statutes is repealed.

4 **SECTION 135.** 322.036 of the statutes is amended to read:

5 **322.036 Article 36 — Governor may prescribe regulations Pretrial,**
6 **trial, and post-trial procedures.** Pretrial, trial, and post-trial procedures not
7 specified in this code, including modes of proof, for courts-martial cases arising
8 under this code, and for courts of inquiry, ~~may~~ shall be prescribed by the governor
9 by regulations, or as otherwise provided by law, which shall apply the principles of
10 law and the rules of evidence generally recognized in military criminal cases in the
11 courts of the armed forces but which may not be contrary to or inconsistent with this
12 code adjutant general in writing and made publicly available on the department of
13 military affairs' website.

14 **SECTION 136.** 322.056 (2) of the statutes is amended to read:

15 322.056 (2) A conviction by a general court-martial of any military offense for
16 which an accused may receive a sentence of confinement for more than 1 year is a
17 felony offense.

18 **SECTION 137.** 322.056 (5) of the statutes is amended to read:

19 322.056 (5) The limits of punishment for violations of the punitive sections
20 under Subch. X shall be those under the Uniform Code of Military Justice, unless
21 otherwise prescribed by the governor according to ss. 322.018 to 322.020, but under
22 no instance shall any punishment exceed that authorized by this code.

23 **SECTION 138.** 322.0935 of the statutes is created to read:

24 **322.0935 Article 93a — Prohibited activities with military recruit or**
25 **trainee by a person in a position of special trust.** (1) In this section:

1 (a) “Applicant for military service” means a person who, under regulations
2 prescribed by the secretary of the relevant military branch, is an applicant for
3 original enlistment or appointment in the state military forces.

4 (b) “Military recruiter” means a person who, under regulations prescribed by
5 the secretary of the relevant military branch, has the primary duty to recruit persons
6 for military service.

7 (c) “Prohibited sexual activity” means any sexual act, as defined in s. 322.120
8 (1) (e), or any sexual contact, as defined in s. 322.120 (1) (f), or any attempt or
9 solicitation to commit a sexual act or sexual contact.

10 (d) “Specially protected junior member of the state military forces” means any
11 of the following:

12 1. A member of the state military forces who is assigned to, or is awaiting
13 assignment to, basic training or other initial active duty for training, including a
14 member who is enlisted under a delayed entry program.

15 2. A member of the state military forces who is a cadet, candidate, or
16 midshipman, or a student in any other officer qualification program.

17 3. A member of the state military forces in any program that, by regulation
18 prescribed by the secretary of the relevant military branch, is identified as a training
19 program for initial career qualification.

20 (e) “Training leadership position” means, with respect to a specially protected
21 junior member of the state military forces, any drill instructor position or other
22 leadership position in a basic training program, an officer candidate school, a reserve
23 officers’ training corps unit, a training program for entry into the state military
24 forces, or any program that, by regulation prescribed by the secretary of the relevant
25 military branch, is identified as a training program for initial career qualification.

1 (2) Any officer, noncommissioned officer, or petty officer who is in a training
2 leadership position and engages in prohibited sexual activity with a specially
3 protected junior member of the state military forces shall be punished as a
4 court-martial may direct.

5 (3) Any person who is a military recruiter and engages in prohibited sexual
6 activity with an applicant for military service or a specially protected junior member
7 of the state military forces who is enlisted under a delayed entry program shall be
8 punished as a court-martial may direct.

9 (4) Consent is not a defense for any conduct at issue in a prosecution under this
10 section.

11 **SECTION 139.** 322.120 (1) (a) of the statutes is repealed.

12 **SECTION 140.** 322.120 (3) (a) (intro.) of the statutes is amended to read:

13 322.120 (3) (a) (intro.) Commits a sexual act upon another person ~~without~~
14 ~~consent~~ by doing any of the following:

15 **SECTION 141.** 322.120 (3) (b) of the statutes is renumbered 322.120 (3) (b)
16 (intro.) and amended to read:

17 322.120 (3) (b) (intro.) Commits a sexual act upon another person ~~when~~ under
18 one of the following circumstances:

19 2. When the person knows or reasonably should know that the other person is
20 asleep, unconscious, or otherwise unaware that the sexual act is occurring.

21 **SECTION 142.** 322.120 (3) (b) 1. of the statutes is created to read:

22 322.120 (3) (b) 1. Without the consent of the other person.

23 **SECTION 143.** 322.1325 of the statutes is created to read:

24 **322.1325 Article 132a — Retaliation. (1)** In this section:

25 (a) “Protected communication” means any of the following:

1 1. A lawful communication to a member of Congress, a member of the
2 Wisconsin legislature, the governor, or an inspector general.

3 2. A communication to a member of the U.S. department of defense or the U.S.
4 national guard bureau, a law enforcement officer, a state agency, a legislative service
5 agency, a person in the chain of command, or a court-martial proceeding in which
6 a member of the state military forces complains of, or discloses information that the
7 member reasonably believes constitutes evidence of, a violation of a law or
8 regulation, including a law or regulation prohibiting sexual harassment or unlawful
9 discrimination, or gross mismanagement, a gross waste of funds, an abuse of
10 authority, or a substantial and specific danger to public health or safety.

11 (b) “Unlawful discrimination” means discrimination on the basis of race, color,
12 religion, sex, or national origin.

13 (2) Any person who, with intent to retaliate against any person for reporting
14 or planning to report a criminal or military offense or for making or planning to make
15 a protected communication, or with intent to discourage any person from reporting
16 a criminal or military offense or making a protected communication, does any of the
17 following shall be punished as a court-martial may direct:

18 (a) Wrongfully takes or threatens to take an adverse personnel action against
19 any person.

20 (b) Wrongfully withholds or threatens to withhold a favorable personnel action
21 with respect to any person.

22 **SECTION 144.** 322.133 of the statutes is amended to read:

23 **322.133 Article 133 — Conduct unbecoming an officer and a gentleman.**

24 Any commissioned officer, cadet, candidate, or midshipman who is convicted of

1 conduct unbecoming an officer and a gentleman shall be punished as a court-martial
2 may direct.

3 **SECTION 145.** 322.1345 of the statutes is created to read:

4 **322.1345 Article 134h — Sexual harassment.** Any person who knowingly
5 makes an unwelcome sexual advance, demand, or request for a sexual favor or
6 knowingly engages in other unwelcome conduct of a sexual nature shall be punished
7 as a court-martial may direct if all of the following apply:

8 (1) The sexual advance, demand, request, or conduct of a sexual nature
9 satisfies any of the following conditions:

10 (a) It would, under the circumstances, cause a reasonable person to believe, and
11 at least one person did believe, that submission to or rejection of such an advance,
12 demand, request, or conduct would be made, either explicitly or implicitly, a term or
13 condition of that person's job, pay, career, benefits, or entitlements or would be used
14 as a basis for decisions affecting that person's job, pay, career, benefits, or
15 entitlements.

16 (b) It was so severe, repetitive, or pervasive that a reasonable person would
17 perceive, and at least one person did perceive, an intimidating, hostile, or offensive
18 working environment.

19 (2) The sexual advance, demand, request, or conduct of a sexual nature was to
20 the prejudice of good order and discipline in the state military forces or of a nature
21 to bring discredit upon the state military forces, or both.

22 **SECTION 9331. Initial applicability; Military Affairs.**

23 (1) REPORT ON SUBSTANTIVE CHANGES TO THE UNIFORM CODE OF MILITARY JUSTICE.
24 The reporting requirement under s. 321.03 (1) (f) 2. first applies to a substantive

1 change to the Uniform Code of Military Justice that is made on or after October 1,
2 2023.

3 (2) REPORTING OF SEXUAL ASSAULT AND SEXUAL HARASSMENT WITHIN THE WISCONSIN
4 NATIONAL GUARD. The reporting requirement under s. 321.04 (1) (s) first applies to a
5 reported incident of sexual assault or sexual harassment that is made on or after
6 October 1, 2023.”.

7 **219.** Page 374, line 11: after that line insert:

8 “SECTION 146. 20.465 (3) (bm) of the statutes is created to read:

9 20.465 (3) (bm) *Statewide public safety interoperable communication system.*

10 As a continuing appropriation, the amounts in the schedule to develop and operate
11 a statewide public safety interoperable communication system.”.

12 **220.** Page 374, line 11: after that line insert:

13 “SECTION 147. 256.35 (3s) (a) 2m. of the statutes is created to read:

14 256.35 (3s) (a) 2m. “Emergency services IP network provider” means an entity
15 under contract with the department under par. (b) to create, operate, and maintain
16 an emergency services IP network.

17 SECTION 148. 256.35 (3s) (a) 3m. of the statutes is created to read:

18 256.35 (3s) (a) 3m. “Next Generation 911 costs” means the costs incurred in the
19 operation of a Next Generation 911 emergency number system by an originating
20 service provider and, if applicable, the 3rd-party provider it uses to connect to an
21 emergency services IP network.

22 SECTION 149. 256.35 (3s) (b) of the statutes is amended to read:

23 256.35 (3s) (b) *Emergency services IP network contracts.* The department shall
24 invite bids to be submitted under s. 16.75 and, from the appropriation under s. 20.465

1 (3) (qm), contract for the creation, operation, and maintenance of an emergency
2 services IP network that to the greatest extent feasible relies on industry standards
3 and existing infrastructure to provide all public safety answering points with the
4 network necessary to implement Next Generation 911. Any contract under this
5 paragraph shall include a requirement that the emergency services IP network
6 provider reimburse any originating service provider or, if applicable, the 3rd-party
7 providers it uses to connect to an emergency services IP network for all Next
8 Generation 911 costs incurred by the originating service provider or, if applicable, the
9 3rd-party provider.

10 **SECTION 150.** 256.35 (3s) (bf) of the statutes is created to read:

11 256.35 (3s) (bf) *Next Generation 911 cost recovery.* An emergency services IP
12 network provider shall reimburse any originating service provider or, if applicable,
13 the 3rd-party provider it uses to connect to an emergency services IP network for all
14 Next Generation 911 costs incurred by the originating service provider or, if
15 applicable, the 3rd-party provider.”.

16 **221.** Page 374, line 11: after that line insert:

17 “**SECTION 151.** 20.465 (1) (km) of the statutes is amended to read:

18 20.465 (1) (km) *Agency services.* The amounts in the schedule to render
19 services to the department and to other state agencies, perform services under s.
20 321.03 (2) (c), and perform other general program operations. All moneys received
21 from other state agencies and all moneys received by the department from the
22 department for services rendered shall be credited to this appropriation.

23 **SECTION 152.** 321.03 (2) (c) of the statutes is created to read:

1 321.03 (2) (c) Provide aerial assistance for incident awareness and assessment,
2 drug interdiction and counter-drug activities, search and rescue efforts, or disasters,
3 as defined in s. 323.02 (6). The department may seek reimbursement for the cost of
4 any assistance provided under this paragraph.”.

5 **222.** Page 374, line 11: after that line insert:

6 “**SECTION 153.** 15.01 (6) of the statutes is amended to read:

7 15.01 (6) “Division,” “bureau,” “section,” and “unit” means the subunits of a
8 department or an independent agency, whether specifically created by law or created
9 by the head of the department or the independent agency for the more economic and
10 efficient administration and operation of the programs assigned to the department
11 or independent agency. The office of credit unions in the department of financial
12 institutions, the office of the inspector general in the department of children and
13 families, the office of the inspector general in the department of health services, and
14 the office of children’s mental health in the department of health services have the
15 meaning of “division” under this subsection. The office of the long-term care
16 ombudsman under the board on aging and long-term care, the office of homeland
17 security under the department of military affairs, and the office of educational
18 accountability in the department of public instruction have the meaning of “bureau”
19 under this subsection.

20 **SECTION 154.** 15.317 of the statutes is created to read:

21 **15.317 Same; offices. (1) OFFICE OF HOMELAND SECURITY.** There is created an
22 office of homeland security in the department of military affairs. The director of the
23 office shall be appointed by the adjutant general.

1 **SECTION 155.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
2 insert the following amounts for the purposes indicated:

			2023-24	2024-25
20.465 Military Affairs, Department of				
(1) NATIONAL GUARD OPERATIONS				
(am) Office of homeland security	GPR	A	244,700	313,000

6 **SECTION 156.** 20.465 (1) (am) of the statutes is created to read:
7 20.465 (1) (am) *Office of homeland security.* The amounts in the schedule for
8 the general operations of the office of homeland security under 321.52.

9 **SECTION 157.** 321.52 of the statutes is created to read:

10 **321.52 Office of homeland security.** The office of homeland security shall
11 coordinate with the federal department of homeland security and state and local law
12 enforcement agencies to identify, investigate, assess, report, and share tips and leads
13 linked to emerging homeland security threats.

14 **SECTION 9131. Nonstatutory provisions; Military Affairs.**

15 (1e) POSITIONS FOR THE OFFICE OF HOMELAND SECURITY. The authorized FTE
16 positions for the department of military affairs are increased by 4.0 GPR positions,
17 to be funded from the appropriation under s. 20.465 (1) (am), for the office of
18 homeland security.”.

19 **223.** Page 374, line 11: after that line insert:

20 “**SECTION 158.** 20.866 (2) (ug) of the statutes is amended to read:
21 20.866 (2) (ug) *Transportation; accelerated bridge improvements.* From the
22 capital improvement fund, a sum sufficient to acquire, construct, develop, enlarge or
23 improve local bridges under s. 84.11 and interstate bridges under s. 84.12. The state

1 may contract public debt in an amount not to exceed \$46,849,800 for this purpose.
2 In addition, the state may contract public debt in an amount not to exceed
3 \$50,000,000 for the construction of the Southern Bridge project crossing the Fox
4 River in Brown County.”.

5 **224.** Page 374, line 11: after that line insert:

6 “**SECTION 159.** 20.866 (2) (uw) of the statutes is amended to read:

7 20.866 (2) (uw) *Transportation; rail acquisitions and improvements and*
8 *intermodal freight facilities.* From the capital improvement fund, a sum sufficient
9 for the department of transportation to acquire railroad property under ss. 85.08 (2)
10 (L) and 85.09; to provide grants and loans for rail property acquisitions and
11 improvements under s. 85.08 (4m) (c) and (d); and to provide intermodal freight
12 facilities grants under s. 85.093. The state may contract public debt in an amount
13 not to exceed ~~\$250,300,000~~ \$320,300,000 for these purposes. ~~The state may contract~~
14 ~~additional public debt in an amount up to \$30,000,000 for these purposes. The state~~
15 ~~may contract additional public debt in an amount up to \$20,000,000 for these~~
16 ~~purposes.”.~~

17 **225.** Page 374, line 11: after that line insert:

18 “**SECTION 160.** 20.866 (2) (uv) of the statutes is amended to read:

19 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital
20 improvement fund, a sum sufficient for the department of transportation to provide
21 grants for harbor improvements. The state may contract public debt in an amount
22 not to exceed ~~\$120,000,000~~ \$183,300,000 for this purpose. ~~The state may contract~~
23 ~~additional public debt in an amount up to \$32,000,000 for this purpose. The state~~

1 ~~may contract additional public debt in an amount up to \$15,300,000 for this~~
2 ~~purpose.”.~~

3 **226.** Page 374, line 11: after that line insert:

4 “**SECTION 161.** 20.395 (4) (fq) of the statutes is created to read:

5 20.395 (4) (fq) *Electric vehicle infrastructure, state funds.* As a continuing
6 appropriation, the amounts in the schedule for the electric vehicle infrastructure
7 program under s. 85.53.

8 **SECTION 162.** 20.395 (4) (fv) of the statutes is created to read:

9 20.395 (4) (fv) *Electric vehicle infrastructure, local funds.* All moneys received
10 from any local unit of government or other source for the electric vehicle
11 infrastructure program under s. 85.53, for such purposes.

12 **SECTION 163.** 20.395 (4) (fx) of the statutes is created to read:

13 20.395 (4) (fx) *Electric vehicle infrastructure, federal funds.* All moneys
14 received from the federal government for the electric vehicle infrastructure program
15 under s. 85.53, for such purposes.

16 **SECTION 164.** 85.53 of the statutes is created to read:

17 **85.53 Electric vehicle infrastructure program.** The department may
18 establish and administer an electric vehicle infrastructure program. Under the
19 program, the department may provide funding for electric vehicle infrastructure
20 projects eligible for funding under state or federal law, including under the National
21 Electric Vehicle Formula Program as provided in Division J, Title VIII, of P.L.
22 117-58. All funding under this section shall be from the appropriations under s.
23 20.395 (4) (fq), (fv), and (fx).

24 **SECTION 165.** 196.01 (5) (b) 8. of the statutes is created to read:

1 196.01 (5) (b) 8. A person who supplies electricity through the person's electric
2 vehicle charging station to users' electric vehicles, if the person does not otherwise
3 directly or indirectly provide electricity to the public.”.

4 **227.** Page 374, line 11: after that line insert:

5 “**SECTION 166.** 20.395 (2) (fw) of the statutes is created to read:

6 20.395 (2) (fw) *Local transportation facility improvement assistance, state*
7 *funds.* As a continuing appropriation, the amounts in the schedule for providing
8 public access roads to navigable waters and for the purposes of ss. 84.27 and 84.28
9 and for improving transportation facilities, including facilities funded under
10 applicable federal acts or programs, that are not state trunk or connecting highways,
11 for such purposes.”.

12 **228.** Page 374, line 11: after that line insert:

13 “**SECTION 167.** 20.395 (2) (gt) of the statutes is created to read:

14 20.395 (2) (gt) *Interconnected traffic signal and railroad signal systems, state*
15 *funds.* As a continuing appropriation, the amounts in the schedule for the planning
16 and installation of interconnected traffic signal and railroad signal systems.

17 **SECTION 168.** 20.395 (2) (gw) of the statutes is created to read:

18 20.395 (2) (gw) *Interconnected traffic signal and railroad signal systems, local*
19 *funds.* All moneys received from any local unit of government for the planning and
20 installation of interconnected traffic signal and railroad signal systems, for such
21 purposes.”.

22 **229.** Page 374, line 11: after that line insert:

23 “**SECTION 169.** 20.866 (2) (uup) 1. of the statutes is amended to read:

1 20.866 (2) (uup) 1. From the capital improvement fund, a sum sufficient for the
2 department of transportation to fund the Marquette interchange reconstruction
3 project under s. 84.014, as provided under s. 84.555, the reconstruction of the I 94
4 north-south corridor and the zoo interchange, as provided under s. 84.555 (1m), the
5 reconstruction of the I 94 east-west corridor, as provided under s. 84.555 (1m),
6 southeast Wisconsin freeway megaprojects under s. 84.0145, as provided under s.
7 84.555 (1m), and high-cost state highway bridge projects under s. 84.017, as
8 provided under s. 84.555 (1m). The state may contract public debt in an amount not
9 to exceed \$704,750,000 for these purposes. In addition, the state may contract public
10 debt in an amount not to exceed \$107,000,000 for the reconstruction of the Zoo
11 interchange and I 94 north-south corridor, as provided under s. 84.555 (1m), as
12 southeast Wisconsin freeway megaprojects under s. 84.0145, in an amount not to
13 exceed \$216,800,000 for high-cost state highway bridge projects under s. 84.017, as
14 provided under s. 84.555 (1m), in an amount not to exceed \$300,000,000 for southeast
15 Wisconsin freeway megaprojects under s. 84.0145, as provided under s. 84.555 (1m),
16 in an amount not to exceed \$95,000,000 for the reconstruction of the Zoo interchange,
17 as provided under s. 84.555 (1m), as a southeast Wisconsin freeway megaproject
18 under s. 84.0145, and in an amount up to ~~\$40,000,000~~ \$180,873,000 for the
19 reconstruction of the I 94 east-west corridor, as provided under s. 84.555 (1m), as a
20 southeast Wisconsin freeway megaproject under s. 84.0145.”.

21 **230.** Page 374, line 11: after that line insert:

22 “**SECTION 170.** 110.07 (1) (a) (intro.) of the statutes is amended to read:

23 110.07 (1) (a) (intro.) The secretary shall employ not more than ~~399~~ 434 traffic
24 officers. The state traffic patrol consists of the traffic officers, the person designated

1 to head them whose position shall be in the classified service and, if certified under
2 s. 165.85 (4) (a) 1. as qualified to be a law enforcement officer, the division
3 administrator who is counted under s. 230.08 (2) (e) 12. and whose duties include
4 supervising the state traffic patrol. The division administrator may not be counted
5 under this paragraph. Members of the state traffic patrol shall:”.

6 **231.** Page 374, line 11: after that line insert:

7 “SECTION 171. 84.59 (6) of the statutes is amended to read:

8 84.59 (6) The building commission may contract revenue obligations when it
9 reasonably appears to the building commission that all obligations incurred under
10 this section can be fully paid from moneys received or anticipated and pledged to be
11 received on a timely basis. Except as provided in this subsection, the principal
12 amount of revenue obligations issued under this section may not exceed
13 \$4,055,372,900 \$4,493,600,000, excluding any obligations that have been defeased
14 under a cash optimization program administered by the building commission, to be
15 used for transportation facilities under s. 84.01 (28) and major highway projects for
16 the purposes under ss. 84.06 and 84.09. ~~In addition to the foregoing limit on principal
17 amount, the building commission may contract revenue obligations under this
18 section up to \$142,254,600, excluding any obligations that have been defeased under
19 a cash optimization program administered by the building commission, to be used
20 for transportation facilities under s. 84.01 (28) and major highway projects for the
21 purposes under ss. 84.06 and 84.09. In addition to the foregoing limit on principal
22 amount, the building commission may contract revenue obligations under this
23 section up to \$128,258,200, excluding any obligations that have been defeased under
24 a cash optimization program administered by the building commission, to be used~~

1 ~~for transportation facilities under s. 84.01 (28) and major highway projects for the~~
2 ~~purposes under ss. 84.06 and 84.09.~~ In addition to the foregoing limits on principal
3 amount, the building commission may contract revenue obligations under this
4 section as the building commission determines is desirable to refund outstanding
5 revenue obligations contracted under this section, to make payments under
6 agreements or ancillary arrangements entered into under s. 18.55 (6) with respect
7 to revenue obligations issued under this section, and to pay expenses associated with
8 revenue obligations contracted under this section.”.

9 **232.** Page 374, line 11: after that line insert:

10 “**SECTION 172.** 84.59 (2) (c) of the statutes is created to read:

11 84.59 (2) (c) The department may, under s. 18.561 or 18.562, deposit in a
12 separate and distinct fund outside the state treasury, in an account maintained by
13 a trustee, the revenues derived under 2023 Wisconsin Act ... (this act), section 9244
14 (1). The revenues deposited are the trustee’s revenues in accordance with the
15 agreement between this state and the trustee or in accordance with the resolution
16 pledging the revenues to the repayment of revenue obligations issued under this
17 section. Revenue obligations issued for the purposes specified in sub. (1) and for the
18 repayment of which revenues are deposited under this paragraph are special fund
19 obligations, as defined in s. 18.52 (7), issued for special fund programs, as defined in
20 s. 18.52 (8).

21 **SECTION 9244. Fiscal changes; Transportation.**

22 (1) TRANSPORTATION FACILITIES REVENUE OBLIGATION REPAYMENT FUND. There is
23 transferred from the general fund to the trust fund created under s. 84.59 (2) (c)
24 \$379,369,800 during the 2023-25 fiscal biennium.”.

1 **233.** Page 374, line 11: after that line insert:

2 “**SECTION 173.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
3 insert the following amounts for the purposes indicated:

2023-24 2024-25

4 **20.395 Transportation, department of**

5 (1) AIDS

6 (bt) Transit capital assistance grants SEG C 10,000,000 10,000,000

7 **SECTION 174.** 20.395 (1) (bt) of the statutes is created to read:

8 20.395 (1) (bt) *Transit capital assistance grants.* As a continuing
9 appropriation, the amounts in the schedule for transit capital assistance grants
10 under s. 85.203.

11 **SECTION 175.** 85.203 of the statutes is created to read:

12 **85.203 Transit capital assistance grants. (1)** In this section:

13 (a) “Eligible applicant” has the meaning given in s. 85.20 (1) (b).

14 (b) “Public transit vehicle” means any vehicle used for providing transportation
15 service to the general public that is eligible for replacement under settlement
16 guidelines, as defined in s. 16.047 (1) (b).

17 **(2)** The department shall administer a transit capital assistance grant
18 program. From the appropriation under s. 20.395 (1) (bt), the department shall
19 award grants to eligible applicants for the replacement of public transit vehicles.
20 The department shall establish criteria for awarding grants under this section.”.

21 **234.** Page 374, line 11: after that line insert:

22 “**SECTION 176.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
23 insert the following amounts for the purposes indicated:

2023-24	2024-25
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1 **20.395 Transportation, department of**

2 (2) LOCAL TRANSPORTATION ASSISTANCE

3 (ja) Local traffic calming grants GPR C 60,000,000 -0-

4 **SECTION 177.** 20.395 (2) (ja) of the statutes is created to read:

5 20.395 (2) (ja) *Local traffic calming grants.* From the general fund, as a
6 continuing appropriation, the amounts in the schedule for the local traffic calming
7 grant program under s. 85.024.

8 **SECTION 178.** 85.024 of the statutes is created to read:

9 **85.024 Local traffic calming grants.** The department shall develop and
10 administer a local traffic calming grant program. From the appropriation under s.
11 20.395 (2) (ja), the department shall award grants to counties, cities, villages, and
12 towns for infrastructure projects that are eligible for funding under the federal
13 transportation alternatives program and that are designed to reduce the speed of
14 vehicular traffic. The department shall prescribe the form, nature, and extent of
15 information that shall be contained in applications for grants under this section and
16 shall establish criteria for evaluating applications and for awarding grants under
17 this section.”.

18 **235.** Page 374, line 11: after that line insert:

19 “**SECTION 179.** 86.51 of the statutes is repealed.”.

20 **236.** Page 374, line 11: after that line insert:

21 “**SECTION 180.** 86.19 (1) of the statutes is amended to read:

22 86.19 (1) Except as provided in sub. (1m), (1n), ~~or (1o)~~, or (1p) or s. 84.01 (30)
23 (g), no sign shall be placed within the limits of any street or highway except such as

1 are necessary for the guidance or warning of traffic or as provided by ss. 60.23 (17m)
2 and 66.0429. The authorities charged with the maintenance of streets or highways
3 shall cause the removal therefrom and the disposal of all other signs.

4 **SECTION 181.** 86.19 (1p) of the statutes is created to read:

5 86.19 (1p) (a) In this subsection, “tribal nation welcome sign” means an official
6 sign erected and maintained by a federally recognized American Indian tribe or band
7 in this state that the tribe or band determines is necessary to inform motorists of the
8 territorial boundaries of the Indian reservation or other land held in trust for the
9 tribe or band.

10 (b) A federally recognized American Indian tribe or band in this state may erect
11 and maintain within the right-of-way of any highway within the boundaries of an
12 Indian reservation or other land held in trust for the tribe or band a tribal nation
13 welcome sign. No sign under this subsection may be placed within the right-of-way
14 of a highway designated as part of the national system of interstate and defense
15 highways. A sign placed under this subsection is not a traffic control device and is
16 not subject to the provisions of the Wisconsin manual on traffic control devices
17 adopted by the department under s. 84.02 (4) (e).”.

18 **237.** Page 374, line 11: after that line insert:

19 “**SECTION 182.** 84.01 (35) (b) of the statutes is amended to read:

20 84.01 (35) (b) Except as provided in par. (d) (c), and notwithstanding any other
21 provision of this chapter or ch. 82, 83, or 85, the department shall ~~give due~~
22 ~~consideration to establishing~~ ensure that bikeways and pedestrian ways are
23 established in all new highway construction and reconstruction projects funded in

1 whole or in part from state funds or federal funds appropriated under s. 20.395 or
2 20.866.

3 **SECTION 183.** 84.01 (35) (c) of the statutes is created to read:

4 84.01 (35) (c) The department shall promulgate rules identifying exceptions to
5 the requirement under par. (b), but these rules may provide for an exception only if
6 any of the following applies:

7 2. The cost of establishing bikeways or pedestrian ways would be excessively
8 disproportionate to the need or probable use of the bikeways or pedestrian ways. For
9 purposes of this subdivision, cost is excessively disproportionate if it exceeds 20
10 percent of the total project cost. The rules may not allow an exception under this
11 subdivision to be applied unless the secretary of transportation, or a designee of the
12 secretary who has knowledge of the purpose and value of bicycle and pedestrian
13 accommodations, reviews the applicability of the exception under this subdivision to
14 the particular project at issue.

15 3. Establishing bikeways or pedestrian ways would have excessive negative
16 impacts in a constrained environment.

17 4. There is an absence of need for the bikeways or pedestrian ways, as indicated
18 by sparsity of population, traffic volume, or other factors.

19 5. The community where pedestrian ways are to be located refuses to accept an
20 agreement to maintain them.

21 **SECTION 184.** 84.01 (35) (d) (intro.) and 2. of the statutes are repealed.

22 **SECTION 185.** 84.01 (35) (d) 1. of the statutes is renumbered 84.01 (35) (c) 1.”.

23 **238.** Page 374, line 11: after that line insert:

24 “**SECTION 186.** 84.54 of the statutes is repealed.”.

1 **239.** Page 374, line 11: after that line insert:

2 “**SECTION 187.** 343.06 (1) (c) of the statutes is amended to read:

3 343.06 (1) (c) To any person under age 18 unless the person is enrolled in a
4 school program or high school equivalency program and is not a habitual truant as
5 defined in s. 118.16 (1) (a), has graduated from high school or been granted a
6 declaration of high school graduation equivalency, or is enrolled in a home-based
7 private educational program, as defined in s. 115.001 (3g), and has satisfactorily
8 completed a course in driver education in public schools approved by the department
9 of public instruction, or in technical colleges approved by the technical college system
10 board, or in nonpublic and private schools or tribal schools, as defined in s. 115.001
11 (15m), that meet the minimum standards set by the department of public
12 instruction, or has satisfactorily completed a substantially equivalent course in
13 driver training approved by the department and given by a school licensed by the
14 department under s. 343.61, or has satisfactorily completed a substantially
15 equivalent course in driver education or training approved by another state and has
16 attained the age of 16, except as provided in s. 343.07 (1g). The department shall not
17 issue a license to any person under the age of 18 authorizing the operation of “Class
18 M” vehicles unless the person has successfully completed a basic rider course
19 approved by the Wisconsin department of transportation motorcycle safety program.
20 The department may, by rule, exempt certain persons from the basic rider course
21 requirement of this paragraph. Applicants for a license under s. 343.08 or 343.135
22 are exempt from the driver education, basic rider or driver training course
23 requirement. The secretary shall prescribe rules for licensing of schools and
24 instructors to qualify under this paragraph. The driver education course shall be

1 made available to every eligible student in the state. Except as provided under s.
2 343.16 (1) (a) 5., (bm), and (c) and (2) (cm) to (e), no operator's license may be issued
3 unless a driver's examination has been administered by the department.

4 **SECTION 188.** 343.085 (2m) (b) 2. of the statutes is amended to read:

5 343.085 **(2m)** (b) 2. If the department extends a restriction period under subd.
6 1., the department shall immediately provide notice of the extension by 1st class mail
7 to the person's last-known residence address, or if the person has requested
8 electronic notification in the manner prescribed by the department, by any electronic
9 means offered by the department.

10 **SECTION 189.** 343.14 (3) of the statutes is amended to read:

11 343.14 **(3)** Except as provided in sub. (3m) and s. 343.16 (3) (c), the department
12 shall, as part of the application process, take a digital photograph including facial
13 image capture of the applicant to comply with s. 343.17 (3) (a) 2. Except as provided
14 in sub. (3m) and s. 343.16 (3) (c), no application may be processed without the
15 photograph being taken. Except as provided in sub. (3m) and s. ss. 343.16 (3) (c) and
16 343.165 (4) (d), in the case of renewal licenses, the photograph shall be taken once
17 every 8 years, and shall coincide with the appearance for examination which is
18 required under s. 343.16 (3).

19 **SECTION 190.** 343.16 (1) (a) 1. of the statutes is amended to read:

20 343.16 **(1)** (a) 1. Except as provided in subd. 5. and when examination by an
21 authorized 3rd-party tester is permitted under pars. (b) to (c), the department shall
22 examine every applicant for an operator's license, including applicants for license
23 renewal as provided in sub. (3), and every applicant for authorization to operate a
24 vehicle class or type for which the applicant does not hold currently valid
25 authorization, other than an instruction permit.

1 **SECTION 191.** 343.16 (1) (a) 2. a. of the statutes is amended to read:

2 343.16 (1) (a) 2. a. Except as provided in par. (cm) and sub. (2) (cm) and (e), the
3 examinations of applicants for licenses authorizing operation of “Class A”, “Class B”,
4 “Class C”, “Class D” or “Class M” vehicles shall include both a knowledge test and
5 an actual demonstration in the form of a driving skills test of the applicant’s ability
6 to exercise ordinary and reasonable control in the operation of a representative
7 vehicle.

8 **SECTION 192.** 343.16 (1) (a) 5. of the statutes is created to read:

9 343.16 (1) (a) 5. The department may waive the driving skills test of an
10 individual applying for an operator’s license if all of the following apply:

- 11 a. The applicant is under 18 years of age.
- 12 b. The application is for authorization to operate only “Class D” vehicles.
- 13 c. The applicant has satisfactorily completed a course in driver education in a
14 public school approved by the department of public instruction, or in a technical
15 college approved by the technical college system board, or in a nonpublic and private
16 school or tribal school, as defined in s. 115.001 (15m), that meets the minimum
17 standards set by the department of public instruction, or has satisfactorily completed
18 a substantially equivalent course in driver training approved by the department and
19 given by a school licensed by the department under s. 343.61, or has satisfactorily
20 completed a substantially equivalent course in driver education or training approved
21 by another state.
- 22 d. An adult sponsor who has signed for the applicant under s. 343.15 (1)
23 consents to a waiver of the driving skills test.

24 **SECTION 193.** 343.16 (3) (a) of the statutes is amended to read:

1 343.16 (3) (a) Except as provided in s. 343.165 (4) (d), the department shall
2 examine every applicant for the renewal of an operator's license once every 8 years.
3 The department may institute a method of selecting the date of renewal so that such
4 examination shall be required for each applicant for renewal of a license to gain a
5 uniform rate of examinations. Subject to ~~par.~~ par. (am) and (c), the examination
6 shall consist of a test of eyesight. The department shall make provisions for giving
7 such examinations at examining stations in each county to all applicants for an
8 operator's license. The person to be examined shall appear at the examining station
9 nearest the person's place of residence or at such time and place as the department
10 designates in answer to an applicant's request. In lieu of examination, the applicant
11 may present or mail to the department a report of examination of the applicant's
12 eyesight by an ophthalmologist, optometrist or physician licensed to practice
13 medicine. The report shall be based on an examination made not more than 3 months
14 prior to the date it is submitted. The report shall be on a form furnished and in the
15 form required by the department. The department shall decide whether, in each
16 case, the eyesight reported is sufficient to meet the current eyesight standards.

17 **SECTION 194.** 343.16 (3) (c) of the statutes is created to read:

18 343.16 (3) (c) 1. An applicant for the renewal of an operator's license may apply
19 for the license, and the department may issue the license, by any electronic means
20 offered by the department if all of the following apply:

21 a. The applicant verifies that his or her eyesight is sufficient to meet the current
22 eyesight standards.

23 b. The applicant satisfies any eligibility criteria established by the department
24 under subd. 2.

1 2. The department may establish additional criteria for eligibility for license
2 renewal by electronic means under this paragraph.

3 3. a. The department may renew a license under this paragraph without a test
4 of eyesight.

5 b. Subject to s. 343.165 (7), the department may renew a license under this
6 paragraph without a photograph being taken if the department is able to produce a
7 photograph of the applicant from its records.

8 4. The department may not make consecutive renewals of an operator's license
9 by electronic means.

10 **SECTION 195.** 343.305 (8) (b) 7. of the statutes is amended to read:

11 343.305 (8) (b) 7. The hearing examiner shall notify the person in writing of the
12 hearing decision, of the right to judicial review and of the court's authority to issue
13 a stay of the suspension under par. (c). If the person has requested electronic
14 communication in the manner prescribed by the department, the hearing examiner
15 may provide the notice under this subdivision by any electronic means offered by the
16 department. The administrative suspension is vacated and the person's operating
17 privilege shall be automatically reinstated under s. 343.39 if the hearing examiner
18 fails to mail or provide this notice in the manner specified under this subdivision to
19 the person within 30 days after the date of the notification under par. (a).

20 **SECTION 196.** 343.315 (4) of the statutes is amended to read:

21 343.315 (4) NOTIFICATION AND COMMENCEMENT. The Except as provided in this
22 section, the department shall send the a notice of disqualification under this section
23 by 1st class mail to a person's last-known residence address. If a person has
24 requested electronic notification in the manner prescribed by the department, the
25 department may provide the notice of disqualification by any electronic means

1 offered by the department. A period of disqualification ordered under this section
2 commences on the date on which the notice is sent under this subsection. This
3 subsection does not apply to disqualifications under sub. (2) (g).

4 **SECTION 197.** 343.44 (3) of the statutes is amended to read:

5 343.44 (3) FAILURE TO RECEIVE NOTICE. Refusal to accept or failure to receive an
6 order of revocation, suspension, or disqualification ~~mailed by 1st class mail to such~~
7 ~~person's last-known address shall not be~~ provided as authorized by the statutes is
8 not a defense to the charge of driving after revocation, suspension, or
9 disqualification. If the person has changed his or her address and fails to notify the
10 department as required in s. 343.22 then failure to receive notice of revocation,
11 suspension, or disqualification ~~shall not be~~ mailed as authorized by the statutes is
12 not a defense to the charge of driving after revocation, suspension or disqualification.
13 If a person has requested electronic notification in the manner prescribed by the
14 department and the person has changed the electronic contact information provided
15 to the department without informing the department, failure to receive notice of
16 revocation, suspension, or disqualification is not a defense to the charge of driving
17 after revocation, suspension, or disqualification.

18 **SECTION 198.** 344.02 (1) of the statutes is amended to read:

19 344.02 (1) Whenever the department under s. 344.13 gives notice of the amount
20 of security required to be deposited and that an order of suspension or impoundment
21 will be made if such ~~the~~ the security is not deposited, ~~it~~ the department shall afford the
22 person ~~so notified~~ subject to the proposed action an opportunity for a hearing on the
23 proposed action, if written request for a hearing is received by the department prior
24 to the date specified in the notice, or prior to the postponed effective date of
25 suspension if postponement has been granted under s. 344.14 (1). ~~Upon~~ Except as

1 provided under this section, upon receipt of timely request for hearing, the
2 department shall fix the time and place of the hearing and give notice ~~thereof~~ of the
3 time and place of the hearing to such ~~the~~ person by regular mail. If the person has
4 requested electronic notification in the manner prescribed by the department, the
5 department may provide the notice of the time and place of the hearing by any
6 electronic means offered by the department. The scope of the hearing is limited to
7 the matter set forth in s. 344.14 (2) (k) and, subject to s. 344.14 (2m), to whether or
8 not the person is the owner of the motor vehicle to be impounded. Any person who
9 fails without reasonable cause to appear at the time and place specified in the notice
10 shall forfeit the right to a hearing.

11 **SECTION 199.** 344.13 (2) of the statutes is amended to read:

12 344.13 (2) The secretary shall determine the amount of security required to be
13 deposited by each person on the basis of the accident reports or other information
14 submitted. In addition to the accident reports required by law, the secretary may
15 request from any of the persons, including passengers and pedestrians, involved in
16 such accident such further information, sworn statements, or other evidence relating
17 to property damage, personal injury, or death in motor vehicle accidents as deemed
18 necessary to aid in determining the amount to be deposited as security under s.
19 344.14. Failure of a person to comply with such request is grounds for suspending
20 such person's operating privilege but no suspension shall be made on such grounds
21 until one follow-up request has been made and at least 20 days have elapsed since
22 ~~the mailing of~~ providing the first request. The first request under this subsection
23 shall be mailed to the person or, if the person has requested electronic
24 communication in the manner prescribed by the department, may be provided by any
25 electronic means offered by the department

1 **SECTION 200.** 351.025 (2) of the statutes is amended to read:

2 351.025 (2) ~~The revocation is effective~~ Revocation under this section takes
3 effect on the date the department mails, if the notice is sent by 1st class mail, or
4 provides, if the notice is by electronic means, the notice of revocation under s. 351.027
5 (1).

6 **SECTION 201.** 351.027 (1) of the statutes is amended to read:

7 351.027 (1) ~~Whenever the secretary under authority of s. 351.025~~ revokes a
8 person's operating privilege under s. 351.025, the secretary shall immediately notify
9 the person ~~in writing~~ of the revocation and of the person's right to a hearing on the
10 revocation ~~as provided in sub. (2).~~ The. Except as provided in this subsection, the
11 department shall send the notice by 1st class mail to the address most recently
12 provided to the department by the person. If a person has requested electronic
13 notification in the manner prescribed by the department, the department may
14 provide the notice by any electronic means offered by the department."

15 **240.** Page 374, line 11: after that line insert:

16 “**SECTION 202.** 343.301 (1g) (a) 2. a. of the statutes is amended to read:

17 343.301 (1g) (a) 2. a. ~~The person had an offense involved the use of~~ alcohol
18 ~~concentration of 0.15 or more at the time of the offense.~~

19 **SECTION 9344. Initial applicability; Transportation.**

20 (1) **IGNITION INTERLOCK DEVICE REQUIREMENT EXPANSION.** The treatment of s.
21 343.301 (1g) (a) 2. a. first applies to violations committed on the effective date of this
22 subsection.”.

23 **241.** Page 374, line 11: after that line insert:

24 “**SECTION 203.** 347.50 (2m) (a) of the statutes is amended to read:

1 347.50 (2m) (a) Any person who violates s. 347.48 (2m) (b) or (c) and any person
2 16 years of age or older who violates s. 347.48 (2m) (d) shall be required to forfeit \$10
3 \$25.”.

4 **242.** Page 374, line 11: after that line insert:

5 “**SECTION 204.** 343.17 (3) (d) 1g. of the statutes is amended to read:

6 343.17 (3) (d) 1g. “F” endorsement, which authorizes a seasonal employee of
7 a farm service industry employer who is eligible for a restricted commercial driver
8 license under applicable federal law or regulation to operate “Class B” and “Class C”
9 vehicles as described in s. 343.04 (1) (b) and (c) for a seasonal period not to exceed ~~180~~
10 210 days in any calendar year. This endorsement permits the transporting of liquid
11 fertilizers in vehicles or implements of husbandry with total capacities of 3,000
12 gallons or less, solid fertilizers that are not transported with any organic substance
13 or 1,000 gallons or less of diesel fuel, but no combination of these materials. The
14 endorsement does not permit operation of a commercial motor vehicle beyond 150
15 miles of the farm service industry employer’s place of business or, in the case of
16 custom harvesters, the farm currently being served.”.

17 **243.** Page 374, line 11: after that line insert:

18 “**SECTION 205.** 66.1011 (1) of the statutes is amended to read:

19 66.1011 (1) **DECLARATION OF POLICY.** The right of all persons to have equal
20 opportunities for housing regardless of their sex, race, color, disability, as defined in
21 s. 106.50 (1m) (g), sexual orientation, as defined in s. 111.32 (13m), religion, national
22 origin, marital status, family status, as defined in s. 106.50 (1m) (k), status as a
23 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
24 status as a holder or nonholder of a license under s. 343.03 (3r), lawful source of

1 income, age, or ancestry is a matter both of statewide concern under ss. 101.132 and
2 106.50 and also of local interest under this section and s. 66.0125. The enactment
3 of ss. 101.132 and 106.50 by the legislature does not preempt the subject matter of
4 equal opportunities in housing from consideration by political subdivisions, and does
5 not exempt political subdivisions from their duty, nor deprive them of their right, to
6 enact ordinances that prohibit discrimination in any type of housing solely on the
7 basis of an individual being a member of a protected class.

8 **SECTION 206.** 66.1201 (2m) of the statutes is amended to read:

9 66.1201 **(2m)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
10 facility, or privilege under ss. 66.1201 to 66.1211 may not be denied the right, benefit,
11 facility, or privilege in any manner for any purpose nor be discriminated against
12 because of sex, race, color, creed, national origin, sexual orientation, status as a
13 victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u),
14 or national origin status as a holder or nonholder of a license under s. 343.03 (3r).

15 **SECTION 207.** 66.1213 (3) of the statutes is amended to read:

16 66.1213 **(3)** DISCRIMINATION. Persons otherwise entitled to any right, benefit,
17 facility, or privilege under this section may not be denied the right, benefit, facility,
18 or privilege in any manner for any purpose nor be discriminated against because of
19 sex, race, color, creed, national origin, sexual orientation, status as a victim of
20 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
21 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

22 **SECTION 208.** 66.1301 (2m) of the statutes is amended to read:

23 66.1301 **(2m)** DISCRIMINATION. Persons entitled to any right, benefit, facility,
24 or privilege under ss. 66.1301 to 66.1329 may not be denied the right, benefit, facility,
25 or privilege in any manner for any purpose nor be discriminated against because of

1 sex, race, color, creed, national origin, sexual orientation, status as a victim of
2 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or
3 national origin status as a holder or nonholder of a license under s. 343.03 (3r).

4 **SECTION 209.** 66.1333 (3) (e) 2. of the statutes is amended to read:

5 66.1333 (3) (e) 2. Persons otherwise entitled to any right, benefit, facility, or
6 privilege under this section may not be denied the right, benefit, facility, or privilege
7 in any manner for any purpose nor be discriminated against because of sex, race,
8 color, creed, national origin, sexual orientation, status as a victim of domestic abuse,
9 sexual assault, or stalking, as defined in s. 106.50 (1m) (u), or national origin status
10 as a holder or nonholder of a license under s. 343.03 (3r).

11 **SECTION 210.** 86.195 (5) (c) of the statutes is amended to read:

12 86.195 (5) (c) *Conformity with discrimination laws.* Each business identified
13 as a motorist service on a specific information sign shall, as a condition of eligibility
14 for erection, installation and maintenance of a sign under this section, give written
15 assurance to the department that the business conforms with all applicable laws
16 concerning the provisions of public accommodations without regard to race, religion,
17 color, sex or, national origin, or status as a holder or nonholder of a license under s.
18 343.03 (3r).

19 **SECTION 211.** 106.50 (1) of the statutes is amended to read:

20 106.50 (1) INTENT. It is the intent of this section to render unlawful
21 discrimination in housing. It is the declared policy of this state that all persons shall
22 have an equal opportunity for housing regardless of sex, race, color, sexual
23 orientation, disability, religion, national origin, marital status, family status, status
24 as a holder or nonholder of a license under s. 343.03 (3r), status as a victim of
25 domestic abuse, sexual assault, or stalking, lawful source of income, age, or ancestry

1 and it is the duty of the political subdivisions to assist in the orderly prevention or
2 removal of all discrimination in housing through the powers granted under ss.
3 66.0125 and 66.1011. The legislature hereby extends the state law governing equal
4 housing opportunities to cover single-family residences that are owner-occupied.
5 The legislature finds that the sale and rental of single-family residences constitute
6 a significant portion of the housing business in this state and should be regulated.
7 This section shall be considered an exercise of the police powers of the state for the
8 protection of the welfare, health, peace, dignity, and human rights of the people of
9 this state.

10 **SECTION 212.** 106.50 (1m) (h) of the statutes is amended to read:

11 106.50 (1m) (h) “Discriminate” means to segregate, separate, exclude, or treat
12 a person or class of persons unequally in a manner described in sub. (2), (2m), or (2r)
13 because of sex, race, color, sexual orientation, disability, religion, national origin,
14 marital status, family status, status as a holder or nonholder of a license under s.
15 343.03 (3r), status as a victim of domestic abuse, sexual assault, or stalking, lawful
16 source of income, age, or ancestry.

17 **SECTION 213.** 106.50 (1m) (nm) of the statutes is amended to read:

18 106.50 (1m) (nm) “Member of a protected class” means a group of natural
19 persons, or a natural person, who may be categorized because of sex, race, color,
20 disability, sexual orientation, religion, national origin, marital status, family status,
21 status as a holder or nonholder of a license under s. 343.03 (3r), status as a victim
22 of domestic abuse, sexual abuse, or stalking, lawful source of income, age, or ancestry.

23 **SECTION 214.** 106.50 (5m) (f) 1. of the statutes is amended to read:

24 106.50 (5m) (f) 1. Nothing in this section prohibits an owner or agent from
25 requiring that a person who seeks to buy or rent housing supply information

1 concerning family status, and marital, financial, and business status but not
2 concerning race, color, disability, sexual orientation, ancestry, national origin,
3 religion, creed, status as a holder or nonholder of a license under s. 343.03 (3r), status
4 as a victim of domestic abuse, sexual assault, or stalking, or, subject to subd. 2., age.

5 **SECTION 215.** 106.52 (3) (a) 1. of the statutes is amended to read:

6 106.52 (3) (a) 1. Deny to another or charge another a higher price than the
7 regular rate for the full and equal enjoyment of any public place of accommodation
8 or amusement because of sex, race, color, creed, disability, sexual orientation,
9 national origin, or ancestry or because a person holds or does not hold a license under
10 s. 343.03 (3r).

11 **SECTION 216.** 106.52 (3) (a) 2. of the statutes is amended to read:

12 106.52 (3) (a) 2. Give preferential treatment to some classes of persons in
13 providing services or facilities in any public place of accommodation or amusement
14 because of sex, race, color, creed, sexual orientation, national origin, or ancestry or
15 because a person holds or does not hold a license under s. 343.03 (3r).

16 **SECTION 217.** 106.52 (3) (a) 3. of the statutes is amended to read:

17 106.52 (3) (a) 3. Directly or indirectly publish, circulate, display or mail any
18 written communication which the communicator knows is to the effect that any of
19 the facilities of any public place of accommodation or amusement will be denied to
20 any person by reason of sex, race, color, creed, disability, sexual orientation, national
21 origin, or ancestry or because a person holds or does not hold a license under s. 343.03
22 (3r) or that the patronage of a person is unwelcome, objectionable or unacceptable
23 for any of those reasons.

24 **SECTION 218.** 106.52 (3) (a) 4. of the statutes is amended to read:

1 106.52 (3) (a) 4. Refuse to furnish or charge another a higher rate for any
2 automobile insurance because of race, color, creed, disability, national origin, or
3 ancestry or because a person holds or does not hold a license under s. 343.03 (3r).

4 **SECTION 219.** 106.52 (3) (a) 5. of the statutes is amended to read:

5 106.52 (3) (a) 5. Refuse to rent, charge a higher price than the regular rate or
6 give preferential treatment, because of sex, race, color, creed, sexual orientation,
7 national origin, or ancestry or because a person holds or does not hold a license under
8 s. 343.03 (3r), regarding the use of any private facilities commonly rented to the
9 public.

10 **SECTION 220.** 111.31 (1) of the statutes is amended to read:

11 111.31 (1) The legislature finds that the practice of unfair discrimination in
12 employment against properly qualified individuals by reason of their age, race,
13 creed, color, disability, marital status, sex, national origin, ancestry, sexual
14 orientation, arrest record, conviction record, military service, use or nonuse of lawful
15 products off the employer's premises during nonworking hours, or declining to
16 attend a meeting or to participate in any communication about religious matters or
17 political matters, substantially and adversely affects the general welfare of the state.
18 Employers, labor organizations, employment agencies, and licensing agencies that
19 deny employment opportunities and discriminate in employment against properly
20 qualified individuals solely because of their age, race, creed, color, disability, marital
21 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
22 record, military service, status as a holder or nonholder of a license under s. 343.03
23 (3r), use or nonuse of lawful products off the employer's premises during nonworking
24 hours, or declining to attend a meeting or to participate in any communication about

1 religious matters or political matters, deprive those individuals of the earnings that
2 are necessary to maintain a just and decent standard of living.

3 **SECTION 221.** 111.31 (2) of the statutes is amended to read:

4 111.31 (2) It is the intent of the legislature to protect by law the rights of all
5 individuals to obtain gainful employment and to enjoy privileges free from
6 employment discrimination because of age, race, creed, color, disability, marital
7 status, sex, national origin, ancestry, sexual orientation, arrest record, conviction
8 record, military service, status as a holder or nonholder of a license under s. 343.03
9 (3r), use or nonuse of lawful products off the employer's premises during nonworking
10 hours, or declining to attend a meeting or to participate in any communication about
11 religious matters or political matters, and to encourage the full, nondiscriminatory
12 utilization of the productive resources of the state to the benefit of the state, the
13 family, and all the people of the state. It is the intent of the legislature in
14 promulgating this subchapter to encourage employers to evaluate an employee or
15 applicant for employment based upon the individual qualifications of the employee
16 or applicant rather than upon a particular class to which the individual may belong.

17 **SECTION 222.** 111.31 (3) of the statutes is amended to read:

18 111.31 (3) In the interpretation and application of this subchapter, and
19 otherwise, it is declared to be the public policy of the state to encourage and foster
20 to the fullest extent practicable the employment of all properly qualified individuals
21 regardless of age, race, creed, color, disability, marital status, sex, national origin,
22 ancestry, sexual orientation, arrest record, conviction record, military service, status
23 as a holder or nonholder of a license under s. 343.03 (3r), use or nonuse of lawful
24 products off the employer's premises during nonworking hours, or declining to
25 attend a meeting or to participate in any communication about religious matters or

1 political matters. Nothing in this subsection requires an affirmative action program
2 to correct an imbalance in the work force. This subchapter shall be liberally
3 construed for the accomplishment of this purpose.

4 **SECTION 223.** 111.321 of the statutes is amended to read:

5 **111.321 Prohibited bases of discrimination.** Subject to ss. 111.33 to
6 111.365, no employer, labor organization, employment agency, licensing agency, or
7 other person may engage in any act of employment discrimination as specified in s.
8 111.322 against any individual on the basis of age, race, creed, color, disability,
9 marital status, sex, national origin, ancestry, arrest record, conviction record,
10 military service, status as a holder or nonholder of a license under s. 343.03 (3r), use
11 or nonuse of lawful products off the employer's premises during nonworking hours,
12 or declining to attend a meeting or to participate in any communication about
13 religious matters or political matters.

14 **SECTION 224.** 194.025 of the statutes is amended to read:

15 **194.025 Discrimination prohibited.** No motor carrier may engage in any
16 practice, act or omission which results in discrimination on the basis of race, creed,
17 sex ~~or~~, national origin, or status as a holder or nonholder of a license under s. 343.03
18 (3r).

19 **SECTION 225.** 224.77 (1) (o) of the statutes is amended to read:

20 224.77 (1) (o) In the course of practice as a mortgage banker, mortgage loan
21 originator, or mortgage broker, except in relation to housing designed to meet the
22 needs of elderly individuals, treat a person unequally solely because of sex, race,
23 color, handicap, sexual orientation, as defined in s. 111.32 (13m), religion, national
24 origin, age, or ancestry, the person's lawful source of income, or the sex, marital
25 status, status as a holder or nonholder of a license under s. 343.03 (3r), or status as

1 a victim of domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m)
2 (u), of the person maintaining a household.

3 **SECTION 226.** 230.01 (2) (b) of the statutes is amended to read:

4 230.01 (2) (b) It is the policy of this state to provide for equal employment
5 opportunity by ensuring that all personnel actions including hire, tenure or term,
6 and condition or privilege of employment be based on the ability to perform the duties
7 and responsibilities assigned to the particular position without regard to age, race,
8 creed or religion, color, disability, sex, national origin, ancestry, sexual orientation,
9 or political affiliation, or status as a holder or nonholder of a license under s. 343.03
10 (3r).

11 **SECTION 227.** 230.18 of the statutes is amended to read:

12 **230.18 Discrimination prohibited.** No question in any form of application
13 or in any evaluation used in the hiring process may be so framed as to elicit
14 information concerning the partisan political or religious opinions or affiliations of
15 any applicant nor may any inquiry be made concerning such opinions or affiliations
16 and all disclosures thereof shall be discountenanced except that the director may
17 evaluate the competence and impartiality of applicants for positions such as clinical
18 chaplain in a state institutional program. No discriminations may be exercised in
19 the recruitment, application, or hiring process against or in favor of any person
20 because of the person's political or religious opinions or affiliations or because of age,
21 sex, disability, race, color, sexual orientation, national origin, or ancestry, or status
22 as a holder or nonholder of a license under s. 343.03 (3r) except as otherwise provided.

23 **SECTION 228.** 234.29 of the statutes is amended to read:

24 **234.29 Equality of occupancy and employment.** The authority shall
25 require that occupancy of housing projects assisted under this chapter be open to all

1 regardless of sex, race, religion, sexual orientation, status as a holder or nonholder
2 of a license under s. 343.03 (3r), status as a victim of domestic abuse, sexual assault,
3 or stalking, as defined in s. 106.50 (1m) (u), or creed, and that contractors and
4 subcontractors engaged in the construction of economic development or housing
5 projects, shall provide an equal opportunity for employment, without discrimination
6 as to sex, race, religion, sexual orientation, or creed.

7 **SECTION 229.** 343.03 (3m) of the statutes is amended to read:

8 343.03 (3m) NONCITIZEN LIMITED-TERM LICENSE. If the issuance of any license
9 described under sub. (3) requires the license applicant to present any documentary
10 proof specified in s. 343.14 (2) (es) ~~2. to 7.~~ 1m. b. to g. or (im) 2m. b., the license shall
11 display on the front side of the license, in addition to any legend or label described
12 in sub. (3), a legend identifying the license as limited term or, if the license authorizes
13 the operation of a commercial motor vehicle, as a nondomiciled license. This
14 noncitizen limited-term license may not be renewed except as provided in s. 343.165
15 (4) (c). A nondomiciled license may not be issued to a resident of Canada or Mexico.

16 **SECTION 230.** 343.03 (3r) of the statutes is amended to read:

17 343.03 (3r) REAL ID NONCOMPLIANT LICENSE. If any license described under sub.
18 (3) is issued based upon the exception specified in s. 343.165 (7), the license shall, in
19 addition to any legend or label described in sub. (3), be marked in a manner
20 consistent with requirements under applicable federal law and regulations to
21 indicate that the license is issued in accordance with P.L. 109-13, section 202 (d) (11),
22 and is not intended to be accepted by any federal agency for federal identification or
23 any other official purpose. Section 344.62 applies to a person operating a motor
24 vehicle under the authorization of a license issued under this subsection.

1 **SECTION 231.** 343.14 (2) (br) of the statutes is renumbered 343.14 (2) (br) 1. and
2 amended to read:

3 343.14 (2) (br) 1. If Except as provided in subd. 2., if the applicant does not have
4 a social security number, a statement made or subscribed under oath or affirmation
5 that the applicant does not have a social security number and is not eligible for a
6 social security number. The statement shall provide the basis or reason that the
7 applicant is not eligible for a social security number, as well as any information
8 requested by the department that may be needed by the department for purposes of
9 verification under s. 343.165 (1) (c). The form of the statement shall be prescribed
10 by the department, with the assistance of the department of children and families.
11 A license that is issued or renewed under s. 343.17 in reliance on a statement
12 submitted under this paragraph subdivision is invalid if the statement is false.

13 **SECTION 232.** 343.14 (2) (br) 2. of the statutes is created to read:

14 343.14 (2) (br) 2. If the applicant does not have a social security number and
15 the application is for an operator's license that contains the marking specified in s.
16 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
17 (3) (b), a statement made or subscribed under oath or affirmation that the applicant
18 does not have a social security number. The form of the statement shall be prescribed
19 by the department, with the assistance of the department of children and families.
20 A license that is issued or renewed under s. 343.17 in reliance on a statement
21 submitted under this subdivision is invalid if the statement is false.

22 **SECTION 233.** 343.14 (2) (es) of the statutes is renumbered 343.14 (2) (es) 1m.,
23 and 343.14 (2) (es) 1m. (intro.), as renumbered, is amended to read:

24 343.14 (2) (es) 1m. (intro.) Subject to sub. (2g) (a) 2. d. and s. 343.125 (2) (a) and
25 (b), and except as provided in subd. 2m., valid documentary proof that the individual

1 is a citizen or national of the United States or an alien lawfully admitted for
2 permanent or temporary residence in the United States or has any of the following:

3 **SECTION 234.** 343.14 (2) (es) 2m. of the statutes is created to read:

4 343.14 (2) (es) 2m. Valid documentary proof under subd. 1m. is not required if
5 the application is for an operator's license that contains the marking specified in s.
6 343.03 (3r) or an identification card that contains the marking specified in s. 343.50
7 (3) (b).

8 **SECTION 235.** 343.14 (2j) of the statutes is amended to read:

9 343.14 (2j) Except as otherwise required to administer and enforce this
10 chapter, the department of transportation may not disclose a social security number
11 obtained from an applicant for a license under sub. (2) (bm) to any person except to
12 the department of children and families for the sole purpose of administering s.
13 49.22, to the department of workforce development for the sole purpose of enforcing
14 or administering s. 108.22, to the department of revenue for the purposes of
15 administering state taxes and collecting debt, to the driver licensing agency of
16 another jurisdiction, or to the elections commission for the sole purpose of allowing
17 the chief election officer to comply with the terms of the agreement under s. 6.36 (1)
18 (ae). The department of transportation may not disclose to any person the fact that
19 an applicant has provided verification under s. 343.165 (7) (c) 2. that the applicant
20 does not have a social security number, except to the elections commission for
21 purposes of administering the agreement described in s. 5.056.

22 **SECTION 236.** 343.165 (1) (c) of the statutes is amended to read:

23 343.165 (1) (c) Proof of the applicant's social security number or, except as
24 provided in sub. (7) (c) 2. and s. 343.14 (2g) (a) 4., verification that the applicant is
25 not eligible for a social security number.

1 **SECTION 237.** 343.165 (1) (e) of the statutes is amended to read:

2 343.165 (1) (e) Subject to ss. 343.125 (2) (a) and (b) and 343.14 (2g) (a) 2. d., and
3 except as provided in sub. (7) (c) 1. and s. 343.14 (2) (es) 2m., the documentary proof
4 described in s. 343.14 (2) (es) 1m.

5 **SECTION 238.** 343.165 (3) (b) of the statutes is amended to read:

6 343.165 (3) (b) The department may not accept any foreign document, other
7 than an official passport, to satisfy a requirement under sub. (1). This paragraph
8 does not apply to an application processed under sub. (7) (c).

9 **SECTION 239.** 343.165 (3) (c) of the statutes is amended to read:

10 343.165 (3) (c) For purposes of par. (a) and sub. (1) (c), if an applicant presents
11 a social security number that is already registered to or associated with another
12 person, the department shall direct the applicant to investigate and take appropriate
13 action to resolve the discrepancy and shall not issue any operator's license or
14 identification card until the discrepancy is resolved. The department shall adopt
15 procedures for purposes of verifying that an applicant is not eligible for a social
16 security number, except with respect to applications processed under sub. (7) (c).

17 **SECTION 240.** 343.165 (4) (b) of the statutes is amended to read:

18 343.165 (4) (b) The department shall establish an effective procedure to
19 confirm or verify an applicant's information for purposes of any application described
20 in par. (a). The procedure shall include verification of the applicant's social security
21 number or, except with respect to applications processed under sub. (7) (c),
22 ineligibility for a social security number.

23 **SECTION 241.** 343.165 (4) (d) of the statutes is amended to read:

24 343.165 (4) (d) With any license or identification card renewal following a
25 license or identification card expiration established under s. 343.20 (1m) or 343.50

1 (5) (bm) or (c) at other than an 8-year interval, the department may determine
2 whether the applicant's photograph is to be taken, or if the renewal is for a license
3 the applicant is to be examined, or both, at the time of such renewal, so long as the
4 applicant's photograph is taken, and if the renewal is for a license the applicant is
5 examined, with a license or card renewal at least once every 8 years and the
6 applicant's license or identification card at all times includes a photograph unless an
7 exception under s. 343.14 (3m) or 343.50 (4g) applies.

8 **SECTION 242.** 343.165 (7) (a) (intro.) of the statutes is amended to read:

9 343.165 (7) (a) (intro.) The Subject to par. (c), the department may process an
10 application for, and issue or renew, an operator's license or identification card
11 without meeting the requirements under subs. (2) and (3) if all of the following apply:

12 **SECTION 243.** 343.165 (7) (c) of the statutes is created to read:

13 343.165 (7) (c) 1. Notwithstanding s. 343.14 (2) (f), in processing an application
14 for, and issuing or renewing, an operator's license that contains the marking
15 specified in s. 343.03 (3r) or an identification card that contains the marking
16 specified in s. 343.50 (3) (b), the department may not include any question or require
17 any proof or documentation as to whether the applicant is a citizen or national of the
18 United States or lawfully present in the United States.

19 2. For an application processed under this paragraph, if the applicant does not
20 provide proof of the applicant's social security number, the applicant shall provide
21 verification, in the manner described in s. 343.14 (2) (br) 2., that the applicant does
22 not have a social security number.

23 3. Notwithstanding sub. (1) (a), for an application processed under this
24 paragraph, an applicant may provide an individual taxpayer identification number,

1 a foreign passport, or any other documentation deemed acceptable to the
2 department, in lieu of the documentation required under sub. (1) (a).

3 4. Notwithstanding sub. (1) (b) and (d), for an application processed under this
4 paragraph, an applicant may provide any documentation deemed acceptable to the
5 department, in lieu of the documentation required under sub. (1) (b) or (d).

6 **SECTION 244.** 343.17 (3) (a) 16. of the statutes is created to read:

7 343.17 (3) (a) 16. If the license is marked as provided in s. 343.03 (3r) and the
8 license applicant did not provide a verified social security number with the license
9 application, the words “Not valid for voting purposes. Not evidence of citizenship or
10 immigration status.”

11 **SECTION 245.** 343.20 (1) (f) of the statutes is amended to read:

12 343.20 (1) (f) The department shall cancel an operator’s license, regardless of
13 the license expiration date, if the department receives information from a local, state,
14 or federal government agency that the licensee no longer satisfies the requirements
15 for issuance of a license under ss. 343.14 (2) (es) and 343.165 (1) (e). This paragraph
16 does not apply to an operator’s license if the license application was processed under
17 s. 343.165 (7) (c).

18 **SECTION 246.** 343.20 (1m) of the statutes is amended to read:

19 343.20 (1m) Notwithstanding sub. (1) (a), and except as provided in s. 343.165
20 (4) (c) and as otherwise provided in this subsection, a license that is issued to a person
21 who is not a United States citizen or permanent resident and who provides
22 documentary proof of legal status as provided under s. 343.14 (2) (es) ~~2, 4, 5, 6, or~~
23 ~~7. 1m. b., d., e., f., or g.~~ shall expire on the date that the person’s legal presence in the
24 United States is no longer authorized or on the expiration date determined under
25 sub. (1), whichever date is earlier. If the documentary proof as provided under s.

1 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
2 United States is no longer authorized, sub. (1) shall apply except that, if the license
3 was issued or renewed based upon the person's presenting of any documentary proof
4 specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the license shall, subject to s. 343.165
5 (4) (c), expire one year after the date of issuance or renewal. This subsection does not
6 apply to a license that contains the marking specified in s. 343.03 (3r).

7 **SECTION 247.** 343.20 (2) (a) of the statutes is amended to read:

8 343.20 (2) (a) At least 30 days prior to the expiration of an operator's license,
9 the department shall provide to the licensee notice of renewal of the license either
10 by mail at the licensee's last-known address or, if desired by the licensee, by any
11 electronic means offered by the department. If the license was issued or last renewed
12 based upon the person's presenting of any documentary proof specified in s. 343.14
13 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the licensee of the requirement
14 under s. 343.165 (4) (c).

15 **SECTION 248.** 343.50 (3) (a) and (b) of the statutes are amended to read:

16 343.50 (3) (a) The card shall be the same size as an operator's license but shall
17 be of a design which is readily distinguishable from the design of an operator's license
18 and bear upon it the words "IDENTIFICATION CARD ONLY." The information on
19 the card shall be the same as specified under s. 343.17 (3). If the issuance of the card
20 requires the applicant to present any documentary proof specified in s. 343.14 (2) (es)
21 ~~4. to 7.~~ 1m. d. to g., the card shall display, on the front side of the card, a legend
22 identifying the card as temporary. The card shall contain physical security features
23 consistent with any requirement under federal law. The card may serve as a record
24 of gift under s. 157.06 (2) (t) and the holder may affix a sticker thereto as provided
25 in s. 343.175 (3). The card may also serve as a record of refusal under s. 157.06 (2)

1 (u). Except as provided in sub. (4g), the card shall contain the holder's photograph
2 and, if applicable, shall be of the design specified under s. 343.17 (3) (a) 12.

3 (b) If an identification card is issued based upon the exception specified in s.
4 343.165 (7) or (8), the card shall, in addition to any other required legend or design,
5 be of the design specified under s. 343.17 (3) (a) 14. and include a marking similar
6 or identical to the marking described in s. 343.03 (3r) and, if applicable, the words
7 specified in s. 343.17 (3) (a) 16.

8 **SECTION 249.** 343.50 (5) (b) of the statutes is amended to read:

9 343.50 (5) (b) Except as provided in pars. (bm), (c), and (d) and s. 343.165 (4)
10 (c), an original or reinstated card shall be valid for the succeeding period of 8 years
11 from the applicant's next birthday after the date of issuance, and a renewed card
12 shall be valid for the succeeding period of 8 years from the card's last expiration date.

13 **SECTION 250.** 343.50 (5) (bm) of the statutes is created to read:

14 343.50 (5) (bm) Notwithstanding par. (d), if the identification card application
15 was processed under s. 343.165 (7) (c) and the applicant did not provide a verified
16 social security number, an original or reinstated card shall be valid for the succeeding
17 period of 2 years from the applicant's next birthday after the date of issuance, and
18 a renewed card shall be valid for the succeeding period of 2 years from the card's last
19 expiration date.

20 **SECTION 251.** 343.50 (5) (c) of the statutes is amended to read:

21 343.50 (5) (c) Except as provided in s. 343.165 (4) (c) and as otherwise provided
22 in this paragraph, an identification card that is issued to a person who is not a United
23 States citizen and who provides documentary proof of legal status as provided under
24 s. 343.14 (2) (es) 1m. shall expire on the date that the person's legal presence in the
25 United States is no longer authorized or on the expiration date determined under

1 par. (b), whichever date is earlier. If the documentary proof as provided under s.
2 343.14 (2) (es) 1m. does not state the date that the person's legal presence in the
3 United States is no longer authorized, then the card shall be valid for the period
4 specified in par. (b) except that, if the card was issued or renewed based upon the
5 person's presenting of any documentary proof specified in s. 343.14 (2) (es) ~~4. to 7.~~
6 1m. d. to g., the card shall, subject to s. 343.165 (4) (c), expire one year after the date
7 of issuance or renewal. This paragraph does not apply to an identification card that
8 contains the marking specified in sub. (3) (b).

9 **SECTION 252.** 343.50 (6) of the statutes is amended to read:

10 343.50 (6) RENEWAL NOTICE. At least 30 days prior to the expiration of an
11 identification card, the department shall provide to the card holder notice of renewal
12 of the card either by mail at the card holder's last-known address or, if desired by
13 the card holder, by any electronic means offered by the department. If the card was
14 issued or last renewed based upon the person's presenting of any documentary proof
15 specified in s. 343.14 (2) (es) ~~4. to 7.~~ 1m. d. to g., the notice shall inform the card holder
16 of the requirement under s. 343.165 (4) (c). The department shall include with the
17 notice information, as developed by all organ procurement organizations in
18 cooperation with the department, that promotes anatomical donations and which
19 relates to the anatomical donation opportunity available under s. 343.175. The
20 department may renew an identification card by mail or by any electronic means
21 available to the department, but the department may not make consecutive renewals
22 by mail or electronic means.

23 **SECTION 253.** 343.50 (8) (c) 6. of the statutes is created to read:

24 343.50 (8) (c) 6. Notwithstanding any other provision of par. (b) and this
25 paragraph, the department may not disclose to any person the fact that an applicant

1 has provided verification under s. 343.165 (7) (c) 2. that the applicant does not have
2 a social security number, except to the elections commission for purposes of
3 administering the agreement described in s. 5.056.

4 **SECTION 254.** 343.50 (10) (c) of the statutes is amended to read:

5 343.50 (10) (c) Whenever the department receives information from a local,
6 state, or federal government agency that the card holder no longer satisfies the
7 requirements for issuance of a card under ss. 343.14 (2) (es) and 343.165 (1) (e). A
8 card cancelled under this paragraph may not be reinstated under sub. (5) until these
9 requirements are again satisfied. This paragraph does not apply to a card if the card
10 application was processed under s. 343.165 (7) (c).

11 **SECTION 255.** 452.14 (3) (n) of the statutes is amended to read:

12 452.14 (3) (n) Treated any person unequally solely because of sex, race, color,
13 handicap, national origin, ancestry, marital status, lawful source of income, status
14 as a holder or nonholder of a license under s. 343.03 (3r), or status as a victim of
15 domestic abuse, sexual assault, or stalking, as defined in s. 106.50 (1m) (u).

16 **SECTION 256.** 632.35 of the statutes is amended to read:

17 **632.35 Prohibited rejection, cancellation and nonrenewal.** No insurer
18 may cancel or refuse to issue or renew an automobile insurance policy wholly or
19 partially because of one or more of the following characteristics of any person: age,
20 sex, residence, race, color, creed, religion, national origin, ancestry, marital status or,
21 occupation, or status as a holder or nonholder of a license under s. 343.03 (3r).

22 **SECTION 9344. Initial applicability; Transportation.**

23 (1e) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3),
24 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m)
25 (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1), (2), and (3), 111.321, 194.025, 224.77

1 (1) (o), 230.01 (2) (b), 230.18, 234.29, 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c)
2 and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16.,
3 343.20 (1) (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c)
4 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s.
5 343.14 (2) (br) and (es), and the creation of s. 343.14 (2) (br) 2. and (es) 2m. first apply
6 to applications received by the department of transportation on the effective date of
7 this subsection.

8 **SECTION 9444. Effective dates; Transportation.**

9 (1) DRIVER'S CARDS. The treatment of ss. 66.1011 (1), 66.1201 (2m), 66.1213 (3),
10 66.1301 (2m), 66.1333 (3) (e) 2., 86.195 (5) (c), 106.50 (1), (1m) (h) and (nm), and (5m)
11 (f) 1., 106.52 (3) (a) 1., 2., 3., 4., and 5., 111.31 (1), (2), and (3), 111.321, 194.025, 224.77
12 (1) (o), 230.01 (2) (b), 230.18, 234.29, 343.03 (3m) and (3r), 343.14 (2j), 343.165 (1) (c)
13 and (e), (3) (b) and (c), (4) (b) and (d), and (7) (a) (intro.) and (c), 343.17 (3) (a) 16.,
14 343.20 (1) (f), (1m), and (2) (a), 343.50 (3) (a) and (b), (5) (b), (bm), and (c), (6), (8) (c)
15 6., and (10) (c), 452.14 (3) (n), and 632.35, the renumbering and amendment of s.
16 343.14 (2) (br) and (es), the creation of s. 343.14 (2) (br) 2. and (es) 2m., and SECTION
17 9344 (1e) of this act take effect on the first day of the 4th month beginning after
18 publication.”.

19 **244.** Page 374, line 11: after that line insert:

20 “**SECTION 257.** 341.085 (1) of the statutes is amended to read:

21 341.085 (1) The department shall inspect all ambulances prior to issuing an
22 original or renewal registration to determine that the vehicles meet requirements
23 specified by law or administrative rule as to specifications, ~~medical equipment,~~
24 ~~supplies,~~ and sanitation.

1 **SECTION 258.** 341.085 (1m) of the statutes is created to read:

2 341.085 **(1m)** Prior to the department issuing an original or renewal
3 registration for an ambulance under sub. (1), the department of health services shall
4 inspect the ambulance to determine whether the vehicle meets requirements
5 specified by law or administrative rule as to medical equipment.

6 **SECTION 259.** 341.085 (2) of the statutes is amended to read:

7 341.085 **(2)** The department may adopt rules necessary for administration of
8 this section and prescribe ambulance service equipment and standards therefor,
9 except that any ambulance which does not conform to rules adopted by the
10 department may be used until December 30, 1979. The department of health
11 services may adopt rules necessary to administer sub. (1m) and establish ambulance
12 medical equipment standards.”.

13 **245.** Page 374, line 11: after that line insert:

14 “**SECTION 260.** 29.219 (4) of the statutes is amended to read:

15 29.219 **(4)** ~~HUSBAND AND WIFE~~ SPOUSES RESIDENT LICENSES. A combined husband
16 and wife spouses resident fishing license shall be issued subject to s. 29.024 by the
17 department to residents applying for this license. This license confers upon both
18 ~~husband and wife~~ spouses the privileges of resident fishing licenses.

19 **SECTION 261.** 29.228 (5) of the statutes is amended to read:

20 29.228 **(5)** ANNUAL FAMILY FISHING LICENSE. The department shall issue a
21 nonresident annual family fishing license, subject to s. 29.024, to any nonresident
22 who applies for this license. This license entitles the ~~husband, wife~~ spouses and any
23 minor children to fish under this license.

24 **SECTION 262.** 29.228 (6) of the statutes is amended to read:

1 29.228 (6) FIFTEEN-DAY FAMILY FISHING LICENSE. The department shall issue a
2 nonresident 15-day family fishing license, subject to s. 29.024, to any nonresident
3 who applies for this license. This license entitles the ~~husband, wife~~ spouses and any
4 minor children to fish under this license.

5 **SECTION 263.** 29.229 (2) (i) of the statutes is amended to read:

6 29.229 (2) (i) ~~Husband and wife~~ Spouses fishing licenses.

7 **SECTION 264.** 29.2295 (2) (i) of the statutes is amended to read:

8 29.2295 (2) (i) ~~Husband and wife~~ Spouses fishing licenses.

9 **SECTION 265.** 29.563 (3) (a) 3. of the statutes is amended to read:

10 29.563 (3) (a) 3. ~~Husband and wife~~ Spouses: \$30.25.

11 **SECTION 266.** 29.607 (3) of the statutes is amended to read:

12 29.607 (3) LICENSE REQUIRED; EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every
13 person over the age of 16 and under the age of 65 shall obtain the appropriate wild
14 rice license to harvest or deal in wild rice but no license to harvest is required of the
15 members of the immediate family of a licensee or of a recipient of old-age assistance
16 or members of their immediate families. The department, subject to s. 29.024 (2g)
17 and (2r), shall issue a wild rice identification card to each member of a licensee's
18 immediate family, to a recipient of old-age assistance and to each member of the
19 recipient's family. The term "immediate family" includes ~~husband and wife~~ spouses
20 and minor children having their abode and domicile with the parent or legal
21 guardian.

22 **SECTION 267.** 45.01 (6) (c) of the statutes is amended to read:

23 45.01 (6) (c) The ~~biological~~ natural or adoptive parent or a person who acts in
24 the place of a parent and who has so acted for not less than 12 months prior to the
25 veteran's entrance into active service.

1 **SECTION 268.** 45.51 (3) (c) 2. of the statutes is amended to read:

2 45.51 (3) (c) 2. The department may deviate from this sequence upon order of
3 the board to prevent the separation of ~~a husband and wife~~ spouses.

4 **SECTION 269.** 45.51 (5) (a) 1. b. of the statutes is amended to read:

5 45.51 (5) (a) 1. b. Was married to the person under sub. (2) (a) 1. or 2. at the time
6 the person entered the service and who became a ~~widow or widower~~ surviving spouse
7 by the death of the person while in the service or as a result of physical disability of
8 the person incurred during the service.

9 **SECTION 270.** 45.51 (5) (a) 1. c. of the statutes is amended to read:

10 45.51 (5) (a) 1. c. The period during which the surviving spouse was married
11 to and lived with the deceased person under sub. (2) (a) 1. or 2. plus the period of
12 ~~widowhood or widowerhood~~ after the death of the deceased person is 6 months or
13 more.

14 **SECTION 271.** 45.55 of the statutes is amended to read:

15 **45.55 Notes and mortgages of minor veterans.** Notwithstanding any
16 provision of this chapter or any other law to the contrary, any minor who served in
17 the active armed forces of the United States at any time after August 27, 1940, and
18 the ~~husband or wife~~ spouse of such a minor may execute, in his or her own right, notes
19 or mortgages, as defined in s. 851.15, the payment of which is guaranteed or insured
20 by the U.S. department of veterans affairs or the federal housing administrator
21 under the servicemen's readjustment act of 1944, the national housing act, or any
22 acts supplementing or amending these acts. In connection with these transactions,
23 the minors may sell, release, or convey the mortgaged property and litigate or settle
24 controversies arising therefrom, including the execution of releases, deeds, and other
25 necessary papers or instruments. The notes, mortgages, releases, deeds, and other

1 necessary papers or instruments when so executed are not subject to avoidance by
2 the minor or the ~~husband or wife~~ spouse of the minor upon either or both of them
3 attaining the age of 18 because of the minority of either or both of them at the time
4 of the execution thereof.

5 **SECTION 272.** 46.10 (2) of the statutes is amended to read:

6 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,
7 including but not limited to a person admitted, committed, protected, or placed under
8 s. 975.01, 1977 stats., s. 975.02, 1977 stats., s. 975.17, 1977 stats., s. 55.05 (5), 2003
9 stats., and s. 55.06, 2003 stats., and ss. 51.10, 51.13, 51.15, 51.20, 51.35 (3), 51.37 (5),
10 51.45 (10), (11), (12) and (13), 55.05, 55.055, 55.12, 55.13, 55.135, 971.14 (2) and (5),
11 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services, and supplies
12 provided by any institution in this state including University of Wisconsin Hospitals
13 and Clinics, in which the state is chargeable with all or part of the person's care,
14 maintenance, services, and supplies, any person receiving care and services from a
15 county department established under s. 51.42 or 51.437 or from a facility established
16 under s. 49.73, and any person receiving treatment and services from a public or
17 private agency under s. 980.06 (2) (c), 1997 stats., s. 980.08 (5), 2003 stats., or s.
18 971.17 (3) (d) or (4) (e) or 980.08 (4) (g) and the person's property and estate, including
19 the homestead, and the spouse of the person, and the spouse's property and estate,
20 including the homestead, and, in the case of a minor child, the parents of the person,
21 and their property and estates, including their homestead, and, in the case of a
22 foreign child described in s. 48.839 (1) who became dependent on public funds for his
23 or her primary support before an order granting his or her adoption, the resident of
24 this state appointed guardian of the child by a foreign court who brought the child
25 into this state for the purpose of adoption, and his or her property and estate,

1 including his or her homestead, shall be liable for the cost of the care, maintenance,
2 services, and supplies in accordance with the fee schedule established by the
3 department under s. 46.03 (18). If a spouse, ~~widow~~ surviving spouse, or minor, or an
4 incapacitated person may be lawfully dependent upon the property for their support,
5 the court shall release all or such part of the property and estate from the charges
6 that may be necessary to provide for those persons. The department shall make
7 every reasonable effort to notify the liable persons as soon as possible after the
8 beginning of the maintenance, but the notice or the receipt thereof is not a condition
9 of liability.

10 **SECTION 273.** 48.02 (13) of the statutes is amended to read:

11 48.02 (13) “Parent” means a biological natural parent, ~~a husband who has~~
12 ~~consented to the artificial insemination of his wife under s. 891.40, or a parent by~~
13 adoption. If the child is a nonmarital child who is not adopted or whose parents do
14 not subsequently intermarry under s. 767.803, “parent” includes a person
15 conclusively determined from genetic test results to be the father under s. 767.804
16 ~~or~~, a person acknowledged under s. 767.805 or a substantially similar law of another
17 state to be a natural parent, or a person adjudicated to be ~~the biological father a~~
18 natural parent. “Parent” does not include any person whose parental rights have
19 been terminated. For purposes of the application of s. 48.028 and the federal Indian
20 Child Welfare Act, 25 USC 1901 to 1963, “parent” means a biological natural parent
21 of an Indian child, an Indian husband spouse who has consented to the artificial
22 insemination of his wife or her spouse under s. 891.40, or an Indian person who has
23 lawfully adopted an Indian child, including an adoption under tribal law or custom,
24 and includes, in the case of a nonmarital Indian child who is not adopted or whose
25 parents do not subsequently intermarry under s. 767.803, a person conclusively

1 determined from genetic test results to be the father under s. 767.804, a person
2 acknowledged under s. 767.805, a substantially similar law of another state, or tribal
3 law or custom to be the ~~biological father~~ natural parent, or a person adjudicated to
4 be the ~~biological father~~ natural parent, but does not include any person whose
5 parental rights have been terminated.

6 **SECTION 274.** 48.025 (title) of the statutes is amended to read:

7 **48.025 (title) Declaration of paternal parental interest in matters**
8 **affecting children.**

9 **SECTION 275.** 48.025 (2) (b) of the statutes is amended to read:

10 48.025 (2) (b) A declaration under sub. (1) may be filed at any time before the
11 birth of the child or within 14 days after the birth of the child, except that a ~~man~~
12 person who receives a notice under s. 48.42 (1g) (b) may file a declaration within 21
13 days after the date on which the notice was mailed. This paragraph does not apply
14 to a declaration filed before July 1, 2006.

15 **SECTION 276.** 48.025 (3) (c) of the statutes is amended to read:

16 48.025 (3) (c) A court in a proceeding under s. 48.13, 48.133, 48.14, or 938.13
17 or under a substantially similar law of another state or a person authorized to file
18 a petition under s. 48.25, 48.42, 48.837, or 938.25 or under a substantially similar
19 law of another state may request the department to search its files to determine
20 whether a person who may be the ~~father~~ parent of the child who is the subject of the
21 proceeding has filed a declaration under this section. If the department has on file
22 a declaration of ~~paternal~~ parental interest in matters affecting the child, the
23 department shall issue to the requester a copy of the declaration. If the department
24 does not have on file a declaration of ~~paternal~~ parental interest in matters affecting
25 the child, the department shall issue to the requester a statement that no declaration

1 could be located. The department may require a person who requests a search under
2 this paragraph to pay a reasonable fee that is sufficient to defray the costs to the
3 department of maintaining its file of declarations and publicizing information
4 relating to declarations of paternal parental interest under this section.

5 **SECTION 277.** 48.27 (3) (b) 1. a. of the statutes is amended to read:

6 48.27 (3) (b) 1. a. A person who has filed a declaration of paternal parental
7 interest under s. 48.025.

8 **SECTION 278.** 48.27 (3) (b) 1. b. of the statutes is amended to read:

9 48.27 (3) (b) 1. b. A person alleged to the court to be ~~the father~~ a parent of the
10 child or who may, based on the statements of the ~~mother~~ parent who gave birth to
11 the child or other information presented to the court, be ~~the father~~ a parent of the
12 child.

13 **SECTION 279.** 48.27 (5) of the statutes is amended to read:

14 48.27 (5) Subject to sub. (3) (b), the court shall make every reasonable effort
15 to identify and notify any person who has filed a declaration of paternal parental
16 interest under s. 48.025, any person conclusively determined from genetic test
17 results to be the father under s. 767.804 (1), any person who has acknowledged
18 paternity parentage of the child under s. 767.805 (1), and any person who has been
19 adjudged to be the ~~father~~ parent of the child in a judicial proceeding unless the
20 person's parental rights have been terminated.

21 **SECTION 280.** 48.299 (6) (intro.) of the statutes is amended to read:

22 48.299 (6) (intro.) If a ~~man~~ person who has been given notice under s. 48.27 (3)
23 (b) 1., 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing
24 for which he or she received the notice, alleges that he or she is ~~the father~~ a parent

1 of the child, and states that he or she wishes to establish the ~~paternity~~ parentage of
2 the child, all of the following apply:

3 **SECTION 281.** 48.299 (6) (e) 1. of the statutes is amended to read:

4 48.299 (6) (e) 1. In this paragraph, “genetic test” means a test that examines
5 genetic markers present on blood cells, skin cells, tissue cells, bodily fluid cells or
6 cells of another body material for the purpose of determining the statistical
7 probability that a ~~man~~ person who is alleged to be a child’s ~~father~~ parent is the child’s
8 biological ~~father~~ parent.

9 **SECTION 282.** 48.299 (6) (e) 2. of the statutes is amended to read:

10 48.299 (6) (e) 2. The court shall, at the hearing, orally inform any ~~man~~ person
11 specified in sub. (6) (intro.) that he or she may be required to pay for any testing
12 ordered by the court under this paragraph or under s. 885.23.

13 **SECTION 283.** 48.299 (6) (e) 3. of the statutes is amended to read:

14 48.299 (6) (e) 3. In addition to ordering testing as provided under s. 885.23, if
15 the court determines that it would be in the best interests of the child, the court may
16 order any ~~man~~ person specified in sub. (6) (intro.) to submit to one or more genetic
17 tests which shall be performed by an expert qualified as an examiner of genetic
18 markers present on the cells and of the specific body material to be used for the tests,
19 as appointed by the court. A report completed and certified by the court-appointed
20 expert stating genetic test results and the statistical probability that the ~~man~~ person
21 alleged to be the child’s ~~father~~ parent is the child’s biological ~~father~~ parent based
22 upon the genetic tests is admissible as evidence without expert testimony and may
23 be entered into the record at any hearing. The court, upon request by a party, may
24 order that independent tests be performed by other experts qualified as examiners

1 of genetic markers present on the cells of the specific body materials to be used for
2 the tests.

3 **SECTION 284.** 48.299 (6) (e) 4. of the statutes is amended to read:

4 48.299 (6) (e) 4. If the genetic tests show that an alleged ~~father~~ parent is not
5 excluded and that the statistical probability that the alleged ~~father~~ parent is the
6 child's biological ~~father~~ parent is 99.0 percent or higher, the court may determine
7 that for purposes of a proceeding under this chapter, other than a proceeding under
8 subch. VIII, the ~~man~~ person is the child's biological parent.

9 **SECTION 285.** 48.299 (7) of the statutes is amended to read:

10 48.299 (7) If a ~~man~~ person who has been given notice under s. 48.27 (3) (b) 1.,
11 48.977 (4) (c) 1., 48.978 (2) (c) 1., or 48.9795 (4) (c) 1. appears at any hearing for which
12 he or she received the notice but does not allege that he or she is ~~the father~~ a parent
13 of the child and state that he or she wishes to establish the paternity parentage of
14 the child or if no ~~man~~ person to whom such notice was given appears at a hearing,
15 the court may refer the matter to the state or to the attorney responsible for support
16 enforcement under s. 59.53 (6) (a) for a determination, under s. 767.80, of whether
17 an action should be brought for the purpose of determining the paternity parentage
18 of the child.

19 **SECTION 286.** 48.355 (4g) (a) 1. of the statutes is amended to read:

20 48.355 (4g) (a) 1. The child's parents are parties to a pending action for divorce,
21 annulment, or legal separation, a ~~man~~ person determined under s. 48.299 (6) (e) 4.
22 to be the biological ~~father~~ parent of the child for purposes of a proceeding under this
23 chapter is a party to a pending action to determine paternity of the child under ch.
24 767, or the child is the subject of a pending independent action under s. 767.41 or

1 767.43 to determine legal custody of the child or visitation rights with respect to the
2 child.

3 **SECTION 287.** 48.396 (2) (dm) of the statutes is amended to read:

4 48.396 (2) (dm) Upon request of a court having jurisdiction over actions
5 affecting the family, an attorney responsible for support enforcement under s. 59.53
6 (6) (a) or a party to a paternity proceeding under subch. IX of ch. 767, the party's
7 attorney or the guardian ad litem for the child who is the subject of that proceeding
8 to review or be provided with information from the records of the court assigned to
9 exercise jurisdiction under this chapter and ch. 938 relating to the paternity of a child
10 for the purpose of determining the paternity of the child or for the purpose of
11 rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or
12 891.41 (1), the court assigned to exercise jurisdiction under this chapter and ch. 938
13 shall open for inspection by the requester its records relating to the paternity of the
14 child or disclose to the requester those records.

15 **SECTION 288.** 48.42 (1g) (a) 4. of the statutes is amended to read:

16 48.42 (1g) (a) 4. A statement identifying any ~~man~~ person who has lived in a
17 familial relationship with the child and who may be ~~the father~~ a parent of the child.

18 **SECTION 289.** 48.42 (1g) (b) of the statutes is amended to read:

19 48.42 (1g) (b) The petitioner shall notify any ~~man~~ person identified in the
20 affidavit under par. (a) as an alleged ~~father~~ parent of ~~his~~ the right to file a declaration
21 of ~~paternal~~ parental interest under s. 48.025 before the birth of the child, within 14
22 days after the birth of the child, or within 21 days after the date on which the notice
23 is mailed, whichever is later; of the birth date or anticipated birth date of the child;
24 and of the consequences of filing or not filing a declaration of ~~paternal~~ parental
25 interest. The petitioner shall include with the notice a copy of the form required to

1 file a declaration of ~~paternal~~ parental interest under s. 48.025. The notice shall be
2 sent by certified mail to the last-known address of the alleged ~~father~~ parent.

3 **SECTION 290.** 48.42 (1g) (c) of the statutes is amended to read:

4 48.42 (1g) (c) If an affidavit under par. (a) is not filed with the petition, notice
5 shall be given to an alleged ~~father~~ parent under sub. (2).

6 **SECTION 291.** 48.42 (2) (b) 1. of the statutes is amended to read:

7 48.42 (2) (b) 1. A person who has filed an unrevoked declaration of ~~paternal~~
8 parental interest under s. 48.025 before the birth of the child or within 14 days after
9 the birth of the child.

10 **SECTION 292.** 48.42 (2) (b) 2. of the statutes is amended to read:

11 48.42 (2) (b) 2. A person or persons alleged to the court to be ~~the father~~ a parent
12 of the child or who may, based upon the statements of the ~~mother~~ parent who gave
13 birth to the child or other information presented to the court, be the ~~father~~ parent
14 of the child unless that person has waived the right to notice under s. 48.41 (2) (c).

15 **SECTION 293.** 48.42 (2) (bm) 1. of the statutes is amended to read:

16 48.42 (2) (bm) 1. A person who has filed an unrevoked declaration of ~~paternal~~
17 parental interest under s. 48.025 before the birth of the child, within 14 days after
18 the birth of the child, or within 21 days after a notice under sub. (1g) (b) is mailed,
19 whichever is later.

20 **SECTION 294.** 48.422 (6) (a) of the statutes is amended to read:

21 48.422 (6) (a) In the case of a nonmarital child who is not adopted or whose
22 parents do not subsequently intermarry under s. 767.803 and for whom paternity
23 has not been established, or for whom a declaration of ~~paternal~~ parental interest has
24 not been filed under s. 48.025 within 14 days after the date of birth of the child or,
25 if s. 48.42 (1g) (b) applies, within 21 days after the date on which the notice under

1 s. 48.42 (1g) (b) is mailed, the court shall hear testimony concerning the paternity
2 parentage of the child. Based on the testimony, the court shall determine whether
3 all interested parties who are known have been notified under s. 48.42 (2) and (2g)
4 (ag). If not, the court shall adjourn the hearing and order appropriate notice to be
5 given.

6 **SECTION 295.** 48.422 (7) (bm) of the statutes is amended to read:

7 48.422 (7) (bm) Establish whether a proposed adoptive parent of the child has
8 been identified. If a proposed adoptive parent of the child has been identified and
9 the proposed adoptive parent is not a relative of the child, the court shall order the
10 petitioner to submit a report to the court containing the information specified in s.
11 48.913 (7). The court shall review the report to determine whether any payments or
12 agreement to make payments set forth in the report are coercive to the birth parent
13 of the child or to an alleged ~~to~~ or presumed ~~father~~ parent of the child or are
14 impermissible under s. 48.913 (4). Making any payment to or on behalf of the any
15 birth parent of the child, ~~an~~, alleged or presumed ~~father~~ parent of the child, or the
16 child conditional in any part upon transfer or surrender of the child or the
17 termination of parental rights or the finalization of the adoption creates a rebuttable
18 presumption of coercion. Upon a finding of coercion, the court shall dismiss the
19 petition or amend the agreement to delete any coercive conditions, if the parties
20 agree to the amendment. Upon a finding that payments ~~which~~ that are
21 impermissible under s. 48.913 (4) have been made, the court may dismiss the petition
22 and may refer the matter to the district attorney for prosecution under s. 948.24 (1).
23 This paragraph does not apply if the petition was filed with a petition for adoptive
24 placement under s. 48.837 (2).

25 **SECTION 296.** 48.422 (7) (br) of the statutes is amended to read:

1 48.422 (7) (br) Establish whether any person has coerced a birth parent or any
2 alleged or presumed father parent of the child in violation of s. 48.63 (3) (b) 5. Upon
3 a finding of coercion, the court shall dismiss the petition.

4 **SECTION 297.** 48.423 (2) (d) of the statutes is amended to read:

5 48.423 (2) (d) That the person has complied with the requirements of the state
6 where the ~~mother~~ birth parent previously resided or was located to protect and
7 preserve his ~~paternal~~ or her parental interests in matters affecting the child.

8 **SECTION 298.** 48.432 (1) (am) 2. b. of the statutes is amended to read:

9 48.432 (1) (am) 2. b. If there is no adjudicated father, the ~~husband~~ spouse of the
10 mother at the time the individual or adoptee is conceived or born, or when the parents
11 intermarry under s. 767.803.

12 **SECTION 299.** 48.63 (3) (b) 4. of the statutes is amended to read:

13 48.63 (3) (b) 4. Before a child may be placed under subd. 1., the department,
14 county department, or child welfare agency making the placement and the proposed
15 adoptive parent or parents shall enter into a written agreement that specifies who
16 is financially responsible for the cost of providing care for the child prior to the
17 finalization of the adoption and for the cost of returning the child to the parent who
18 has custody of the child if the adoption is not finalized. Under the agreement, the
19 department, county department, or child welfare agency or the proposed adoptive
20 parent or parents, but not the any birth parent of ~~the child~~ or any alleged or
21 presumed ~~father~~ parent of the child, shall be financially responsible for those costs.

22 **SECTION 300.** 48.63 (3) (b) 5. of the statutes is amended to read:

23 48.63 (3) (b) 5. Prior to termination of parental rights to the child, no person
24 may coerce a birth parent of ~~the child~~ or any alleged or presumed father parent of the
25 child into refraining from exercising his or her right to withdraw consent to the

1 transfer or surrender of the child or to termination of his or her parental rights to the
2 child, to have reasonable visitation or contact with the child, or to otherwise exercise
3 his or her parental rights to the child.

4 **SECTION 301.** 48.82 (1) (a) of the statutes is amended to read:

5 48.82 (1) (a) ~~A husband and wife~~ Spouses jointly, or either the husband or wife
6 if the ~~other~~ spouse is of a parent of the minor.

7 **SECTION 302.** 48.837 (1r) (d) of the statutes is amended to read:

8 48.837 (1r) (d) Before a child may be placed under par. (a), the department,
9 county department, or child welfare agency making the placement and the proposed
10 adoptive parent or parents shall enter into a written agreement that specifies who
11 is financially responsible for the cost of providing care for the child prior to the
12 finalization of the adoption and for the cost of returning the child to the parent who
13 has custody of the child if the adoption is not finalized. Under the agreement, the
14 department, county department, or child welfare agency or the proposed adoptive
15 parent or parents, but not the any birth parent of the child or any alleged or
16 presumed father parent of the child, shall be financially responsible for those costs.

17 **SECTION 303.** 48.837 (1r) (e) of the statutes is amended to read:

18 48.837 (1r) (e) Prior to termination of parental rights to the child, no person
19 may coerce a birth parent of the child or any alleged or presumed father parent of the
20 child into refraining from exercising his or her right to withdraw consent to the
21 transfer or surrender of the child or to termination of his or her parental rights to the
22 child, to have reasonable visitation or contact with the child, or to otherwise exercise
23 his or her parental rights to the child.

24 **SECTION 304.** 48.837 (6) (b) of the statutes is amended to read:

1 48.837 (6) (b) At the beginning of the hearing held under sub. (2), the court shall
2 review the report that is submitted under s. 48.913 (6). The court shall determine
3 whether any payments or the conditions specified in any agreement to make
4 payments are coercive to the any birth parent of the child or to an alleged or
5 presumed father parent of the child or are impermissible under s. 48.913 (4). Making
6 any payment to or on behalf of the a birth parent of the child, an, alleged or presumed
7 father parent of the child, or the child conditional in any part upon transfer or
8 surrender of the child or the termination of parental rights or the finalization of the
9 adoption creates a rebuttable presumption of coercion. Upon a finding of coercion,
10 the court shall dismiss the petitions under subs. (2) and (3) or amend the agreement
11 to delete any coercive conditions, if the parties agree to the amendment. Upon a
12 finding that payments which that are impermissible under s. 48.913 (4) have been
13 made, the court may dismiss the petition and may refer the matter to the district
14 attorney for prosecution under s. 948.24 (1).

15 **SECTION 305.** 48.837 (6) (br) of the statutes is amended to read:

16 48.837 (6) (br) At the hearing on the petition under sub. (2), the court shall
17 determine whether any person has coerced a birth parent or any alleged or presumed
18 father parent of the child in violation of sub. (1r) (e). Upon a finding of coercion, the
19 court shall dismiss the petitions under subs. (2) and (3).

20 **SECTION 306.** 48.913 (1) (a) of the statutes is amended to read:

21 48.913 (1) (a) Preadoptive counseling for a birth parent of the child or an
22 alleged or presumed father parent of the child.

23 **SECTION 307.** 48.913 (1) (b) of the statutes is amended to read:

24 48.913 (1) (b) Post-adoptive counseling for a birth parent of the child or an
25 alleged or presumed father parent of the child.

1 **SECTION 308.** 48.913 (1) (h) of the statutes is amended to read:

2 48.913 (1) (h) Legal and other services received by a birth parent of the child,
3 an alleged or presumed ~~father~~ parent of the child, or the child in connection with the
4 adoption.

5 **SECTION 309.** 48.913 (2) (intro.) of the statutes is amended to read:

6 48.913 (2) PAYMENT OF EXPENSES WHEN BIRTH PARENT IS RESIDING IN ANOTHER
7 STATE. (intro.) Notwithstanding sub. (1), the proposed adoptive parents of a child or
8 a person acting on behalf of the proposed adoptive parents of a child may pay for an
9 expense of a birth parent of the child or an alleged or presumed ~~father~~ parent of the
10 child if the birth parent or ~~the~~ alleged or presumed ~~father~~ parent was residing in
11 another state when the payment was made and when the expense was incurred and
12 if all of the following apply:

13 **SECTION 310.** 48.913 (2) (b) of the statutes is amended to read:

14 48.913 (2) (b) The state in which the birth parent or ~~the~~ alleged or presumed
15 ~~father~~ parent was residing when the payment was made permits the payment of that
16 expense by the proposed adoptive parents of the child.

17 **SECTION 311.** 48.913 (2) (c) (intro.) of the statutes is amended to read:

18 48.913 (2) (c) (intro.) A listing of all payments made under this subsection, a
19 copy of the statutory provisions of the state in which the birth parent or ~~the~~ alleged
20 or presumed ~~father~~ parent was residing when the payments were made that permit
21 those payments to be made by the proposed adoptive parents of the child, and a copy
22 of all orders entered in the state in which the birth parent or ~~the~~ alleged or presumed
23 ~~father~~ parent was residing when the payments were made that relate to the payment
24 of expenses of the birth parent or ~~the~~ alleged or presumed ~~father~~ parent by the
25 proposed adoptive parents of the child is submitted to the court as follows:

1 **SECTION 312.** 48.913 (3) of the statutes is amended to read:

2 48.913 (3) METHOD OF PAYMENT. Any payment under sub. (1) or (2) shall be made
3 directly to the provider of a good or service except that a payment under sub. (1) or
4 (2) may be made to a birth parent of the child or to an alleged or presumed father
5 parent of the child as reimbursement of an amount previously paid by the birth
6 parent or by the alleged or presumed father parent if documentation is provided
7 showing that the birth parent or alleged or presumed father parent has made the
8 previous payment.

9 **SECTION 313.** 48.913 (4) of the statutes is amended to read:

10 48.913 (4) OTHER PAYMENTS PROHIBITED. The proposed adoptive parents of a
11 child or a person acting on behalf of the proposed adoptive parents may not make any
12 payments to or on behalf of a birth parent of the child, an alleged or presumed father
13 parent of the child, or the child except as provided in subs. (1) and (2).

14 **SECTION 314.** 48.913 (7) of the statutes is amended to read:

15 48.913 (7) REPORT TO THE COURT; CONTENTS REQUIRED. The report required under
16 sub. (6) shall include a list of all transfers of anything of value made or agreed to be
17 made by the proposed adoptive parents or by a person acting on their behalf to a birth
18 parent of the child, an alleged or presumed father parent of the child, or the child,
19 on behalf of a birth parent of the child, an alleged or presumed father parent of the
20 child, or the child, or to any other person in connection with the pregnancy, the birth
21 of the child, the placement of the child with the proposed adoptive parents, or the
22 adoption of the child by the proposed adoptive parents. The report shall be itemized
23 and shall show the goods or services for which payment was made or agreed to be
24 made. The report shall include the dates of each payment, the names and addresses
25 of each attorney, doctor, hospital, agency, or other person or organization receiving

1 any payment from the proposed adoptive parents or a person acting on behalf of the
2 proposed adoptive parents in connection with the pregnancy, the birth of the child,
3 the placement of the child with the proposed adoptive parents, or the adoption of the
4 child by the proposed adoptive parents.

5 **SECTION 315.** 48.9795 (1) (a) 1. c. of the statutes is amended to read:

6 48.9795 (1) (a) 1. c. Any person who has filed a declaration of ~~paternal~~ parental
7 interest under s. 48.025, who is alleged to the court to be ~~the father~~ a parent of the
8 child, or who may, based on the statements of the ~~mother~~ parent who gave birth to
9 the child or other information presented to the court, be the ~~father~~ parent of the child.

10 **SECTION 316.** 48.9795 (1) (b) of the statutes is amended to read:

11 48.9795 (1) (b) “Party” means the person petitioning for the appointment of a
12 guardian for a child or any interested person other than a person who is alleged to
13 the court to be ~~the father~~ a parent of the child or who may, based on the statements
14 of the ~~mother~~ parent who gave birth to the child or other information presented to
15 the court, be the ~~father~~ parent of the child.

16 **SECTION 317.** 49.141 (1) (j) 1. of the statutes is amended to read:

17 49.141 (1) (j) 1. A ~~biological~~ natural parent.

18 **SECTION 318.** 49.141 (1) (j) 2. of the statutes is repealed.

19 **SECTION 319.** 49.155 (1m) (c) 1g. of the statutes is amended to read:

20 49.155 (1m) (c) 1g. If the individual is a foster parent of the child or a subsidized
21 guardian or interim caretaker of the child under s. 48.623, the child’s ~~biological~~
22 natural or adoptive family has a gross income that is at or below 200 percent of the
23 poverty line. In calculating the gross income of the child’s ~~biological~~ natural or
24 adoptive family, the department or county department or agency determining
25 eligibility shall include court-ordered child or family support payments received by

1 the individual, if those support payments exceed \$1,250 per month, and income
2 described under s. 49.145 (3) (b) 1. and 3.

3 **SECTION 320.** 49.155 (1m) (c) 1h. of the statutes is amended to read:

4 49.155 **(1m)** (c) 1h. If the individual is a relative of the child, is providing care
5 for the child under a court order, and is receiving payments under s. 48.57 (3m) or
6 (3n) on behalf of the child, the child's ~~biological~~ natural or adoptive family has a gross
7 income that is at or below 200 percent of the poverty line. In calculating the gross
8 income of the child's ~~biological~~ natural or adoptive family, the department or county
9 department or agency determining eligibility shall include court-ordered child or
10 family support payments received by the individual, if those support payments
11 exceed \$1,250 per month, and income described under s. 49.145 (3) (b) 1. and 3.

12 **SECTION 321.** 49.163 (2) (am) 2. of the statutes is amended to read:

13 49.163 **(2)** (am) 2. If over 25 years of age, be a ~~biological~~ natural or adoptive
14 parent of a child under 18 years of age whose parental rights to the child have not
15 been terminated or be a relative and primary caregiver of a child under 18 years of
16 age.

17 **SECTION 322.** 49.19 (1) (a) 2. a. of the statutes is amended to read:

18 49.19 **(1)** (a) 2. a. Is living with a parent; a blood relative, including those of
19 half-blood, and including first cousins, nephews or nieces and persons of preceding
20 generations as denoted by prefixes of grand, great or great-great; a ~~stepfather,~~
21 ~~stepmother~~ stepparent, stepbrother, or stepsister; a person who legally adopts the
22 child or is the adoptive parent of the child's parent, a natural or legally adopted child
23 of such person or a relative of an adoptive parent; or a spouse of any person named
24 in this ~~subparagraph~~ subd. 2. a. even if the marriage is terminated by death or
25 divorce; and is living in a residence maintained by one or more of these relatives as

1 the child's or their own home, or living in a residence maintained by one or more of
2 these relatives as the child's or their own home because the parents of the child have
3 been found unfit to have care and custody of the child; or

4 **SECTION 323.** 49.19 (4) (d) (intro.) of the statutes is amended to read:

5 49.19 (4) (d) (intro.) Aid may be granted to the ~~mother or stepmother~~ parent
6 or stepparent of a dependent child if he or she is without a ~~husband~~ spouse or if he
7 or she:

8 **SECTION 324.** 49.19 (4) (d) 1. of the statutes is amended to read:

9 49.19 (4) (d) 1. Is the ~~wife~~ spouse of a ~~husband~~ person who is incapacitated for
10 gainful work by mental or physical disability; or

11 **SECTION 325.** 49.19 (4) (d) 2. of the statutes is amended to read:

12 49.19 (4) (d) 2. Is the ~~wife~~ spouse of a ~~husband~~ person who is incarcerated or
13 who is a convicted offender permitted to live at home but precluded from earning a
14 wage because the ~~husband~~ person is required by a court imposed sentence to perform
15 unpaid public work or unpaid community service; or

16 **SECTION 326.** 49.19 (4) (d) 3. of the statutes is amended to read:

17 49.19 (4) (d) 3. Is the ~~wife~~ spouse of a ~~husband~~ person who has been committed
18 to the department pursuant to ch. 975, irrespective of the probable period of such
19 commitment; or

20 **SECTION 327.** 49.19 (4) (d) 4. of the statutes is amended to read:

21 49.19 (4) (d) 4. Is the ~~wife~~ spouse of a ~~husband~~ person who has continuously
22 abandoned or failed to support him or her, if proceedings have been commenced
23 against the ~~husband~~ person under ch. 769; or

24 **SECTION 328.** 49.19 (4) (d) 5. of the statutes is amended to read:

1 49.19 (4) (d) 5. Has been divorced and is without a ~~husband~~ spouse or legally
2 separated from his or her husband spouse and is unable through use of the provisions
3 of law to compel his or her former husband spouse to adequately support the child
4 for whom aid is sought; or

5 **SECTION 329.** 49.345 (2) of the statutes is amended to read:

6 49.345 (2) Except as provided in sub. (14) (b) and (c), any person, including a
7 person placed under s. 48.32 (1) (am) or (b), 48.345 (3), 48.357 (1) or (2m), 938.183,
8 938.34 (3) or (4d), or 938.357 (1), (2m), (4), or (5) (e), receiving care, maintenance,
9 services, and supplies provided by any institution in this state, in which the state is
10 chargeable with all or part of the person's care, maintenance, services, and supplies,
11 and the person's property and estate, including the homestead, and the spouse of the
12 person, and the spouse's property and estate, including the homestead, and, in the
13 case of a minor child, the parents of the person, and their property and estates,
14 including their homestead, and, in the case of a foreign child described in s. 48.839
15 (1) who became dependent on public funds for his or her primary support before an
16 order granting his or her adoption, the resident of this state appointed guardian of
17 the child by a foreign court who brought the child into this state for the purpose of
18 adoption, and his or her property and estate, including his or her homestead, shall
19 be liable for the cost of the care, maintenance, services, and supplies in accordance
20 with the fee schedule established by the department under s. 49.32 (1). If a spouse,
21 ~~widow~~ surviving spouse, or minor, or an incapacitated person may be lawfully
22 dependent upon the property for his or her support, the court shall release all or such
23 part of the property and estate from the charges that may be necessary to provide for
24 the person. The department shall make every reasonable effort to notify the liable

1 persons as soon as possible after the beginning of the maintenance, but the notice or
2 the receipt of the notice is not a condition of liability.

3 **SECTION 330.** 49.43 (12) of the statutes is amended to read:

4 49.43 (12) "Spouse" means the legal ~~husband or wife of~~ person to whom the
5 beneficiary is legally married, whether or not the person is eligible for medical
6 assistance.

7 **SECTION 331.** 49.471 (1) (b) 2. of the statutes is amended to read:

8 49.471 (1) (b) 2. A ~~stepfather, stepmother~~ stepparent, stepbrother, or stepsister.

9 **SECTION 332.** 49.90 (4) of the statutes is amended to read:

10 49.90 (4) The circuit court shall in a summary way hear the allegations and
11 proofs of the parties and by order require maintenance from these relatives, if they
12 have sufficient ability, considering their own future maintenance and making
13 reasonable allowance for the protection of the property and investments from which
14 they derive their living and their care and protection in old age, in the following
15 order: First the ~~husband or wife~~ spouse; then the ~~father and the mother~~ parents; and
16 then the grandparents in the instances in which sub. (1) (a) 2. applies. The order
17 shall specify a sum ~~which~~ that will be sufficient for the support of the dependent
18 person under sub. (1) (a) 1. or the maintenance of a child of a dependent person under
19 sub. (1) (a) 2., to be paid weekly or monthly, during a period fixed by the order or until
20 the further order of the court. If the court is satisfied that any such relative is unable
21 wholly to maintain the dependent person or the child, but is able to contribute to the
22 person's support or the child's maintenance, the court may direct 2 or more of the
23 relatives to maintain the person or the child and prescribe the proportion each shall
24 contribute. If the court is satisfied that these relatives are unable together wholly
25 to maintain the dependent person or the child, but are able to contribute to the

1 person's support or the child's maintenance, the court shall direct a sum to be paid
2 weekly or monthly by each relative in proportion to ability. Contributions directed
3 by court order, if for less than full support, shall be paid to the department of health
4 services or the department of children and families, whichever is appropriate, and
5 distributed as required by state and federal law. An order under this subsection that
6 relates to maintenance required under sub. (1) (a) 2. shall specifically assign
7 responsibility for and direct the manner of payment of the child's health care
8 expenses, subject to the limitations under subs. (1) (a) 2. and (11). Upon application
9 of any party affected by the order and upon like notice and procedure, the court may
10 modify such an order. Obedience to such an order may be enforced by proceedings
11 for contempt.

12 **SECTION 333.** 54.01 (36) (a) of the statutes is amended to read:

13 54.01 (36) (a) An individual who obtains or consents to a final decree or
14 judgment of divorce from the decedent or an annulment of their marriage, if the
15 decree or judgment is not recognized as valid in this state, unless the 2 subsequently
16 participated in a marriage ceremony purporting to marry each other or they
17 subsequently held themselves out as ~~husband and wife~~ married to each other.

18 **SECTION 334.** 54.960 (1) of the statutes is amended to read:

19 54.960 (1) Beneficial interests in a custodial trust created for multiple
20 beneficiaries are deemed to be separate custodial trusts of equal undivided interests
21 for each beneficiary. Except in a transfer or declaration for use and benefit of
22 ~~husband and wife~~ 2 individuals who are married to each other, for whom
23 survivorship is presumed, a right of survivorship does not exist unless the
24 instrument creating the custodial trust specifically provides for survivorship or
25 survivorship is required as to marital property.

1 **SECTION 335.** 69.03 (15) of the statutes is amended to read:

2 69.03 (15) Periodically provide to each county child support agency under s.
3 59.53 (5) a list of names and, notwithstanding s. 69.20 (2) (a), addresses of registrants
4 who reside in that county for whom ~~no father's~~ only one parent's name has been
5 inserted on the registrant's birth record within 6 months of birth.

6 **SECTION 336.** 69.11 (4) (b) of the statutes is amended to read:

7 69.11 (4) (b) The state registrar may amend an item on a birth record that
8 affects information about the name, sex, date of birth, place of birth, parent's name,
9 or parent's marital status ~~of the mother~~ if 365 days have elapsed since the occurrence
10 of the event that is the subject of the birth record, if the amendment is at the request
11 of a person with a direct and tangible interest in the record and is in the manner
12 prescribed by the state registrar, and if the amendment is accompanied by 2 items
13 of documentary evidence from early childhood that are sufficient to prove that the
14 item to be changed is in error and by the affidavit of the person requesting the
15 amendment. A change in the marital status on the birth record may be made under
16 this paragraph only if the marital status is inconsistent with information ~~concerning~~
17 ~~the father or husband~~ that appears on the birth record. This paragraph may not be
18 used to add to or delete from a birth record the name of a parent, to change the
19 identity of a parent named on the birth record, or to effect a name change prohibited
20 under s. 301.47.

21 **SECTION 337.** 69.12 (5) of the statutes is amended to read:

22 69.12 (5) A change in the marital status on the record of birth may be requested
23 under this section only if the marital status is inconsistent with ~~father or husband~~
24 information appearing on the birth record. This section may not be used to add or

1 delete the name of a parent on the record of birth or change the identity of either
2 parent named on the birth record.

3 **SECTION 338.** 69.13 (2) (b) 4. of the statutes is amended to read:

4 69.13 (2) (b) 4. If relevant to the correction sought, a certified copy of a marriage
5 document, divorce or annulment record, or a final divorce decree that indicates that
6 the mother was not married to the person listed as her ~~husband~~ spouse at any time
7 during the pregnancy, a legal name change order, or any other legal document that
8 clarifies the disputed information.

9 **SECTION 339.** 69.14 (1) (c) 4. of the statutes is amended to read:

10 69.14 (1) (c) 4. In the absence of a person under subds. 1. to 3., the ~~father or~~
11 mother, father, or mother's spouse, or in the absence of the father or the mother's
12 spouse and the inability of the mother, the person responsible for the premises where
13 the birth occurs.

14 **SECTION 340.** 69.14 (1) (e) (title) and 1. of the statutes are amended to read:

15 69.14 (1) (e) (title) *Father's Spouse's or father's name*. 1. If Except as provided
16 in par. (h), if the mother of a registrant under this section was married at any time
17 from the conception to the birth of the registrant, the name of the ~~husband~~ spouse
18 of the mother shall be entered on the birth record as ~~the a legal father~~ parent of the
19 registrant. The name of the ~~father~~ parent entered under this subdivision may not
20 be changed except by a proceeding under ch. 767.

21 **SECTION 341.** 69.14 (1) (f) 1. of the statutes is amended to read:

22 69.14 (1) (f) 1. a. Except as provided under subd. 1. b., if the mother of a
23 registrant of a birth record under this section is married ~~to the father of the~~
24 ~~registrant~~ at any time from the conception to the birth of the registrant, the given
25 name and surname ~~which~~ that the mother ~~and father~~ of the registrant and her

1 spouse enter for the registrant on the birth record shall be the given name and
2 surname filed and registered on the birth record.

3 b. If the mother of a registrant of a birth record under this section is married
4 ~~to the father of the registrant~~ at any time from the conception to the birth of the
5 registrant and the mother is separated or divorced ~~from the father of the registrant~~
6 at the time of birth, the given name and surname ~~which~~ that the parent of the
7 registrant with actual custody enters for the registrant on the birth record shall be
8 the given name and surname filed and registered on the birth record, except that if
9 a court has granted legal custody of the registrant, the given name and surname
10 ~~which~~ that the person with legal custody enters for the registrant on the birth record
11 shall be the given name and surname filed and registered on the birth record.

12 c. If the mother of a registrant of a birth record under this section is not married
13 ~~to the father of the registrant~~ at any time from the conception to the birth of the
14 registrant, the given name and surname ~~which~~ that the mother of the registrant
15 enters for the registrant on the birth record shall be the given name and surname
16 filed and registered on the birth record, except that if a court has granted legal
17 custody of the registrant, the given name and surname ~~which~~ that the person with
18 legal custody enters for the registrant on the birth record shall be the given name and
19 surname filed and registered on the birth record.

20 **SECTION 342.** 69.14 (1) (g) of the statutes is amended to read:

21 69.14 (1) (g) *Birth by artificial insemination.* If the registrant of a birth record
22 under this section is born as a result of artificial insemination under the
23 requirements of s. 891.40, the ~~husband~~ spouse of the ~~woman~~ person inseminated
24 shall be considered ~~the father~~ a parent of the registrant on the birth record. ~~If the~~
25 ~~registrant is born as a result of artificial insemination which does not satisfy the~~

1 ~~requirements of s. 891.40, the information about the father of the registrant shall be~~
2 ~~omitted from the registrant's birth record.~~

3 **SECTION 343.** 69.14 (2) (b) 2. d. of the statutes is amended to read:

4 69.14 (2) (b) 2. d. The full name of the father or the mother's spouse, except that
5 if the mother was not married at the time of conception or birth or between conception
6 and birth of the registrant, the name of the father may not be entered except as
7 provided under s. 69.15 (3).

8 **SECTION 344.** 69.15 (1) of the statutes is amended to read:

9 69.15 (1) BIRTH RECORD INFORMATION CHANGES. The state registrar may change
10 information on a birth record registered in this state which was correct at the time
11 the birth record was filed under a court or administrative order issued in this state,
12 in another state or in Canada or under the valid order of a court of any federally
13 recognized Indian tribe, band, or nation if all of the following occur:

14 (a) The order provides for an adoption, name change, or name change with sex
15 change or establishes paternity; ~~and~~ or parentage.

16 (b) A clerk of court or, for a paternity or parentage action, a clerk of court or
17 county child support agency under s. 59.53 (5), sends the state registrar a certified
18 report of an order of a court in this state in the method prescribed by the state
19 registrar or, in the case of any other order, the state registrar receives a certified copy
20 of the order and the proper fee under s. 69.22.

21 **SECTION 345.** 69.15 (3) (title) and (a) (intro.), 1., 2. and 3. of the statutes are
22 amended to read:

23 69.15 (3) (title) ~~PATERNITY~~ PARENTAGE. (a) (intro.) If the state registrar receives
24 an order under sub. (1) that establishes paternity or determines that the ~~man~~ person
25 whose name appears on a registrant's birth record is not the ~~father~~ parent of the

1 registrant, or a report under s. 767.804 (1) (c) that shows a conclusive determination
2 of paternity, the state registrar shall do the following, as appropriate:

3 1. Prepare under sub. (6) a new record omitting the ~~father's~~ parent's name if
4 the order determines that the ~~man~~ person whose name appears on a registrant's
5 birth record is not the ~~father~~ parent of the registrant and if there is no adjudicated
6 father.

7 2. Prepare under sub. (6) a new record for the subject of a paternity action
8 changing the name of the ~~father~~ parent if the name of the adjudicated father is
9 different than the name of the ~~man~~ person on the birth record.

10 3. Except as provided under subd. 4., insert the name of the adjudicated or
11 conclusively determined father on the original birth record if the name of the ~~father~~
12 that parent was omitted on the original record.

13 **SECTION 346.** 69.15 (3) (b) 1., 2., 3. and 4. (intro.), a. and b. of the statutes are
14 amended to read:

15 69.15 **(3)** (b) 1. Except as provided under par. (c), if the state registrar receives
16 a statement acknowledging ~~paternity~~ parentage in the manner prescribed by the
17 state registrar and signed by both of the ~~birth~~ natural parents of a child determined
18 to be a marital child under s. 767.803, a certified copy of the parents' marriage record,
19 and the fee required under s. 69.22 (5) (b) 1., the state registrar shall insert the name
20 of the ~~husband~~ spouse of the person who gave birth from the marriage record as the
21 ~~father~~ parent if the name of the ~~father~~ that parent was omitted on the original birth
22 record. The state registrar shall include for the acknowledgment the items in s.
23 767.813 (5g).

24 2. Except as provided under par. (c), if the parent of a child determined to be
25 a marital child under s. 767.803 dies after his or her marriage and before the

1 statement acknowledging ~~paternity~~ parentage has been signed, the state registrar
2 shall insert the name of the ~~father~~ parent under subd. 1. upon receipt of a court order
3 determining that the ~~husband~~ spouse was the ~~father~~ parent of the child.

4 3. Except as provided under par. (c), if the state registrar receives a statement
5 acknowledging ~~paternity~~ parentage in the method prescribed by the state registrar
6 and signed by both parents, neither of whom was under the age of 18 years when the
7 form was signed, along with the fee under s. 69.22, the state registrar shall insert the
8 name of the ~~father~~ parent under subd. 1. The state registrar shall mark the record
9 to show that the acknowledgement is on file. The acknowledgement shall be
10 available to the department of children and families or a county child support agency
11 under s. 59.53 (5) pursuant to the program responsibilities under s. 49.22 or to any
12 other person with a direct and tangible interest in the record. The state registrar
13 shall include on the acknowledgment the information in s. 767.805 and the items in
14 s. 767.813 (5g).

15 4. (intro.) If a registrant has not reached the age of 18 years and if any of the
16 following indicate, in a statement acknowledging ~~paternity~~ parentage under subd.
17 1. or 3., that the given name or surname, or both, of the registrant should be changed
18 on the birth record, the state registrar shall enter the name indicated on the birth
19 record without a court order:

20 a. ~~The mother of the~~ parent who gave birth to the registrant, except as provided
21 under subd. 4. b. and c.

22 b. ~~The father of~~ natural parent who did not give birth to the registrant if ~~the~~
23 father that parent has legal custody of the registrant.

24 **SECTION 347.** 69.15 (3) (b) 3m. of the statutes is created to read:

1 69.15 (3) (b) 3m. Except as provided in par. (c), if the state registrar receives
2 an acknowledgement of parentage on a form prescribed by the state registrar and
3 signed by both of the people presumed to be natural parents under s. 891.41 (1) (b),
4 a certified copy of the parents' marriage certificate, and the fee required under s.
5 69.22 (5) (b) 1., the state registrar shall insert the name of the spouse from the
6 marriage certificate as a parent if the name of that parent was omitted on the original
7 birth certificate.

8 **SECTION 348.** 69.15 (3) (d) of the statutes is amended to read:

9 69.15 (3) (d) The method prescribed by the state registrar for acknowledging
10 paternity parentage shall require that the social security number of each of the
11 registrant's parents be provided.

12 **SECTION 349.** 69.15 (3m) (title) and (a) (intro.) of the statutes are amended to
13 read:

14 69.15 (3m) (title) RESCISSION OF STATEMENT ACKNOWLEDGING PATERNITY
15 PARENTAGE. (a) (intro.) A statement acknowledging paternity parentage that is filed
16 with the state registrar under sub. (3) (b) 3. may be rescinded by either person who
17 signed the statement as a parent of the registrant if all of the following apply:

18 **SECTION 350.** 69.15 (3m) (a) 3. and (b) of the statutes are amended to read:

19 69.15 (3m) (a) 3. The person rescinding the statement files a rescission in the
20 method prescribed under subd. 2. before the day on which a court or circuit court
21 commissioner makes an order in an action affecting the family involving the man
22 person who signed the statement and the child who is the subject of the statement
23 or before 60 days elapse after the statement was filed, whichever occurs first.

24 (b) If the state registrar, within the time required under par. (a) 3., receives a
25 rescission in the method prescribed by the state registrar, along with the proper fee

1 under s. 69.22, the state registrar shall prepare under sub. (6) a new record omitting
2 the father's parent's name if it was inserted under sub. (3) (b).

3 **SECTION 351.** 71.03 (2) (d) (title) of the statutes is amended to read:

4 71.03 (2) (d) (title) *Husband and wife Spouses joint filing.*

5 **SECTION 352.** 71.03 (2) (d) 1. of the statutes is amended to read:

6 71.03 (2) (d) 1. Except as provided in subds. 2. and 3. and par. (e), ~~a husband~~
7 ~~and a wife~~ spouses may file a joint return for income tax purposes even though one
8 of the spouses has no gross income or no deductions.

9 **SECTION 353.** 71.03 (2) (d) 2. of the statutes is amended to read:

10 71.03 (2) (d) 2. No joint return may be filed if either ~~the husband or wife~~ spouse
11 at any time during the taxable year is a nonresident alien, unless an election is in
12 effect for the taxable year under section 6013 (g) or (h) of the ~~internal revenue code~~
13 Internal Revenue Code.

14 **SECTION 354.** 71.03 (2) (d) 3. of the statutes is amended to read:

15 71.03 (2) (d) 3. No joint return may be filed if the ~~husband and wife~~ spouses
16 have different taxable years, except that if their taxable years begin on the same day
17 and end on different days because of the death of either or both the joint return may
18 be filed with respect to the taxable year of each unless the surviving spouse remarries
19 before the close of his or her taxable year or unless the taxable year of either spouse
20 is a fractional part of a year under section 443 (a) (1) of the ~~internal revenue code~~
21 Internal Revenue Code.

22 **SECTION 355.** 71.03 (2) (g) of the statutes is amended to read:

23 71.03 (2) (g) *Joint return following separate return.* Except as provided in par.
24 (i), if an individual has filed a separate return for a taxable year for which a joint
25 return could have been filed by the individual and the individual's spouse under par.

1 (d) or (e) and the time prescribed by law for timely filing the return for that taxable
2 year has expired, the individual and the individual's spouse may file a joint return
3 for that taxable year. A joint return filed by the ~~husband and wife~~ spouses under this
4 paragraph is their return for that taxable year, and all payments, credits, refunds
5 or other repayments made or allowed with respect to the separate return of each
6 spouse for that taxable year shall be taken into account in determining the extent
7 to which the tax based upon the joint return has been paid. If a joint return is filed
8 under this paragraph, any election, other than the election to file a separate return,
9 made by either spouse in that spouse's separate return for that taxable year with
10 respect to the treatment of any income, deduction or credit of that spouse may not
11 be changed in the filing of the joint return if that election would have been irrevocable
12 if the joint return had not been filed.

13 **SECTION 356.** 71.03 (2) (m) 2. of the statutes is amended to read:

14 71.03 (2) (m) 2. If ~~a husband and wife~~ spouses change from a joint return to
15 separate returns within the time prescribed in subd. 1., the tax paid on the joint
16 return shall be allocated between them in proportion to the tax liability shown on
17 each separate return.

18 **SECTION 357.** 71.03 (4) (a) of the statutes is amended to read:

19 71.03 (4) (a) Natural persons whose total income is not in excess of \$10,000 and
20 consists entirely of wages subject to withholding for Wisconsin tax purposes and not
21 more than \$200 total of dividends, interest and other wages not subject to Wisconsin
22 withholding, and who have elected the Wisconsin standard deduction and have not
23 claimed either the credit for homestead property tax relief or deductions for expenses
24 incurred in earning such income, shall, at their election, not be required to record on
25 their income tax returns the amount of the tax imposed on their Wisconsin taxable

1 income. Married persons shall be permitted this election only if the joint income of
2 the ~~husband and wife~~ spouses does not exceed \$10,000, if both report their incomes
3 on the same joint income tax return form, and if both make this election.

4 **SECTION 358.** 71.05 (22) (a) (title) of the statutes is amended to read:

5 71.05 **(22)** (a) (title) *Election of deductions; ~~husband and wife~~ spousal*
6 *deductions.*

7 **SECTION 359.** 71.07 (5m) (a) 3. of the statutes is amended to read:

8 71.07 **(5m)** (a) 3. "Household" means a claimant and an individual related to
9 the claimant as ~~husband or wife~~ his or her spouse.

10 **SECTION 360.** 71.07 (9e) (b) of the statutes is amended to read:

11 71.07 **(9e)** (b) No credit may be allowed under this subsection to married
12 persons, except married persons living apart who are treated as single under section
13 7703 (b) of the ~~internal revenue code~~ Internal Revenue Code, if the ~~husband and wife~~
14 spouses report their income on separate income tax returns for the taxable year.

15 **SECTION 361.** 71.09 (13) (a) 2. of the statutes is amended to read:

16 71.09 **(13)** (a) 2. The tax shown on the return for the preceding year. If ~~a~~
17 ~~husband and wife~~ spouses who filed separate returns for the preceding taxable year
18 file a joint return, the tax shown on the return for the preceding year is the sum of
19 the taxes shown on the separate returns of the ~~husband and wife~~ spouses. If ~~a~~
20 ~~husband and wife~~ spouses who filed a joint return for the preceding taxable year file
21 separate returns, the tax shown on the return for the preceding year is ~~the husband's~~
22 ~~or wife's~~ each spouse's proportion of that tax based on what their respective tax
23 liabilities for that year would have been had they filed separately.

24 **SECTION 362.** 71.52 (4) of the statutes is amended to read:

1 71.52 (4) “Household” means a claimant and an individual related to the
2 claimant as ~~husband or wife~~ his or her spouse.

3 **SECTION 363.** 71.83 (1) (a) 8. of the statutes is amended to read:

4 71.83 (1) (a) 8. ‘Joint return replacing separate returns.’ If the amount shown
5 as the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2)
6 (g) to (L) exceeds the sum of the amounts shown as the tax upon the separate return
7 of each spouse and if any part of that excess is attributable to negligence or
8 intentional disregard of this chapter, but without intent to defraud, at the time of the
9 filing of that separate return, then 25 percent of the total amount of that excess shall
10 be added to the tax.

11 **SECTION 364.** 71.83 (1) (b) 5. of the statutes is amended to read:

12 71.83 (1) (b) 5. ‘Joint return after separate returns.’ If the amount shown as
13 the tax by ~~the husband and wife~~ spouses on a joint return filed under s. 71.03 (2) (g)
14 to (L) exceeds the sum of the amounts shown as the tax on the separate return of each
15 spouse and if any part of that excess is attributable to fraud with intent to evade tax
16 at the time of the filing of that separate return, then 50 percent of the total amount
17 of that excess shall be added to the tax.

18 **SECTION 365.** 77.25 (8m) of the statutes is amended to read:

19 77.25 (8m) Between ~~husband and wife~~ spouses.

20 **SECTION 366.** 77.54 (7) (b) 1. of the statutes is amended to read:

21 77.54 (7) (b) 1. The item is transferred to a child, spouse, parent, ~~father-in-law,~~
22 ~~mother-in-law~~ parent-in-law, daughter-in-law, or son-in-law of the transferor or,
23 if the item is a motor vehicle, from the transferor to a corporation owned solely by the
24 transferor or by the transferor’s spouse.

25 **SECTION 367.** 101.91 (5m) of the statutes is amended to read:

1 101.91 **(5m)** “Manufactured home community” means any plot or plots of
2 ground upon which 3 or more manufactured homes that are occupied for dwelling or
3 sleeping purposes are located. “Manufactured home community” does not include a
4 farm where the occupants of the manufactured homes are the ~~father, mother, son,~~
5 ~~daughter, brother or sister~~ parents, children, or siblings of the farm owner or
6 operator or where the occupants of the manufactured homes work on the farm.

7 **SECTION 368.** 102.07 (5) (b) of the statutes is amended to read:

8 102.07 **(5)** (b) The parents, spouse, child, brother, sister, son-in-law,
9 daughter-in-law, ~~father-in-law, mother-in-law~~ parent-in-law, brother-in-law, or
10 sister-in-law of a farmer shall not be deemed the farmer’s employees.

11 **SECTION 369.** 102.07 (5) (c) of the statutes is amended to read:

12 102.07 **(5)** (c) A shareholder-employee of a family farm corporation shall be
13 deemed a “farmer” for purposes of this chapter and shall not be deemed an employee
14 of a farmer. A “family farm corporation” means a corporation engaged in farming all
15 of whose shareholders are related as lineal ancestors or lineal descendants, whether
16 by blood or by adoption, or as spouses, brothers, sisters, uncles, aunts, cousins,
17 sons-in-law, daughters-in-law, ~~fathers-in-law, mothers-in-law~~ parents-in-law,
18 brothers-in-law, or sisters-in-law of such lineal ancestors or lineal descendants.

19 **SECTION 370.** 102.51 (1) (a) 1. of the statutes is amended to read:

20 102.51 **(1)** (a) 1. A wife married person upon ~~a husband~~ his or her spouse with
21 whom he or she is living at the time of ~~his~~ the spouse’s death.

22 **SECTION 371.** 102.51 (1) (a) 2. of the statutes is repealed.

23 **SECTION 372.** 103.10 (1) (h) of the statutes is amended to read:

24 103.10 **(1)** (h) “Spouse” means ~~an employee’s legal husband or wife~~ the person
25 to whom an employee is legally married.

1 **SECTION 373.** 103.165 (3) (a) 3. of the statutes is amended to read:

2 103.165 (3) (a) 3. The decedent's ~~father or mother~~ parent or parents if the
3 decedent leaves no surviving spouse, domestic partner under ch. 770, or children.

4 **SECTION 374.** 111.32 (12) of the statutes is amended to read:

5 111.32 (12) "Marital status" means the status of being married, single,
6 divorced, separated, or widowed a surviving spouse.

7 **SECTION 375.** 115.76 (12) (a) 1. of the statutes is amended to read:

8 115.76 (12) (a) 1. A ~~biological~~ natural parent.

9 **SECTION 376.** 115.76 (12) (a) 2. of the statutes is repealed.

10 **SECTION 377.** 115.76 (12) (a) 3. of the statutes is repealed.

11 **SECTION 378.** 115.76 (13) of the statutes is amended to read:

12 115.76 (13) "Person acting as a parent of a child" means a relative of the child
13 or a private individual allowed to act as a parent of a child by the child's ~~biological~~
14 natural or adoptive parents or guardian, and includes the child's grandparent,
15 neighbor, friend or private individual caring for the child with the explicit or tacit
16 approval of the child's ~~biological~~ natural or adoptive parents or guardian. "Person
17 acting as a parent of a child" does not include any person that receives public funds
18 to care for the child if such funds exceed the cost of such care.

19 **SECTION 379.** 146.34 (1) (f) of the statutes is amended to read:

20 146.34 (1) (f) "Parent" means a ~~biological~~ natural parent, ~~a husband who has~~
21 ~~consented to the artificial insemination of his wife under s. 891.40~~ or a parent by
22 adoption. If the minor is a nonmarital child who is not adopted or whose parents do
23 not subsequently intermarry under s. 767.803, "parent" includes a person adjudged
24 in a judicial proceeding under ch. 48 to be the biological father of the minor. "Parent"
25 does not include any person whose parental rights have been terminated.

1 **SECTION 380.** 157.05 of the statutes is amended to read:

2 **157.05 Autopsy.** Consent for a licensed physician to conduct an autopsy on
3 the body of a deceased person shall be deemed sufficient when given by whichever
4 one of the following assumes custody of the body for purposes of burial: ~~Father,~~
5 ~~mother, husband, wife~~ parent, spouse, child, guardian, next of kin, domestic partner
6 under ch. 770, or in the absence of any of the foregoing, a friend, or a person charged
7 by law with the responsibility for burial. If 2 or more such persons assume custody
8 of the body, the consent of one of them shall be deemed sufficient.

9 **SECTION 381.** 182.004 (6) of the statutes is amended to read:

10 182.004 **(6)** Stock may be issued and leases made to ~~husband and wife~~ spouses,
11 and to the survivor of them, in which event title shall descend the same as in like
12 conveyances of real property subject to ch. 766. Otherwise, title to the stock and lease
13 shall descend to the persons to whom a homestead of the stockholder would descend
14 except as provided in ch. 766. The interest of a tenant in the lease and stock shall
15 be exempt from execution to the same extent as a homestead in real estate.

16 **SECTION 382.** 250.04 (3) (a) of the statutes is amended to read:

17 250.04 **(3)** (a) The department shall establish and maintain surveillance
18 activities sufficient to detect any occurrence of acute, communicable, or chronic
19 diseases and threat of occupational or environmental hazards, injuries, or changes
20 in the health of ~~mothers~~ parents and children.

21 **SECTION 383.** 301.50 (1) of the statutes is amended to read:

22 301.50 **(1)** In this section, “substantial parental relationship” means the
23 acceptance and exercise of significant responsibility for the daily supervision,
24 education, protection, and care of the child. In evaluating whether an individual has
25 had a substantial parental relationship with the child, factors that may be

1 considered include, but are not limited to, whether the individual has expressed
2 concern for or interest in the support, care, or well-being of the child; whether the
3 individual has neglected or refused to provide care or support for the child; and
4 whether, with respect to an individual who is or may be ~~the father~~ a parent of the
5 child, the individual has expressed concern for or interest in the support, care, or
6 well-being of the ~~mother during her~~ parent who gave birth during pregnancy.

7 **SECTION 384.** 700.19 (2) of the statutes is amended to read:

8 700.19 (2) ~~HUSBAND AND WIFE~~ SPOUSES. If persons named as owners in a
9 document of title, transferees in an instrument of transfer, or buyers in a bill of sale
10 are described in the document, instrument, or bill of sale as ~~husband and wife~~
11 married to each other, or are in fact ~~husband and wife~~ married to each other, they are
12 joint tenants, unless the intent to create a tenancy in common is expressed in the
13 document, instrument, or bill of sale. This subsection applies to property acquired
14 before January 1, 1986, and, if ch. 766 does not apply when the property is acquired,
15 to property acquired on or after January 1, 1986.

16 **SECTION 385.** 705.01 (4) of the statutes is amended to read:

17 705.01 (4) “Joint account” means an account, other than a marital account,
18 payable on request to one or more of 2 or more parties whether or not mention is made
19 of any right of survivorship. “Joint account” also means any account established with
20 the right of survivorship on or after January 1, 1986, by 2 parties who claim to be
21 ~~husband and wife~~ married to each other, which is payable on request to either or both
22 of the parties.

23 **SECTION 386.** 705.01 (4m) of the statutes is amended to read:

24 705.01 (4m) “Marital account” means an account established without the right
25 of survivorship on or after January 1, 1986, by 2 parties who claim to be ~~husband and~~

1 wife married to each other, which is payable on request to either or both of the parties
2 and which is designated as a marital account. An account established by those
3 parties with the right of survivorship under s. 766.58 (3) (f) or 766.60 is a joint
4 account.

5 **SECTION 387.** 706.09 (1) (e) of the statutes is amended to read:

6 706.09 (1) (e) *Marital interests.* Homestead of the spouse of any transferor of
7 an interest in real estate, if the recorded conveyance purporting to transfer the
8 homestead states that the person executing it is single, unmarried, or widowed a
9 surviving spouse or fails to indicate the marital status of the transferor, and if the
10 conveyance has, in either case, appeared of record for 5 years. This paragraph does
11 not apply to the interest of a married person who is described of record as a holder
12 in joint tenancy or of marital property with that transferor.

13 **SECTION 388.** 765.001 (2) of the statutes is amended to read:

14 765.001 (2) INTENT. It is the intent of chs. 765 to 768 to promote the stability
15 and best interests of marriage and the family. It is the intent of the legislature to
16 recognize the valuable contributions of both spouses during the marriage and at
17 termination of the marriage by dissolution or death. Marriage is the institution that
18 is the foundation of the family and of society. Its stability is basic to morality and
19 civilization, and of vital interest to society and the state. The consequences of the
20 marriage contract are more significant to society than those of other contracts, and
21 the public interest must be taken into account always. The seriousness of marriage
22 makes adequate premarital counseling and education for family living highly
23 desirable and courses thereon are urged upon all persons contemplating marriage.
24 The impairment or dissolution of the marriage relation generally results in injury
25 to the public wholly apart from the effect upon the parties immediately concerned.

1 Under the laws of this state, marriage is a legal relationship between 2 equal
2 persons, ~~a husband and wife~~, who owe to each other mutual responsibility and
3 support. Each spouse has an equal obligation in accordance with his or her ability
4 to contribute money or services or both which are necessary for the adequate support
5 and maintenance of his or her minor children and of the other spouse. No spouse may
6 be presumed primarily liable for support expenses under this subsection.

7 **SECTION 389.** 765.01 of the statutes is amended to read:

8 **765.01 A civil contract.** Marriage, so far as its validity at law is concerned,
9 is a civil contract, to which the consent of the parties capable in law of contracting
10 is essential, and which creates the legal status of husband and wife spouse to each
11 other.

12 **SECTION 390.** 765.02 (3) of the statutes is created to read:

13 765.02 (3) Marriage may be contracted between persons of the same sex or
14 different sexes.

15 **SECTION 391.** 765.03 (1) of the statutes is amended to read:

16 765.03 (1) No marriage shall be contracted while either of the parties has a
17 ~~husband or wife~~ spouse living, nor between persons who are nearer of kin than 2nd
18 cousins except that marriage may be contracted between first cousins ~~where the~~
19 ~~female has attained the age of 55 years or where~~ if either party, at the time of
20 application for a marriage license, submits an affidavit signed by a physician stating
21 that either party is permanently sterile or that the 2 parties are otherwise
22 permanently biologically incapable of producing a child together. Relationship
23 under this section shall be computed by the rule of the civil law, whether the parties
24 to the marriage are of the half or of the whole blood. A marriage may not be

1 contracted if either party has such want of understanding as renders him or her
2 incapable of assenting to marriage.

3 **SECTION 392.** 765.16 (1m) (intro.) of the statutes is amended to read:

4 765.16 **(1m)** (intro.) Marriage may be validly solemnized and contracted in this
5 state only after a marriage license has been issued therefor, and only by the mutual
6 declarations of the 2 parties to be joined in marriage that ~~they take each~~ takes the
7 other as ~~husband and wife~~ his or her spouse, made before an authorized officiating
8 person and in the presence of at least 2 competent adult witnesses other than the
9 officiating person. If one of the parties is serving on active duty in the U.S. armed
10 forces or in forces incorporated in the U.S. armed forces, in a reserve unit of the U.S.
11 armed forces, or in the national guard, the presence of only one competent adult
12 witness other than the officiating person is required. The following are authorized
13 to be officiating persons:

14 **SECTION 393.** 765.16 (1m) (c) of the statutes is amended to read:

15 765.16 **(1m)** (c) The 2 parties themselves, by mutual declarations that they
16 ~~take each~~ takes the other as ~~husband and wife~~ his or her spouse, in accordance with
17 the customs, rules, and regulations of any religious society, denomination, or sect to
18 which either of the parties may belong.

19 **SECTION 394.** 765.23 of the statutes is amended to read:

20 **765.23 Immaterial irregularities otherwise.** No marriage hereafter
21 contracted shall be void either by reason of the marriage license having been issued
22 by a county clerk not having jurisdiction to issue the same; or by reason of any
23 informality or irregularity of form in the application for the marriage license or in
24 the marriage license itself, or the incompetency of the witnesses to such marriage;
25 or because the marriage may have been solemnized more than 60 days after the date

1 of the marriage license, if the marriage is in other respects lawful and is
2 consummated with the full belief on the part of the persons so married, or either of
3 them, that they have been lawfully joined in marriage. Where a marriage has been
4 celebrated in one of the forms provided for in s. 765.16 (1m), and the parties thereto
5 have immediately thereafter assumed the habit and repute of ~~husband and wife~~ a
6 married couple, and having continued the same uninterruptedly thereafter for the
7 period of one year, or until the death of either of them, it shall be deemed that a
8 marriage license has been issued as required by ss. 765.05 to 765.24 and 767.803.

9 **SECTION 395.** 765.24 of the statutes is amended to read:

10 **765.24 Removal of impediments to subsequent marriage.** If a person
11 during the lifetime of a ~~husband or wife~~ spouse with whom the marriage is in force,
12 enters into a subsequent marriage contract in accordance with s. 765.16, and the
13 parties thereto live together thereafter as ~~husband and wife~~ a married couple, and
14 such subsequent marriage contract was entered into by one of the parties in good
15 faith, in the full belief that the former ~~husband or wife~~ spouse was dead, or that the
16 former marriage had been annulled, or dissolved by a divorce, or without knowledge
17 of such former marriage, ~~they~~ the parties shall, after the impediment to their
18 marriage has been removed by the death or divorce of the other party to such former
19 marriage, if they continue to live together as ~~husband and wife~~ a married couple in
20 good faith on the part of one of them, be held to have been legally married from and
21 after the removal of such impediment and ~~the issue of~~ any children born during such
22 subsequent marriage shall be considered as the marital issue children of both
23 ~~parents~~ parties.

24 **SECTION 396.** 765.30 (3) (a) of the statutes is amended to read:

1 Print Name Here:

2 Address:

3 Signature Date

4 Print Name Here:

5 Address:

6 [NOTE: Each spouse should retain a copy of the agreement for himself or
7 herself.]

8 **SECTION 398.** 766.588 (9) (form) 13. of the statutes is amended to read:

9 766.588 (9) (form) 13. IF AFTER ENTERING INTO THIS AGREEMENT ONE
10 OR BOTH OF YOU ESTABLISH A DOMICILE OUTSIDE THIS STATE, YOU ARE
11 URGED TO SEEK LEGAL ADVICE CONCERNING THE CONTINUED
12 EFFECTIVENESS OF THIS AGREEMENT.

13 STATUTORY TERMINABLE MARITAL

14 PROPERTY CLASSIFICATION AGREEMENT

15 (Pursuant to Section 766.588, Wisconsin Statutes)

16 This agreement is entered into by and (~~husband and wife~~ who are
17 married) (who intend to marry) (strike one). The parties hereby classify all of the
18 property owned by them when this agreement becomes effective, and property
19 acquired during the term of this agreement, as marital property.

20 One spouse may terminate this agreement at any time by giving signed notice
21 of termination to the other spouse. Notice of termination by a spouse is given upon
22 personal delivery or when sent by certified mail to the other spouse's last-known
23 address. The agreement terminates 30 days after such notice is given.

24 The parties (have) (have not) (strike one) completed Schedule "A", "Financial
25 Disclosure", attached to this agreement. If Schedule "A" has not been completed, the

1 duration of this agreement is 3 years after both parties have signed the agreement.
 2 If Schedule "A" has been completed, the duration of this agreement is not limited to
 3 3 years after it is signed.

4 IF THE DURATION OF THIS AGREEMENT IS NOT TO BE LIMITED TO 3
 5 YEARS, MAKE SURE SCHEDULE "A", "FINANCIAL DISCLOSURE", IS
 6 COMPLETED AND THAT YOU HAVE REVIEWED THE SCHEDULE BEFORE
 7 SIGNING THE AGREEMENT. IF YOU AND YOUR SPOUSE HAVE PREVIOUSLY
 8 ENTERED INTO A STATUTORY TERMINABLE MARITAL PROPERTY
 9 CLASSIFICATION AGREEMENT WITH EACH OTHER WHICH WAS
 10 EFFECTIVE DURING YOUR PRESENT MARRIAGE AND YOU AND YOUR
 11 SPOUSE DID NOT COMPLETE SCHEDULE "A", YOU MAY NOT EXECUTE THIS
 12 AGREEMENT IF YOU DO NOT COMPLETE SCHEDULE "A".

13 Signature of One Spouse:

14 Date:

15 Print Name Here:

16 Residence Address:

17 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

18 AUTHENTICATION

19 Signature authenticated this day of, (year)

20 *....

21 TITLE: MEMBER STATE BAR OF WISCONSIN

22 (If not, authorized by s. 706.06, Wis. Stats.)

23 ACKNOWLEDGMENT

24 STATE OF WISCONSIN)

25) ss.

1 County)

2 Personally came before me this day of, (year) the above named to
3 me known to be the person who executed the foregoing instrument and acknowledge
4 the same.

5 *....

6 Notary Public, County, Wisconsin.

7 My Commission is permanent.

8 (If not, state expiration date:, (year))

9 (Signatures may be authenticated or
10 acknowledged. Both are not necessary.)

11 *Names of persons signing in any capacity should be
12 typed or printed below their signatures.

13 Signature of Other Spouse:

14 Date:

15 Print Name Here:

16 Residence Address:

17 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

18 AUTHENTICATION

19 Signature authenticated this day of, (year)

20 *....

21 TITLE: MEMBER STATE BAR OF WISCONSIN

22 (If not, authorized by s. 706.06, Wis. Stats.)

23 ACKNOWLEDGMENT

24 STATE OF WISCONSIN)

25) ss.

- 1 EL. Limited liability company interests.
- 2 F. Trust interests
- 3 G. Livestock, farm products, crops
- 4 H. Automobiles and other vehicles
- 5 I. Jewelry and personal effects
- 6 J. Household furnishings
- 7 K. Life insurance and annuities:
 - 8 1. Face value
 - 9 2. Cash surrender value
- 10 L. Retirement benefits (include value):
 - 11 1. Pension plans
 - 12 2. Profit sharing plans
 - 13 3. HR-10 KEOGH plans
 - 14 4. IRAs
 - 15 5. Deferred compensation plans
- 16 M. Other assets not listed elsewhere
- 17 II. OBLIGATIONS (TOTAL OUTSTANDING BALANCE):
 - 18 A. Mortgages and liens
 - 19 B. Credit cards
 - 20 C. Other obligations to financial institutions
 - 21 D. Alimony, maintenance and child support (per
22 month)
 - 23 E. Other obligations (such as other obligations
24 to individuals, guarantees, contingent
25 liabilities)

1 III. ANNUAL COMPENSATION FOR SERVICES:

2 (for example, wages and income from
3 self-employment; also include social security,
4 disability and similar income here)

5 (IF YOU NEED ADDITIONAL SPACE,
6 ADD ADDITIONAL SHEETS)

7 **SECTION 399.** 766.589 (10) (form) 14. of the statutes is amended to read:

8 766.589 (10) (form) 14. IF AFTER ENTERING INTO THIS AGREEMENT
9 ONE OR BOTH OF YOU ESTABLISH A DOMICILE OUTSIDE THIS STATE, YOU
10 ARE URGED TO SEEK LEGAL ADVICE CONCERNING THE CONTINUED
11 EFFECTIVENESS OF THIS AGREEMENT.

12 STATUTORY TERMINABLE INDIVIDUAL

13 PROPERTY CLASSIFICATION AGREEMENT

14 (Pursuant to Section 766.589, Wisconsin Statutes)

15 This agreement is entered into by and (~~husband and wife~~ who are
16 married) (who intend to marry) (strike one). The parties hereby classify the marital
17 property owned by them when this agreement becomes effective, and property
18 acquired during the term of this agreement ~~which~~ that would otherwise have been
19 marital property, as the individual property of the owning spouse. The parties agree
20 that ownership of such property shall be determined by the name in which the
21 property is held and, if property is not held by either or both spouses, ownership shall
22 be determined as if the parties were unmarried persons when the property was
23 acquired.

24 Upon the death of either spouse the surviving spouse may, except as otherwise
25 provided in a subsequent marital property agreement, and regardless of whether

1 this agreement has terminated, elect against the property of the decedent spouse as
2 provided in section 766.589 (7) of the Wisconsin Statutes.

3 One spouse may terminate this agreement at any time by giving signed notice
4 of termination to the other spouse. Notice of termination by a spouse is given upon
5 personal delivery or when sent by certified mail to the other spouse's last-known
6 address. The agreement terminates 30 days after such notice is given.

7 The parties (have) (have not) (strike one) completed Schedule "A", "Financial
8 Disclosure", attached to this agreement. If Schedule "A" has not been completed, the
9 duration of this agreement is 3 years after both parties have signed the agreement.
10 If Schedule "A" has been completed, the duration of this agreement is not limited to
11 3 years after it is signed.

12 IF THE DURATION OF THIS AGREEMENT IS NOT TO BE LIMITED TO 3
13 YEARS, MAKE SURE THAT SCHEDULE "A", "FINANCIAL DISCLOSURE", IS
14 COMPLETED AND THAT YOU HAVE REVIEWED THE SCHEDULE BEFORE
15 SIGNING THE AGREEMENT. IF YOU AND YOUR SPOUSE HAVE PREVIOUSLY
16 ENTERED INTO A STATUTORY TERMINABLE INDIVIDUAL PROPERTY
17 CLASSIFICATION AGREEMENT WITH EACH OTHER WHICH WAS
18 EFFECTIVE DURING YOUR PRESENT MARRIAGE AND YOU AND YOUR
19 SPOUSE DID NOT COMPLETE SCHEDULE "A", YOU MAY NOT EXECUTE THIS
20 AGREEMENT IF YOU DO NOT COMPLETE SCHEDULE "A".

21 Signature of One Spouse:

22 Date:

23 Print Name Here:

24 Residence Address:

25 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

1 AUTHENTICATION

2 Signature authenticated this day of, (year)

3 *....

4 TITLE: MEMBER STATE BAR OF WISCONSIN

5 (If not, authorized by s. 706.06, Wis. Stats.)

6 ACKNOWLEDGMENT

7 STATE OF WISCONSIN)

8) ss.

9 County)

10 Personally came before me this day of, (year) the above named to
11 me known to be the person who executed the foregoing instrument and acknowledge
12 the same.

13 *....

14 Notary Public, County, Wisconsin.

15 My Commission is permanent.

16 (If not, state expiration date:, (year))

17 (Signatures may be authenticated or
18 acknowledged. Both are not necessary.)

19 *Names of persons signing in any capacity should be
20 typed or printed below their signatures.

21 Signature of Other Spouse:

22 Date:

23 Print Name Here:

24 Residence Address:

25 (Make Sure Your Signature is Authenticated or Acknowledged Below.)

1 AUTHENTICATION

2 Signature authenticated this day of, (year)

3 *....

4 TITLE: MEMBER STATE BAR OF WISCONSIN

5 (If not, authorized by s. 706.06, Wis. Stats.)

6 ACKNOWLEDGMENT

7 STATE OF WISCONSIN)

8) ss.

9 County)

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16 (If not, state expiration date:, (year))

17 (Signatures may be authenticated or
18 acknowledged. Both are not necessary.)

19 *Names of persons signing in any capacity should
20 be typed or printed below their signatures.

21 TERMINATION OF

22 STATUTORY TERMINABLE INDIVIDUAL

23 PROPERTY CLASSIFICATION AGREEMENT

24 I UNDERSTAND THAT:

- 1 I. ASSETS:
- 2 A. Real estate (gross value)
- 3 B. Stocks, bonds and mutual funds
- 4 C. Accounts at and certificates and other
- 5 instruments issued by financial institutions
- 6 D. Mortgages, land contracts, promissory notes
- 7 and cash
- 8 E. Partnership interests
- 9 EL. Limited liability company interests
- 10 F. Trust interests
- 11 G. Livestock, farm products, crops
- 12 H. Automobiles and other vehicles
- 13 I. Jewelry and personal effects
- 14 J. Household furnishings
- 15 K. Life insurance and annuities:
- 16 1. Face value
- 17 2. Cash surrender value
- 18 L. Retirement benefits (include value):
- 19 1. Pension plans
- 20 2. Profit sharing plans
- 21 3. HR-10 KEOGH plans
- 22 4. IRAs
- 23 5. Deferred compensation plans
- 24 M. Other assets not listed elsewhere
- 25 II. OBLIGATIONS (TOTAL OUTSTANDING BALANCE):

1 stipulation of both parties that they desire to attempt a reconciliation, enter an order
2 suspending any and all orders and proceedings for such period, not exceeding 90
3 days, as the court determines advisable to permit the parties to attempt a
4 reconciliation without prejudice to their respective rights. During the suspension
5 period, the parties may resume living together as ~~husband and wife~~ a married couple
6 and their acts and conduct do not constitute an admission that the marriage is not
7 irretrievably broken or a waiver of the ground that the parties have voluntarily lived
8 apart continuously for 12 months or more immediately prior to the commencement
9 of the action. Suspension may be revoked upon the motion of either party by an order
10 of the court. If the parties become reconciled, the court shall dismiss the action. If
11 the parties are not reconciled after the period of suspension, the action shall proceed
12 as though no reconciliation period was attempted.

13 **SECTION 403.** 767.80 (1) (intro.) of the statutes is amended to read:

14 767.80 (1) WHO MAY BRING ACTION OR FILE MOTION. (intro.) The following persons
15 may bring an action or file a motion, including an action or motion for declaratory
16 judgment, for the purpose of determining the paternity of a child, or for the purpose
17 of rebutting the presumption of ~~paternity~~ parentage under s. 891.405, 891.407, or
18 891.41 (1):

19 **SECTION 404.** 767.80 (1) (c) of the statutes is amended to read:

20 767.80 (1) (c) Unless s. 767.804 (1) or 767.805 (1) applies, a ~~male person~~
21 presumed to be the child's ~~father~~ parent under s. 891.405, 891.407, or 891.41 (1).

22 **SECTION 405.** 767.80 (2) of the statutes is amended to read:

23 767.80 (2) CERTAIN AGREEMENTS NOT A BAR TO ACTION. Regardless of its terms,
24 an agreement made after July 1, 1981, other than an agreement approved by the
25 court between an alleged or presumed ~~father~~ parent and the mother or child, does

1 not bar an action under this section. Whenever the court approves an agreement in
2 which one of the parties agrees not to commence an action under this section, the
3 court shall first determine whether or not the agreement is in the best interest of the
4 child. The court shall not approve any provision waiving the right to bring an action
5 under this section if this provision is contrary to the best interests of the child.

6 **SECTION 406.** 767.803 of the statutes is amended to read:

7 **767.803 Determination of marital children.** If the ~~father and mother~~
8 natural parents of a nonmarital child enter into a lawful marriage or a marriage
9 which appears and they believe is lawful, except where the parental rights of the
10 ~~mother parent who gave birth~~ were terminated before either of these circumstances,
11 the child becomes a marital child, is entitled to a change in birth record under s. 69.15
12 (3) (b), and shall enjoy all of the rights and privileges of a marital child as if he or she
13 had been born during the marriage of the parents. This section applies to all cases
14 before, on, or after its effective date, but no estate already vested shall be divested
15 by this section and ss. 765.05 to 765.24 and 852.05. The children of all marriages
16 declared void under the law are nevertheless marital children.

17 **SECTION 407.** 767.804 (1) (a) 4. of the statutes is amended to read:

18 767.804 (1) (a) 4. No other male person is presumed to be the father natural
19 parent under s. 891.405 or 891.41 (1).

20 **SECTION 408.** 767.805 (title), (1), (1m), (2) (a) and (b) and (3) (title) and (a) of
21 the statutes are amended to read:

22 **767.805 (title) Voluntary acknowledgment of paternity parentage. (1)**
23 **CONCLUSIVE DETERMINATION OF PATERNITY PARENTAGE.** A statement acknowledging
24 paternity parentage that is on file with the state registrar under s. 69.15 (3) (b) 3.
25 after the last day on which a person may timely rescind the statement, as specified

1 in s. 69.15 (3m), is a conclusive determination, which shall be of the same effect as
2 a judgment, of ~~paternity~~ parentage.

3 **(1m)** MINOR PARENT MAY NOT SIGN. A minor may not sign a statement
4 acknowledging ~~paternity~~ parentage.

5 **(2)** (a) A statement acknowledging ~~paternity~~ parentage that is filed with the
6 state registrar under s. 69.15 (3) (b) 3. may be rescinded as provided in s. 69.15 (3m)
7 by a person who signed the statement as a parent of the child who is the subject of
8 the statement.

9 (b) If a statement acknowledging ~~paternity~~ parentage is timely rescinded as
10 provided in s. 69.15 (3m), a court may not enter an order specified in sub. (4) with
11 respect to the ~~male person~~ who signed the statement as the ~~father~~ parent of the child
12 unless the ~~male person~~ is adjudicated the child's ~~father~~ parent using the procedures
13 set forth in this subchapter, except for this section.

14 **(3)** (title) ACTIONS WHEN ~~PATERNITY~~ PARENTAGE ACKNOWLEDGED. (a) Unless the
15 statement acknowledging ~~paternity~~ parentage has been rescinded, an action
16 affecting the family concerning custody, child support or physical placement rights
17 may be brought with respect to persons who, with respect to a child, jointly signed
18 and filed with the state registrar under s. 69.15 (3) (b) 3. as parents of the child a
19 statement acknowledging ~~paternity~~ parentage.

20 **SECTION 409.** 767.805 (4) (intro.) of the statutes is amended to read:

21 767.805 (4) **ORDERS WHEN ~~PATERNITY~~ PARENTAGE ACKNOWLEDGED.** (intro.) In an
22 action under sub. (3) (a), if the persons who signed and filed the statement
23 acknowledging ~~paternity as parents~~ parentage of the child had notice of the hearing,
24 the court shall make an order that contains all of the following provisions:

25 **SECTION 410.** 767.805 (4) (d) of the statutes is amended to read:

1 767.805 (4) (d) 1. An order establishing the amount of the father's obligation
2 to pay or contribute to the reasonable expenses of the mother's pregnancy and the
3 child's ~~birth~~ childbirth by the parent who did not give birth. The amount established
4 may not exceed one-half of the total actual and reasonable pregnancy and birth
5 expenses. The order also shall specify the court's findings as to whether the father's
6 parent who did not give birth has an income that is at or below the poverty line
7 established under 42 USC 9902 (2), and shall specify whether periodic payments are
8 due on the obligation, based on the father's parent's ability to pay or contribute to
9 those expenses.

10 2. If the order does not require periodic payments because the father parent has
11 no present ability to pay or contribute to the expenses, the court may modify the
12 judgment or order at a later date to require periodic payments if the father parent
13 has the ability to pay at that time.

14 **SECTION 411.** 767.805 (5) (a) and (b) of the statutes are amended to read:

15 767.805 (5) (a) A determination of ~~paternity~~ parentage that arises under this
16 section may be voided at any time upon a motion or petition stating facts that show
17 fraud, duress or a mistake of fact. Except for good cause shown, any orders entered
18 under sub. (4) shall remain in effect during the pendency of a proceeding under this
19 paragraph.

20 (b) If a court in a proceeding under par. (a) determines that the ~~male~~ person is
21 not the father parent of the child, the court shall vacate any order entered under sub.
22 (4) with respect to the ~~male~~ person. The court or the county child support agency
23 under s. 59.53 (5) shall notify the state registrar, in the manner provided in s. 69.15
24 (1) (b), to remove the ~~male's~~ person's name as the father parent of the child from the

1 child's birth record. No paternity action may thereafter be brought against the male
2 person with respect to the child.

3 **SECTION 412.** 767.805 (6) (a) (intro.) of the statutes is amended to read:

4 767.805 (6) (a) (intro.) This section does not apply unless all of the following
5 apply to the statement acknowledging paternity parentage:

6 **SECTION 413.** 767.855 of the statutes is amended to read:

7 **767.855 Dismissal if adjudication not in child's best interest.** Except as
8 provided in s. 767.863 (1m), at any time in an action to establish the paternity of a
9 child, upon the motion of a party or guardian ad litem or the child's mother if she is
10 not a party, the court or supplemental court commissioner under s. 757.675 (2) (g)
11 may, if the court or supplemental court commissioner determines that a judicial
12 determination of whether a male is the father of the child is not in the best interest
13 of the child, dismiss the action with respect to the male, regardless of whether genetic
14 tests have been performed or what the results of the tests, if performed, were.
15 Notwithstanding ss. 767.813 (5g) (form) 4., 767.84 (1) and (2), 767.863 (2), 767.865
16 (2), and 767.88 (4), if genetic tests have not yet been performed with respect to the
17 male, the court or supplemental court commissioner is not required to order those
18 genetic tests.

19 **SECTION 414.** 767.863 (1m) of the statutes is amended to read:

20 767.863 (1m) PATERNITY ALLEGATION BY MALE PERSON OTHER THAN HUSBAND
21 SPOUSE; WHEN DETERMINATION NOT IN BEST INTEREST OF CHILD. In an action to establish
22 the paternity of a child who was born to a woman while she was married, if a male
23 person other than the woman's husband spouse alleges that he, not the husband
24 woman's spouse, is the child's father biological parent, a party, or the woman if she
25 is not a party, may allege that a judicial determination that a male person other than

1 the ~~husband~~ woman's spouse is the ~~father~~ biological parent is not in the best interest
2 of the child. If the court or a supplemental court commissioner under s. 757.675 (2)
3 (g) determines that a judicial determination of whether a ~~male~~ person other than the
4 ~~husband~~ woman's spouse is the ~~father~~ biological parent is not in the best interest of
5 the child, no genetic tests may be ordered and the action shall be dismissed.

6 **SECTION 415.** 767.87 (1m) (intro.) of the statutes is amended to read:

7 767.87 (1m) BIRTH RECORD REQUIRED. (intro.) If the child was born in this state,
8 the petitioner shall present a certified copy of the child's birth record or a printed copy
9 of the record from the birth database of the state registrar to the court, so that the
10 court is aware of whether a name has been inserted on the birth record as the ~~father~~
11 parent of the child other than the mother, at the earliest possible of the following:

12 **SECTION 416.** 767.87 (8) of the statutes is amended to read:

13 767.87 (8) BURDEN OF PROOF. The party bringing an action for the purpose of
14 determining paternity or for the purpose of declaring the nonexistence of paternity
15 presumed under s. 891.405, 891.407, or the nonexistence of parentage presumed
16 under s. 891.405 or 891.41 (1) shall have the burden of proving the issues involved
17 by clear and satisfactory preponderance of the evidence.

18 **SECTION 417.** 767.87 (9) of the statutes is amended to read:

19 767.87 (9) ARTIFICIAL INSEMINATION; NATURAL ~~FATHER~~ PARENT. ~~Where~~ If a child
20 is conceived by artificial insemination, the ~~husband~~ spouse of the mother of the child
21 at the time of the conception of the child is the natural ~~father~~ parent of the child, as
22 provided in s. 891.40.

23 **SECTION 418.** 767.883 (1) of the statutes is amended to read:

24 767.883 (1) TWO PARTS. The trial shall be divided into 2 parts, the first part
25 dealing with the determination of ~~paternity~~ parentage and the 2nd part dealing with

1 child support, legal custody, periods of physical placement, and related issues. The
2 main issue at the first part shall be whether the alleged or presumed ~~father~~ parent
3 is or is not the ~~father~~ parent of the mother's child, but if the child was born to the
4 mother while she was the lawful ~~wife~~ spouse of a specified ~~male~~ person, the prior
5 issue of whether the ~~husband~~ mother's spouse was not the ~~father~~ parent of the child
6 shall be determined first, as provided under s. 891.39. The first part of the trial shall
7 be by jury only if the defendant verbally requests a jury trial either at the initial
8 appearance or pretrial hearing or requests a jury trial in writing prior to the pretrial
9 hearing. The court may direct and, if requested by either party before the
10 introduction of any testimony in the party's behalf, shall direct the jury to find a
11 special verdict as to any of the issues specified in this section, except that the court
12 shall make all of the findings enumerated in s. 767.89 (2) to (4). If the mother is dead,
13 becomes insane, cannot be found within the jurisdiction, or fails to commence or
14 pursue the action, the proceeding does not abate if any of the persons under s. 767.80
15 (1) makes a motion to continue. The testimony of the mother taken at the pretrial
16 hearing may in any such case be read in evidence if it is competent, relevant, and
17 material. The issues of child support, custody, and visitation, and related issues shall
18 be determined by the court either immediately after the first part of the trial or at
19 a later hearing before the court.

20 **SECTION 419.** 769.316 (9) of the statutes is amended to read:

21 769.316 (9) The defense of immunity based on the relationship of ~~husband and~~
22 ~~wife~~ between spouses or parent and child does not apply in a proceeding under this
23 chapter.

24 **SECTION 420.** 769.401 (2) (a) of the statutes is amended to read:

25 769.401 (2) (a) A parent or presumed father ~~parent~~ of the child.

1 **SECTION 421.** 769.401 (2) (g) of the statutes is repealed.

2 **SECTION 422.** 815.20 (1) of the statutes is amended to read:

3 815.20 (1) An exempt homestead as defined in s. 990.01 (14) selected by a
4 resident owner and occupied by him or her shall be exempt from execution, from the
5 lien of every judgment, and from liability for the debts of the owner to the amount
6 of \$75,000, except mortgages, laborers', mechanics', and purchase money liens, and
7 taxes, and except as otherwise provided. The exemption shall not be impaired by
8 temporary removal with the intention to reoccupy the premises as a homestead nor
9 by the sale of the homestead, but shall extend to the proceeds derived from the sale
10 to an amount not exceeding \$75,000, while held, with the intention to procure
11 another homestead with the proceeds, for 2 years. The exemption extends to land
12 owned by ~~husband and wife~~ spouses jointly or in common or as marital property, and
13 each spouse may claim a homestead exemption of not more than \$75,000. The
14 exemption extends to the interest therein of tenants in common, having a homestead
15 thereon with the consent of the cotenants, and to any estate less than a fee.

16 **SECTION 423.** 822.40 (4) of the statutes is amended to read:

17 822.40 (4) A privilege against disclosure of communications between spouses
18 and a defense of immunity based on the relationship of ~~husband and wife~~ between
19 spouses or parent and child may not be invoked in a proceeding under this
20 subchapter.

21 **SECTION 424.** 851.30 (2) (a) of the statutes is amended to read:

22 851.30 (2) (a) An individual who obtains or consents to a final decree or
23 judgment of divorce from the decedent or an annulment of their marriage, if the
24 decree or judgment is not recognized as valid in this state, unless they subsequently

1 participate in a marriage ceremony purporting to marry each other or they
2 subsequently hold themselves out as ~~husband and wife~~ married to each other.

3 **SECTION 425.** 852.01 (1) (f) 1. of the statutes is amended to read:

4 852.01 (1) (f) 1. One-half to the ~~maternal~~ grandparents on one side equally if
5 both survive, or to the surviving ~~maternal~~ grandparent on that side; if both ~~maternal~~
6 grandparents on that side are deceased, to the issue of the ~~maternal~~ grandparents
7 on that side or either of them, per stirpes.

8 **SECTION 426.** 852.01 (1) (f) 2. of the statutes is amended to read:

9 852.01 (1) (f) 2. One-half to the ~~paternal~~ relations on the other side in the same
10 manner as to the ~~maternal~~ relations under subd. 1.

11 **SECTION 427.** 852.01 (1) (f) 3. of the statutes is amended to read:

12 852.01 (1) (f) 3. If either ~~the maternal side or the paternal side~~ has no surviving
13 grandparent or issue of a grandparent, the entire estate to the decedent's relatives
14 on the other side.

15 **SECTION 428.** 854.03 (3) of the statutes is amended to read:

16 854.03 (3) MARITAL PROPERTY. Except as provided in subs. (4) and (5), if ~~a~~
17 ~~husband and wife~~ 2 spouses die leaving marital property and it is not established
18 that one survived the other by at least 120 hours, 50 percent of the marital property
19 shall be distributed as if it were the ~~husband's~~ first spouse's individual property and
20 the ~~husband~~ 2nd spouse had survived, and 50 percent of the marital property shall
21 be distributed as if it were the ~~wife's~~ 2nd spouse's individual property and the wife
22 first spouse had survived.

23 **SECTION 429.** 891.39 (title) of the statutes is amended to read:

24 **891.39 (title) Presumption as to whether a child is marital or**
25 **nonmarital; ~~self-erimination~~ self-incrimination; birth certificates.**

1 **SECTION 430.** 891.39 (1) (a) of the statutes is amended to read:

2 891.39 (1) (a) Whenever it is established in an action or proceeding that a child
3 was born to a woman while she was ~~the lawful wife of~~ legally married to a specified
4 ~~man person~~, any party asserting in such action or proceeding that the ~~husband was~~
5 spouse is not the ~~father~~ parent of the child shall have the burden of proving that
6 assertion by a clear and satisfactory preponderance of the evidence. In all such
7 actions or proceedings the ~~husband and the wife~~ spouses are competent to testify as
8 witnesses to the facts. The court or judge in such cases shall appoint a guardian ad
9 litem to appear for and represent the child whose ~~paternity~~ parentage is questioned.
10 Results of a genetic test, as defined in s. 767.001 (1m), showing that a ~~man person~~
11 other than the ~~husband~~ mother's spouse is not excluded as the father of the child and
12 that the statistical probability of the ~~man's~~ person's parentage is 99.0 percent or
13 higher constitute a clear and satisfactory preponderance of the evidence of the
14 assertion under this paragraph, even if the ~~husband~~ mother's spouse is unavailable
15 to submit to genetic tests, as defined in s. 767.001 (1m).

16 **SECTION 431.** 891.39 (1) (b) of the statutes is amended to read:

17 891.39 (1) (b) In actions affecting the family, in which the question of ~~paternity~~
18 parentage is raised, and in paternity proceedings, the court, upon being satisfied that
19 the parties to the action are unable to adequately compensate any such guardian ad
20 litem for the guardian ad litem's services and expenses, shall then make an order
21 specifying the guardian ad litem's compensation and expenses, which compensation
22 and expenses shall be paid as provided in s. 967.06. If the court orders a county to
23 pay the compensation of the guardian ad litem, the amount ordered may not exceed
24 the compensation paid to private attorneys under s. 977.08 (4m) (b).

25 **SECTION 432.** 891.39 (3) of the statutes is amended to read:

1 891.39 (3) If any court under this section adjudges a child to be a nonmarital
2 child, the clerk of court shall report the facts to the state registrar, who shall issue
3 a new birth record showing the correct facts as found by the court, and shall dispose
4 of the original, with the court's report attached under s. 69.15 (3). If the husband
5 mother's spouse is a party to the action and the court makes a finding as to whether
6 or not the husband mother's spouse is the father parent of the child, such finding
7 shall be conclusive in all other courts of this state.

8 **SECTION 433.** 891.40 (1) of the statutes is renumbered 891.40 (1) (a) and
9 amended to read:

10 891.40 (1) (a) If, ~~under the supervision of a licensed physician and with the~~
11 spouse's consent of her husband, a wife person is inseminated artificially as provided
12 in par. (b) with semen donated by a man person who is not her husband the spouse
13 of the person being inseminated, the husband spouse of the mother inseminated
14 person at the time of the conception of the child shall be the natural father parent
15 of a child conceived. The husband's spouse's consent must be in writing and signed
16 by him or her and ~~his wife. The~~ by the inseminated person.

17 (c) 1. If the artificial insemination under par. (a) takes place under the
18 supervision of a licensed physician, the physician shall certify their the signatures
19 on the consent and the date of the insemination, and shall file the husband's spouse's
20 consent with the department of health services, ~~where it shall be kept.~~ If the
21 artificial insemination under par. (a) does not take place under the supervision of a
22 licensed physician, the spouses shall file the signed consent, which shall include the
23 date of the insemination, with the department of health services.

24 2. The department of health services shall keep a consent filed under subd. 1.
25 confidential and in a sealed file except as provided in s. 46.03 (7) (bm). ~~However,~~

1 3. Notwithstanding subd. 1., the physician's or spouses' failure to file the
2 consent form does not affect the legal status of ~~father~~ natural parent and child.

3 (d) All papers and records pertaining to the artificial insemination under par.
4 (a), whether part of the permanent record of a court or of a file held by the a
5 supervising physician or sperm bank or elsewhere, may be inspected only upon an
6 order of the court for good cause shown.

7 **SECTION 434.** 891.40 (1) (b) of the statutes is created to read:

8 891.40 (1) (b) The artificial insemination under par. (a) must satisfy any of the
9 following:

10 1. The artificial insemination takes place under the supervision of a licensed
11 physician.

12 2. The semen used for the insemination is obtained from a sperm bank.

13 **SECTION 435.** 891.40 (2) of the statutes is amended to read:

14 891.40 (2) The donor of semen provided to a licensed physician or obtained from
15 a sperm bank for use in the artificial insemination of a woman other than the donor's
16 wife spouse is not the natural ~~father~~ parent of a child conceived, bears no liability for
17 the support of the child, and has no parental rights with regard to the child.

18 **SECTION 436.** 891.40 (3) of the statutes is created to read:

19 891.40 (3) This section applies with respect to children conceived before, on,
20 or after the effective date of this subsection ... [LRB inserts date], as a result of
21 artificial insemination.

22 **SECTION 437.** 891.405 of the statutes is amended to read:

23 **891.405 Presumption of paternity parentage based on**
24 **acknowledgment.** A ~~man~~ person is presumed to be the natural ~~father~~ parent of a
25 child if ~~he~~ the person and the ~~mother~~ person who gave birth have acknowledged

1 ~~paternity parentage~~ under s. 69.15 (3) (b) 1. or 3. and no other ~~man~~ person is
2 presumed to be the father natural parent under s. 891.41 (1).

3 **SECTION 438.** 891.407 of the statutes is amended to read:

4 **891.407 Presumption of paternity based on genetic test results.** A man
5 is presumed to be the natural father of a child if the man has been conclusively
6 determined from genetic test results to be the father under s. 767.804 and no other
7 ~~man~~ person is presumed to be the father natural parent under s. 891.405 or 891.41
8 (1).

9 **SECTION 439.** 891.41 (title) of the statutes is amended to read:

10 **891.41 (title) Presumption of paternity parentage based on marriage of**
11 **the parties.**

12 **SECTION 440.** 891.41 (1) (intro.) of the statutes is amended to read:

13 891.41 (1) (intro.) A ~~man~~ person is presumed to be the natural father parent
14 of a child if any of the following applies:

15 **SECTION 441.** 891.41 (1) (a) of the statutes is amended to read:

16 891.41 (1) (a) ~~He~~ The person and the child's established natural ~~mother~~ parent
17 are or have been married to each other and the child is conceived or born after
18 marriage and before the granting of a decree of legal separation, annulment, or
19 divorce between the parties.

20 **SECTION 442.** 891.41 (1) (b) of the statutes is renumbered 891.41 (1) (b) (intro.)
21 and amended to read:

22 891.41 (1) (b) (intro.) ~~He~~ The person and the child's established natural ~~mother~~
23 parent were married to each other after the child was born but ~~he~~ the person and the
24 child's established natural ~~mother~~ parent had a relationship with one another

1 during the period of time within which the child was conceived and ~~no other man~~ all
2 of the following apply:

3 1. No person has been adjudicated to be the father ~~or~~.

4 2. No other person is presumed to be the father parent of the child under par.
5 (a).

6 **SECTION 443.** 891.41 (2) of the statutes is amended to read:

7 891.41 (2) In a legal action or proceeding, a presumption under sub. (1) is
8 rebutted by results of a genetic test, as defined in s. 767.001 (1m), that show that a
9 ~~man~~ person other than the ~~man~~ person presumed to be the father parent under sub.
10 (1) is not excluded as the father of the child and that the statistical probability of the
11 ~~man's~~ person's parentage is 99.0 percent or higher, even if the ~~man~~ person presumed
12 to be the father natural parent under sub. (1) is unavailable to submit to genetic
13 tests, as defined in s. 767.001 (1m).

14 **SECTION 444.** 891.41 (3) of the statutes is created to read:

15 891.41 (3) This section applies with respect to children born before, on, or after
16 the effective date of this subsection [LRB inserts date].

17 **SECTION 445.** 905.05 (title) of the statutes is amended to read:

18 **905.05** (title) **Husband-wife Spousal and domestic partner privilege.**

19 **SECTION 446.** 938.02 (13) of the statutes is amended to read:

20 938.02 (13) "Parent" means a ~~biological~~ natural parent, ~~a husband who has~~
21 ~~consented to the artificial insemination of his wife under s. 891.40, or a parent by~~
22 adoption. If the juvenile is a nonmarital child who is not adopted or whose parents
23 do not subsequently intermarry under s. 767.803, "parent" includes a person
24 conclusively determined from genetic test results to be the father under s. 767.804
25 or a person acknowledged under s. 767.805 or a substantially similar law of another

1 state or adjudicated to be the ~~biological father~~ natural parent. “Parent” does not
2 include any person whose parental rights have been terminated. For purposes of the
3 application of s. 938.028 and the federal Indian Child Welfare Act, 25 USC 1901 to
4 1963, “parent” means a ~~biological~~ natural parent of an Indian child, an Indian
5 ~~husband~~ spouse who has consented to the artificial insemination of his wife or her
6 spouse under s. 891.40, or an Indian person who has lawfully adopted an Indian
7 juvenile, including an adoption under tribal law or custom, and includes, in the case
8 of a nonmarital Indian child who is not adopted or whose parents do not subsequently
9 intermarry under s. 767.803, a person conclusively determined from genetic test
10 results to be the father under s. 767.804, a person acknowledged under s. 767.805,
11 a substantially similar law of another state, or tribal law or custom to be the
12 ~~biological father~~ natural parent, or a person adjudicated to be the ~~biological father~~
13 natural parent, but does not include any person whose parental rights have been
14 terminated.

15 **SECTION 447.** 938.396 (2g) (g) of the statutes is amended to read:

16 938.396 **(2g)** (g) *Paternity Parentage of juvenile*. Upon request of a court having
17 jurisdiction over actions affecting the family, an attorney responsible for support
18 enforcement under s. 59.53 (6) (a) or a party to a paternity proceeding under subch.
19 IX of ch. 767, the party’s attorney or the guardian ad litem for the juvenile who is the
20 subject of that proceeding to review or be provided with information from the records
21 of the court assigned to exercise jurisdiction under this chapter and ch. 48 relating
22 to the ~~paternity~~ parentage of a juvenile for the purpose of determining the ~~paternity~~
23 parentage of the juvenile or for the purpose of rebutting the presumption of paternity
24 under s. 891.405, 891.407, or the presumption of parentage under s. 891.405 or
25 891.41, the court assigned to exercise jurisdiction under this chapter and ch. 48 shall

1 open for inspection by the requester its records relating to the ~~paternity~~ parentage
2 of the juvenile or disclose to the requester those records.

3 **SECTION 448.** 943.20 (2) (c) of the statutes is amended to read:

4 943.20 (2) (c) “Property of another” includes property in which the actor is a
5 co-owner and property of a partnership of which the actor is a member, unless the
6 actor and the victim are ~~husband and wife~~ married to each other.

7 **SECTION 449.** 943.201 (1) (b) 8. of the statutes is amended to read:

8 943.201 (1) (b) 8. The ~~maiden name~~ surname of an individual’s ~~mother~~ parent
9 before marriage if the surname was changed as a result of marriage.

10 **SECTION 450.** 943.205 (2) (b) of the statutes is amended to read:

11 943.205 (2) (b) “Owner” includes a co-owner of the person charged and a
12 partnership of which the person charged is a member, unless the person charged and
13 the victim are ~~husband and wife~~ married to each other.

14 **SECTION 451.** 990.01 (22h) of the statutes is created to read:

15 990.01 (22h) NATURAL PARENT. “Natural parent” means a parent of a child who
16 is not an adoptive parent, whether the parent is biologically related to the child or
17 not.

18 **SECTION 452.** 990.01 (39) of the statutes is created to read:

19 990.01 (39) SPOUSES. “Spouses” means 2 individuals of the same sex or different
20 sexes who are legally married to each other.

21 **SECTION 453.** 990.01 (40m) of the statutes is created to read:

22 990.01 (40m) STEPPARENT. “Stepparent” means a person who is the spouse of
23 a child’s parent and who is not also a parent of the child.

24 **SECTION 9151. Nonstatutory provisions; Other.**

1 (1) LEGISLATIVE INTENT. The legislature intends the repeal of ss. 49.141 (1) (j)
2 2., 102.51 (1) (a) 2., 115.76 (12) (a) 2. and 3., and 769.401 (2) (g), the renumbering and
3 amendment of ss. 891.40 (1) and 891.41 (1) (b), the amendment of ss. 29.219 (4),
4 29.228 (5) and (6), 29.229 (2) (i), 29.2295 (2) (i), 29.563 (3) (a) 3., 29.607 (3), 45.01 (6)
5 (c), 45.51 (3) (c) 2. and (5) (a) 1. b. and c., 45.55, 46.10 (2), 48.02 (13), 48.025 (title),
6 (2) (b), and (3) (c), 48.27 (3) (b) 1. a. and b. and (5), 48.299 (6) (intro.) and (e) 1., 2., 3.,
7 and 4. and (7), 48.355 (4g) (a) 1., 48.396 (2) (dm), 48.42 (1g) (a) 4., (b), and (c) and (2)
8 (b) 1. and 2. and (bm) 1., 48.422 (6) (a) and (7) (bm) and (br), 48.423 (2) (d), 48.432
9 (1) (am) 2. b., 48.63 (3) (b) 4. and 5., 48.82 (1) (a), 48.837 (1r) (d) and (e) and (6) (b)
10 and (br), 48.913 (1) (a), (b), and (h), (2) (intro.), (b), and (c) (intro.), (3), (4), and (7),
11 48.9795 (1) (a) 1. c. and (b), 49.141 (1) (j) 1., 49.155 (1m) (c) 1g. and 1h., 49.163 (2) (am)
12 2., 49.19 (1) (a) 2. a. and (4) (d) (intro.), 1., 2., 3., 4., and 5., 49.345 (2), 49.43 (12),
13 49.471 (1) (b) 2., 49.90 (4), 54.01 (36) (a), 54.960 (1), 69.03 (15), 69.11 (4) (b), 69.12 (5),
14 69.13 (2) (b) 4., 69.14 (1) (c) 4., (e) (title) and 1., (f) 1., and (g) and (2) (b) 2. d., 69.15
15 (1), (3) (title), (a) (intro.), 1., 2., and 3., (b) 1., 2., 3., and 4. (intro.), a., and b., and (d),
16 and (3m) (title), (a) (intro.) and 3., and (b), 71.03 (2) (d) (title), 1., 2., and 3., (g), and
17 (m) 2. and (4) (a), 71.05 (22) (a) (title), 71.07 (5m) (a) 3. and (9e) (b), 71.09 (13) (a) 2.,
18 71.52 (4), 71.83 (1) (a) 8. and (b) 5., 77.25 (8m), 77.54 (7) (b) 1., 101.91 (5m), 102.07
19 (5) (b) and (c), 102.51 (1) (a) 1., 103.10 (1) (h), 103.165 (3) (a) 3., 111.32 (12), 115.76
20 (12) (a) 1. and (13), 146.34 (1) (f), 157.05, 182.004 (6), 250.04 (3) (a), 301.50 (1), 700.19
21 (2), 705.01 (4) and (4m), 706.09 (1) (e), 765.001 (2), 765.01, 765.03 (1), 765.16 (1m)
22 (intro.) and (c), 765.23, 765.24, 765.30 (3) (a), 766.587 (7) (form) 9., 766.588 (9) (form)
23 13., 766.589 (10) (form) 14., 767.215 (2) (b) and (5) (a) 2., 767.323, 767.80 (1) (intro.)
24 and (c) and (2), 767.803, 767.804 (1) (a) 4., 767.805 (title), (1), (1m), (2) (a) and (b), (3)
25 (title) and (a), (4) (intro.) and (d), (5) (a) and (b), and (6) (a) (intro.), 767.855, 767.863

1 (1m), 767.87 (1m) (intro.), (8), and (9), 767.883 (1), 769.316 (9), 769.401 (2) (a), 815.20
2 (1), 822.40 (4), 851.30 (2) (a), 852.01 (1) (f) 1., 2., and 3., 854.03 (3), 891.39 (title), (1)
3 (a) and (b), and (3), 891.40 (2), 891.405, 891.407, 891.41 (title), (1) (intro.) and (a), and
4 (2), 905.05 (title), 938.02 (13), 938.396 (2g) (g), 943.20 (2) (c), 943.201 (1) (b) 8., and
5 943.205 (2) (b), and the creation of ss. 69.15 (3) (b) 3m., 765.02 (3), 891.40 (1) (b) and
6 (3), 891.41 (3), and 990.01 (22h), (39), and (40m) to harmonize the language of the
7 Wisconsin statutes relating to marriage and the determination of parentage with the
8 provision of s. 990.001 (2), which specifies that words importing one gender extend
9 and may be applied to any gender. The legislature intends that by amending the
10 statutes relating to marriage and the determination of parentage with respect to
11 married couples to use gender neutral language where appropriate so as to clarify
12 that the same statutory rights and responsibilities apply between married persons
13 of the same sex as between married persons of different sexes and to extend some of
14 the presumptions of paternity to either parent, the Wisconsin statutes will be better
15 aligned with the holding of the U.S. Supreme Court in Obergefell v. Hodges, 135 S.
16 Ct. 2584, 192 L. Ed. 2d 609 (2015), which recognizes that same-sex couples have a
17 fundamental constitutional right to marriage.”.

18 **246.** Page 374, line 11: after that line insert:

19 “**SECTION 454.** 23.09 (2) (d) (intro.) of the statutes is amended to read:

20 23.09 (2) (d) *Lands, acquisition.* (intro.) Acquire by purchase, lease or
21 agreement, and receive by gifts or devise, lands or waters suitable for the purposes
22 enumerated in this paragraph, and maintain such lands and waters for such
23 purposes; and, ~~except for the purpose specified under subd. 12.,~~ may condemn lands
24 or waters suitable for such purposes after obtaining approval of the appropriate

1 standing committees of each house of the legislature as determined by the presiding
2 officer thereof:

3 **SECTION 455.** 27.01 (2) (a) of the statutes is amended to read:

4 27.01 (2) (a) Acquire by purchase, lease or agreement lands or waters suitable
5 for state park purposes and may acquire such lands and waters by condemnation
6 after obtaining approval of the senate and assembly committees on natural
7 resources. ~~The power of condemnation may not be used for the purpose of~~
8 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
9 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
10 ~~346.02 (8) (a).~~

11 **SECTION 456.** 27.019 (10) of the statutes is amended to read:

12 27.019 (10) ACQUISITION OF LAND. Any county in which there does not exist a
13 county park commission acting through its rural planning committee may acquire
14 by gift, grant, devise, donation, purchase, condemnation or otherwise, with the
15 consent of the county board, a sufficient tract or tracts of land for the reservation for
16 public use of river fronts, lake shores, picnic groves, outlook points from hilltops,
17 places of special historic interest, memorial grounds, parks, playgrounds, sites for
18 public buildings, and reservations in and about and along and leading to any or all
19 of the same, and to develop and maintain the same for public use. ~~The power of~~
20 ~~condemnation may not be used for the purpose of establishing or extending a~~
21 ~~recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as defined~~
22 ~~in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

23 **SECTION 457.** 27.05 (3) of the statutes is amended to read:

24 27.05 (3) Acquire, in the name of the county, by purchase, land contract, lease,
25 condemnation, or otherwise, with the approval and consent of the county board, such

1 tracts of land or public ways as it deems suitable for park purposes; including lands
2 in any other county not more than three-fourths of a mile from the county line; but
3 no land so acquired shall be disposed of by the county without the consent of said
4 commission, and all moneys received for any such lands, or any materials, so
5 disposed of, shall be paid into the county park fund hereinafter established. The
6 ~~power of condemnation may not be used for the purpose of establishing or extending~~
7 ~~a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle lane, as~~
8 ~~defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~

9 **SECTION 458.** 27.065 (1) (a) of the statutes is amended to read:

10 27.065 (1) (a) The county board of any county which shall have adopted a
11 county system of parks or a county system of streets and parkways, pursuant to s.
12 27.04, may acquire the lands necessary for carrying out all or part of such plan by
13 gift, purchase, condemnation or otherwise; provided, however, that no lands shall be
14 acquired by condemnation unless and until the common council of the city or the
15 board of trustees of the village or the board of supervisors of the town wherein such
16 land is situated shall consent thereto. ~~The power of condemnation may not be used~~
17 ~~for the purpose of establishing or extending a recreational trail; a bicycle way, as~~
18 ~~defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian~~
19 ~~way, as defined in s. 346.02 (8) (a).~~ The cost of acquiring such lands by purchase or
20 condemnation may be paid in whole or in part by the county or by the property to be
21 benefited thereby, as the county board shall direct but in no case shall the amount
22 assessed to any parcel of real estate exceed the benefits accruing thereto; provided,
23 that no assessment for paying the cost of acquiring lands may be levied or collected
24 against the property to be benefited until the governing body of the city, village or
25 town where such lands are located has by resolution determined that the public

1 welfare will be promoted thereby. Title to all lands acquired hereunder shall be an
2 estate in fee simple.

3 **SECTION 459.** 27.08 (2) (b) of the statutes is amended to read:

4 27.08 (2) (b) To acquire in the name of the city for park, parkway, boulevard or
5 pleasure drive purposes by gift, devise, bequest or condemnation, either absolutely
6 or in trust, money, real or personal property, or any incorporeal right or privilege;
7 ~~except that no lands may be acquired by condemnation for the purpose of~~
8 ~~establishing or extending a recreational trail; a bicycle way, as defined in s. 340.01~~
9 ~~(5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s.~~
10 ~~346.02 (8) (a).~~ Gifts to any city of money or other property, real or personal, either
11 absolutely or in trust, for park, parkway, boulevard or pleasure drive purposes shall
12 be accepted only after they shall have been recommended by the board to the common
13 council and approved by said council by resolution. Subject to the approval of the
14 common council the board may execute every trust imposed upon the use of property
15 or property rights by the deed, testament or other conveyance transferring the title
16 of such property to the city for park, parkway, boulevard or pleasure drive purposes.

17 **SECTION 460.** 27.08 (2) (c) of the statutes is amended to read:

18 27.08 (2) (c) Subject to the approval of the common council to buy or lease lands
19 in the name of the city for park, parkway, boulevard or pleasure drive purposes
20 within or without the city and, with the approval of the common council, to sell or
21 exchange property no longer required for its purposes. Every city is authorized, upon
22 recommendation of its officers, board or body having the control and management
23 of its public parks, to acquire by condemnation in the name of the city such lands
24 within or without its corporate boundaries as it may need for public parks, parkways,
25 boulevards and pleasure drives. ~~The power of condemnation may not be used for the~~

1 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~
2 ~~s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as~~
3 ~~defined in s. 346.02 (8) (a).~~

4 **SECTION 461.** 32.015 of the statutes is repealed.

5 **SECTION 462.** 32.51 (1) (intro.) of the statutes is amended to read:

6 32.51 (1) PURPOSES. (intro.) In addition to the powers granted under subch. I
7 ~~and subject to the limitations under s. 32.015~~, any city may condemn or otherwise
8 acquire property under this subchapter for:

9 **SECTION 463.** 59.52 (6) (a) of the statutes is amended to read:

10 59.52 (6) (a) *How acquired; purposes.* Take and hold land acquired under ch.
11 75 and acquire, lease or rent property, real and personal, for public uses or purposes
12 of any nature, including without limitation acquisitions for county buildings,
13 airports, parks, recreation, highways, dam sites in parks, parkways and
14 playgrounds, flowages, sewage and waste disposal for county institutions, lime pits
15 for operation under s. 59.70 (24), equipment for clearing and draining land and
16 controlling weeds for operation under s. 59.70 (18), ambulances, acquisition and
17 transfer of real property to the state for new collegiate institutions or research
18 facilities, and for transfer to the state for state parks and for the uses and purposes
19 specified in s. 23.09 (2) (d). ~~The power of condemnation may not be used to acquire~~
20 ~~property for the purpose of establishing or extending a recreational trail; a bicycle~~
21 ~~way, as defined in s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a~~
22 ~~pedestrian way, as defined in s. 346.02 (8) (a).~~

23 **SECTION 464.** 60.782 (2) (d) of the statutes is amended to read:

24 60.782 (2) (d) Lease or acquire, including by condemnation, any real property
25 situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g)

1 or 30.275 (4). ~~The power of condemnation may not used to acquire property for the~~
2 ~~purpose of establishing or extending a recreational trail; a bicycle way, as defined in~~
3 ~~s. 340.01 (5s); a bicycle lane, as defined in s. 340.01 (5e); or a pedestrian way, as~~
4 ~~defined in s. 346.02 (8) (a).~~

5 **SECTION 465.** 61.34 (3) (a) of the statutes is renumbered 61.34 (3) and amended
6 to read:

7 61.34 (3) ACQUISITION AND DISPOSAL OF PROPERTY. ~~Except as provided in par. (b),~~
8 ~~the~~ The village board may acquire property, real or personal, within or outside the
9 village, for parks, libraries, recreation, beautification, streets, water systems,
10 sewage or waste disposal, harbors, improvement of watercourses, public grounds,
11 vehicle parking areas, and for any other public purpose; may acquire real property
12 within or contiguous to the village, by means other than condemnation, for industrial
13 sites; may improve and beautify the same; may construct, own, lease and maintain
14 buildings on such property for instruction, recreation, amusement and other public
15 purposes; and may sell and convey such property. Condemnation shall be as
16 provided by ch. 32.

17 **SECTION 466.** 61.34 (3) (b) of the statutes is repealed.

18 **SECTION 467.** 62.22 (1) (a) of the statutes is renumbered 62.22 (1) and amended
19 to read:

20 62.22 (1) PURPOSES. ~~Except as provided in par. (b), the~~ The governing body of
21 any city may by gift, purchase or condemnation acquire property, real or personal,
22 within or outside the city, for parks, recreation, water systems, sewage or waste
23 disposal, airports or approaches thereto, cemeteries, vehicle parking areas, and for
24 any other public purpose; may acquire real property within or contiguous to the city,
25 by means other than condemnation, for industrial sites; may improve and beautify

1 the same; may construct, own, lease and maintain buildings on such property for
2 public purposes; and may sell and convey such property. The power of condemnation
3 for any such purpose shall be as provided by ch. 32.

4 **SECTION 468.** 62.22 (1) (b) of the statutes is repealed.

5 **SECTION 469.** 62.23 (17) (a) (intro.) of the statutes is amended to read:

6 62.23 (17) (a) (intro.) ~~Except as provided in par. (am), cities~~ Cities may acquire
7 by gift, lease, purchase, or condemnation any lands within its corporate limits for
8 establishing, laying out, widening, enlarging, extending, and maintaining memorial
9 grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public
10 buildings, and reservations in and about and along and leading to any or all of the
11 same or any lands adjoining or near to such city for use, sublease, or sale for any of
12 the following purposes:

13 **SECTION 470.** 62.23 (17) (am) of the statutes is repealed.

14 **SECTION 471.** 85.09 (2) (a) of the statutes is amended to read:

15 85.09 (2) (a) The department of transportation shall have the first right to
16 acquire, for present or future transportation or recreational purposes, any
17 property used in operating a railroad or railway, including land and rails, ties,
18 switches, trestles, bridges, and the like located on that property, that has been
19 abandoned. The department of transportation may, in connection with abandoned
20 rail property, assign this right to a state agency, the board of regents of the University
21 of Wisconsin System, any county or municipality, or any transit commission.
22 Acquisition by the department of transportation may be by gift, purchase, or
23 condemnation in accordance with the procedure under s. 32.05, ~~except that the power~~
24 ~~of condemnation may not be used to acquire property for the purpose of establishing~~
25 ~~or extending a recreational trail; a bicycle way, as defined in s. 340.01 (5s); a bicycle~~

1 ~~lane, as defined in s. 340.01 (5e); or a pedestrian way, as defined in s. 346.02 (8) (a).~~
2 In addition to its property management authority under s. 85.15, the department of
3 transportation may, subject to any prior action under s. 13.48 (14) (am) or 16.848 (1),
4 lease and collect rents and fees for any use of rail property pending discharge of the
5 department's duty to convey property that is not necessary for a public purpose. No
6 person owning abandoned rail property, including any person to whom ownership
7 reverts upon abandonment, may convey or dispose of any abandoned rail property
8 without first obtaining a written release from the department of transportation
9 indicating that the first right of acquisition under this subsection will not be
10 exercised or assigned. No railroad or railway may convey any rail property prior to
11 abandonment if the rail property is part of a rail line shown on the railroad's system
12 map as in the process of abandonment, expected to be abandoned, or under study for
13 possible abandonment unless the conveyance or disposal is for the purpose of
14 providing continued rail service under another company or agency. Any conveyance
15 made without obtaining such release is void. The first right of acquisition of the
16 department of transportation under this subsection does not apply to any rail
17 property declared by the department to be abandoned before January 1, 1977. The
18 department of transportation may acquire any abandoned rail property under this
19 section regardless of the date of its abandonment.

20 **SECTION 472.** 990.01 (2) of the statutes is amended to read:

21 990.01 (2) ACQUIRE. "Acquire," when used in connection with a grant of power
22 to any person, includes the acquisition by purchase, grant, gift or bequest. It includes
23 the power to condemn ~~only~~ in the cases specified in s. 32.02 ~~and subject to the~~
24 ~~limitations under s. 32.015.~~

25 **SECTION 9351. Initial applicability; Other.**

1 (1) CONDEMNATION AUTHORITY FOR NONMOTORIZED PATHS. The treatment of ss.
2 23.09 (2) (d) (intro.), 27.01 (2) (a), 27.019 (10), 27.05 (3), 27.065 (1) (a), 27.08 (2) (b)
3 and (c), 32.015, 32.51 (1) (intro.), 59.52 (6) (a), 60.782 (2) (d), 61.34 (3) (a) and (b),
4 62.22 (1) (a) and (b), 62.23 (17) (a) (intro.) and (am), 85.09 (2) (a), and 990.01 (2) first
5 applies to condemnation proceedings in which title to the subject property has not
6 vested in the condemnor on the effective date of this subsection.”.

7 **247.** Page 374, line 11: after that line insert:

8 “**SECTION 473.** 20.455 (2) (ek) of the statutes is repealed.

9 **SECTION 474.** 20.455 (2) (em) (title) of the statutes is amended to read:

10 20.455 (2) (em) (title) *Alternatives Grants for alternatives to prosecution and*
11 *incarceration for persons who use alcohol or other drugs; presentencing assessments.*

12 **SECTION 475.** 20.455 (2) (jd) of the statutes is amended to read:

13 20.455 (2) (jd) *Alternatives to prosecution and incarceration grant program.*

14 The amounts in the schedule to provide grants under s. 165.95 (2) to counties that
15 are not a recipient of a grant under the alternatives to incarceration grant program
16 on September 23, 2017. All moneys transferred under 2017 Wisconsin Act 59, section
17 9228 (15t), and 2023 Wisconsin Act ... (this act), section 9227 (1), shall be credited
18 to this appropriation account.

19 **SECTION 476.** 20.455 (2) (kn) (title) of the statutes is amended to read:

20 20.455 (2) (kn) (title) *Alternatives to prosecution and incarceration for persons*
21 *who use alcohol or other drugs; justice information fee.*

22 **SECTION 477.** 20.455 (2) (kr) of the statutes is repealed.

23 **SECTION 478.** 20.455 (2) (kv) (title) of the statutes is amended to read:

1 20.455 (2) (kv) (title) *Grants for substance-abuse-treatment programs for*
2 *criminal offenders.*

3 **SECTION 479.** 165.95 (title) of the statutes is amended to read:

4 **165.95** (title) **Alternatives to prosecution and incarceration; grant**
5 **program.**

6 **SECTION 480.** 165.95 (1) (ac) of the statutes is created to read:

7 165.95 (1) (ac) “Evidence-based practice” means a practice that has been
8 developed using research to determine its efficacy for achieving positive measurable
9 outcomes, including reducing recidivism and increasing public safety.

10 **SECTION 481.** 165.95 (2) of the statutes is amended to read:

11 165.95 (2) The department of justice shall make grants to counties and to tribes
12 to enable them to establish and operate programs, including suspended and deferred
13 prosecution programs and programs based on principles of restorative justice, that
14 provide alternatives to prosecution and incarceration for criminal offenders who
15 abuse alcohol or other drugs. The department of justice shall make the grants from
16 the appropriations under s. 20.455 (2) ~~(ek)~~, (em), (jd), (kn), and (kv). The department
17 of justice shall collaborate with the department of corrections and the department
18 of health services in establishing this grant program.

19 **SECTION 482.** 165.95 (2r) of the statutes is amended to read:

20 165.95 (2r) Any county or tribe that receives a grant under this section ~~on or~~
21 ~~after January 1, 2012~~, shall provide matching funds that are equal to ~~25~~ 10 percent
22 of the amount of the grant.

23 **SECTION 483.** 165.95 (3) (a) of the statutes is repealed.

24 **SECTION 484.** 165.95 (3) (ag) of the statutes is created to read:

1 165.95 (3) (ag) The county's or tribe's program operates within the continuum
2 from arrest to discharge from supervision and provides an alternative to prosecution,
3 revocation, or incarceration through the use of pre-charge and post-charge
4 diversion programs or treatment courts and community-based corrections.

5 **SECTION 485.** 165.95 (3) (bd) of the statutes is created to read:

6 165.95 (3) (bd) The program identifies each target population served by the
7 program and identifies the evidence-based practices the program employs for each
8 target population it serves.

9 **SECTION 486.** 165.95 (3) (d) of the statutes is amended to read:

10 165.95 (3) (d) Services provided under the program are consistent with
11 evidence-based practices ~~in substance abuse and mental health treatment, as~~
12 ~~determined by the department of health services,~~ and the program provides
13 intensive case management.

14 **SECTION 487.** 165.95 (3) (e) of the statutes is amended to read:

15 165.95 (3) (e) The program uses graduated sanctions and incentives to promote
16 ~~successful substance abuse treatment~~ success.

17 **SECTION 488.** 165.95 (3) (g) of the statutes is amended to read:

18 165.95 (3) (g) The program is designed to integrate all mental health services
19 provided to program participants by state and local government agencies, tribes, and
20 other organizations. The program shall require regular communication and
21 coordination among a participant's ~~substance abuse treatment providers, other~~
22 service providers, the case manager, and any person designated under the program
23 to monitor the person's compliance with his or her obligations under the program,
24 and any probation, extended supervision, and parole agent assigned to the
25 participant.

1 **SECTION 489.** 165.95 (3) (h) of the statutes is amended to read:

2 165.95 (3) (h) The program provides ~~substance abuse and mental health~~
3 ~~treatment~~ services through providers that who use evidence-based practices in the
4 delivery of services and, where applicable, who are certified by the ~~department of~~
5 ~~health services~~ or licensed to provide the services approved under the program.

6 **SECTION 490.** 165.95 (3) (j) of the statutes is amended to read:

7 165.95 (3) (j) The program is developed with input from, and implemented in
8 collaboration with, one or more circuit court judges, the district attorney, the state
9 public defender, local and, if applicable, tribal law enforcement officials, county
10 agencies and, if applicable, tribal agencies responsible for providing social services,
11 including services relating to ~~alcohol and other drug addiction~~ substance use
12 disorder, child welfare, mental health, and the Wisconsin Works program, the
13 departments of corrections, children and families, and health services, private social
14 services agencies, and substance ~~abuse~~ use disorder treatment providers.

15 **SECTION 491.** 165.95 (3) (k) of the statutes is amended to read:

16 165.95 (3) (k) The county or tribe complies with other eligibility requirements
17 established by the department of justice to promote the objectives listed in ~~pars. (a)~~
18 ~~and (b)~~ this subsection.

19 **SECTION 492.** 302.43 of the statutes is amended to read:

20 **302.43 Good time.** Every inmate of a county jail is eligible to earn good time
21 in the amount of one-fourth of his or her term for good behavior if sentenced to at
22 least 4 days, but fractions of a day shall be ignored. An inmate shall be given credit
23 for time served prior to sentencing under s. 973.155, including good time under s.
24 973.155 (4). An inmate who violates any law or any regulation of the jail, or neglects
25 or refuses to perform any duty lawfully required of him or her, may be deprived by

1 the sheriff of good time under this section, except that the sheriff shall not deprive
2 the inmate of more than 2 days good time for any one offense without the approval
3 of the court. An inmate who files an action or special proceeding, including a petition
4 for a common law writ of certiorari, to which s. 807.15 applies shall be deprived of
5 the number of days of good time specified in the court order prepared under s. 807.15
6 (3). This section does not apply to a person who is confined in the county jail in
7 connection with his or her participation in a ~~substance abuse treatment~~ program
8 that meets the requirements of s. 165.95 (3), as determined by the department of
9 justice under s. 165.95 (9) and (10).

10 **SECTION 493.** 961.472 (5) (b) of the statutes is amended to read:

11 961.472 (5) (b) The person is participating in a an evidence-based substance
12 abuse use disorder treatment program that meets the requirements of s. 165.95 (3),
13 as determined by the department of justice ~~under s. 165.95 (9) and (10).~~

14 **SECTION 494.** 967.11 (1) of the statutes is amended to read:

15 967.11 (1) In this section, “~~approved substance abuse treatment program~~”
16 means a ~~substance abuse treatment~~ program that meets the requirements of s.
17 165.95 (3), as determined by the department of justice under s. 165.95 (9) and (10).

18 **SECTION 495.** 967.11 (2) of the statutes is amended to read:

19 967.11 (2) If a county establishes an approved ~~substance abuse treatment~~
20 program and the approved program authorizes the use of surveillance and
21 monitoring technology or day reporting programs, a court or a district attorney may
22 require a person participating in an the approved ~~substance abuse treatment~~
23 program to submit to surveillance and monitoring technology or a day reporting
24 program as a condition of participation.

25 **SECTION 496.** 973.155 (1m) of the statutes is amended to read:

1 973.155 (1m) A convicted offender shall be given credit toward the service of
2 his or her sentence for all days spent in custody as part of a substance abuse
3 ~~treatment~~ program that meets the requirements of s. 165.95 (3), as determined by
4 the department of justice under s. 165.95 (9) and (10), for any offense arising out of
5 the course of conduct that led to the person's placement in that program.

6 **SECTION 9227. Fiscal changes; Justice.**

7 (1) TRANSFER OF MONEYS FOR GRANTS FOR ALTERNATIVES TO PROSECUTION AND
8 INCARCERATION. There is transferred the unencumbered balance in the appropriation
9 account under s. 20.455 (2) (kr), 2021 stats., to the appropriation account under s.
10 20.455 (2) (jd) on the effective date of this subsection.

11 **SECTION 9327. Initial applicability; Justice.**

12 (1) TREATMENT ALTERNATIVES AND DIVERSIONS. The treatment of s. 165.95 (1) (ac),
13 (2), (2r), and (3) (a), (ag), (bd), (d), (e), (g), (h), (j), and (k), first applies to grants
14 awarded under s. 165.95 (2) on the effective date of this subsection.”.

15 **248.** Page 374, line 11: after that line insert:

16 “**SECTION 497.** 165.93 (2) (title) of the statutes is amended to read:

17 165.93 (2) (title) GRANTS BY APPLICATION.

18 **SECTION 498.** 165.93 (2m) of the statutes is created to read:

19 165.93 (2m) GRANTS TO THE WISCONSIN COALITION AGAINST SEXUAL ASSAULT. In
20 addition to the grants under sub. (2), from the appropriation under s. 20.455 (5) (e),
21 the department shall provide a grant of \$343,000 annually to the Wisconsin Coalition
22 Against Sexual Assault to provide services for sexual assault victims. The Wisconsin
23 Coalition Against Sexual Assault may also apply for grants under sub. (2).”.

24 **249.** Page 374, line 11: after that line insert:

1 **“SECTION 499.** 15.253 (4) of the statutes is created to read:

2 15.253 (4) OFFICE OF MISSING AND MURDERED INDIGENOUS WOMEN. There is
3 created an office of missing and murdered indigenous women. The director of the
4 office shall be appointed by the attorney general.

5 **SECTION 500.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
6 insert the following amounts for the purposes indicated:

			2023-24	2024-25
7 20.370 Justice, department of				
8 (5) VICTIMS AND WITNESSES				
9 (c) Office of missing and murdered				
10 indigenous women	GPR	A	3,675,200	3,733,500

11 **SECTION 501.** 20.455 (5) (c) of the statutes is created to read:

12 20.455 (5) (c) *Office of missing and murdered indigenous women.* The amounts
13 in the schedule for the administration of the office of missing and murdered
14 indigenous women and to provide grants under s. 165.97 (3).

15 **SECTION 502.** 20.923 (4) (c) 7. of the statutes is created to read:

16 20.923 (4) (c) 7. Justice, department of: director of the office of missing and
17 murdered indigenous women.

18 **SECTION 503.** 165.97 of the statutes is created to read:

19 **165.97 Office of missing and murdered indigenous women. (1)**

20 DEFINITIONS. In this section:

21 (d) “Office” means the office of missing and murdered indigenous women.

22 (m) “Tribe” means a federally recognized American Indian tribe or band in this
23 state.

1 **(2) DUTIES.** The office shall do all of the following:

2 (a) Provide services to crime victims and witnesses who are members of a tribe.

3 (b) Provide trauma-informed health and wellness support for crime victims,
4 their families, and other persons who are members of a tribe.

5 (c) Offer or contract with another entity to offer training relating to missing and
6 murdered indigenous women. Training under this paragraph may include training
7 topics such as search and rescue tactics, enhanced response and coordination tactics
8 across federal, state, and tribal jurisdictions, and other topics relating to missing and
9 murdered indigenous women.

10 **(3) GRANT PROGRAM.** The office shall establish a program to provide grants from
11 the appropriation under s. 20.455 (5) (c) to tribes and organizations affiliated with
12 tribes relating to missing and murdered indigenous women.

13 **SECTION 504.** 230.08 (2) (wd) of the statutes is created to read:

14 230.08 **(2)** (wd) The director of the office of missing and murdered indigenous
15 women in the department of justice.

16 **SECTION 9127. Nonstatutory provisions; Justice.**

17 (1) **OFFICE OF MISSING AND MURDERED INDIGENOUS WOMEN.** The authorized FTE
18 positions to the department of justice are increased by 3.0 GPR positions staff the
19 office of missing and murdered indigenous women. One of the positions authorized
20 under this subsection shall be the director of the office of missing and murdered
21 indigenous women under s. 20.923 (4) (c) 7.”.

22 **250.** Page 374, line 11: after that line insert:

23 “**SECTION 505.** 165.73 of the statutes is created to read:

1 **165.73 Hate crimes reporting. (1)** In this section, “hate crime” means an
2 act described under s. 939.645 (1).

3 **(2)** The department of justice shall provide a publicly accessible
4 Internet-based reporting system and a telephone hotline for the reporting of hate
5 crimes. The department of justice shall ensure that the reporting system and hotline
6 do all of the following:

7 (a) Relay a report of a hate crime to the appropriate employee of the department
8 or law enforcement officer for investigation.

9 (b) Direct individuals to appropriate local support services.

10 (c) Maintain confidentiality for any personally identifiable information that an
11 individual provides through the reporting system or hotline, except as needed for
12 investigative, legal, or crime victims service purposes.

13 (d) Are staffed by individuals who are trained to be knowledgeable about
14 applicable federal, state, and local hate crime laws and law enforcement and support
15 services.

16 **(3)** The department of justice shall collaborate with community organizations
17 to provide a public education campaign to raise awareness of hate crimes and to
18 promote the reporting of hate crimes using the reporting system and hotline
19 described in sub. (2).

20 **(4)** The department of justice shall collect data on hate crime reporting under
21 sub. (2).”.

22 **251.** Page 374, line 11: after that line insert:

23 “**SECTION 9108. Nonstatutory provisions; Corrections.**

1 (1) REALIGNMENT OF FUNDING AND POSITIONS. Adjust funding and positions
2 between appropriations to reflect various organizational modifications within the
3 Department. The adjustments include a reallocation of all of the following:

4 (a) \$9,072,200 GPR and \$12,100 PR within the Secretary's Office to allow the
5 Department to create budgetary subunits for the currently existing research unit,
6 reentry unit, Prison Rape Elimination Act (PREA) unit, Office of Legal Counsel,
7 Office of Internal Affairs, and Office of Public Information.

8 (b) \$251,000 GPR from the general program operations appropriation (Bureau
9 of Personnel and Human Resources) to the services for community corrections
10 appropriation (Bureau of Personnel and Human Resources) to more accurately
11 reflect human resource services by appropriation.

12 (c) 8.0 GPR positions and associated funding (\$676,800 GPR) from the general
13 programs operations appropriation to the services for community corrections
14 appropriation related to a previous transfer of positions.

15 (d) 7.70 PR positions and associated funding (\$553,700) to GPR positions and
16 funding to account for a decrease in PR revenue, but an on-going utilization of the
17 positions.

18 (e) \$490,000 GPR and 4.0 GPR positions to match the reallocation of the
19 positions (and associated funding) from the Divisions of Community Corrections and
20 Juvenile Justice to the Office of the Secretary in calendar year 2021.

21 (f) \$11,200 GPR to provide supplies and services to previously transferred
22 positions.

23 (g) \$2,210,300 GPR to align funding between the general program operations,
24 the community corrections, and the purchased services for offenders appropriations
25 to reflect actions in the 2021-23 budget.

1 (2) PROGRAM REVENUE REESTIMATES. Provide \$9,575,800 in 2023-24 and
2 \$9,903,500 in 2024-25 associated with funding adjustments for the following
3 program revenue purposes:

4 (a) For Badger State Logistics, increase the dollar amount for fiscal year
5 2023-24 by \$600,000 and increase the dollar amount for fiscal year 2024-25 by
6 \$600,000.

7 (b) For Canteen Operations, increase the dollar amount for fiscal year 2023-24
8 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25 by \$1,000,000.

9 (c) For Correctional Farms, increase the dollar amount for fiscal year 2023-24
10 by \$1,600,000 and increase the dollar amount for fiscal year 2024-25 by \$1,600,000.

11 (d) For Prison Industries, increase the dollar amount for fiscal year 2023-24
12 by \$1,400,000 and increase the dollar amount for fiscal year 2024-25 by \$1,400,000.

13 (e) For Prison Industries, increase the dollar amount for fiscal year 2023-24
14 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25 by \$1,000,000.

15 (f) For Telephone Company Commissions, increase the dollar amount for fiscal
16 year 2023-24 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25
17 by \$1,000,000.

18 (g) For General Operations, increase the dollar amount for fiscal year 2023-24
19 by \$1,000,000 and increase the dollar amount for fiscal year 2024-25 by \$1,000,000.

20 (h) For Probation, Parole, and Extended Supervision, increase the dollar
21 amount for fiscal year 2023-24 by \$2,000,000 and increase the dollar amount for
22 fiscal year 2024-25 by \$2,000,000.

23 (i) For Juvenile Alternate Care Services, increase the dollar amount for fiscal
24 year 2023-24 by \$741,000 and increase the dollar amount for fiscal year 2024-25 by
25 \$913,600.

1 (j) For Juvenile Utilities & Heating, increase the dollar amount for fiscal year
2 2023-24 by \$234,800 and increase the dollar amount for fiscal year 2024-25 by
3 \$389,900.”.

4 **252.** Page 374, line 11: after that line insert:

5 “SECTION 506. 20.435 (2) (bm) of the statutes is amended to read:

6 20.435 (2) (bm) *Secure mental health units or facilities.* The amounts in the
7 schedule for the general program operations of the Wisconsin Resource Center under
8 s. 46.056 and other secure mental health units or facilities under s. 980.065 at which
9 persons committed under s. 980.06 are placed, ~~but not for security operations at the~~
10 ~~Wisconsin Resource Center.~~

11 **SECTION 507.** 46.056 (1) of the statutes is renumbered 46.056.

12 **SECTION 508.** 46.056 (2) of the statutes is repealed.

13 **SECTION 9108. Nonstatutory provisions; Corrections.**

14 (1) TRANSFER OF SECURITY OPERATIONS AT THE WISCONSIN RESOURCE CENTER.

15 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
16 liabilities of the department of corrections that are primarily related to security
17 operations at the Wisconsin Resource Center, as determined by the secretary of
18 administration, become the assets and liabilities of the department of health
19 services.

20 (b) *Positions and employees.* On the effective date of this paragraph, 110.0 FTE
21 GPR positions, and the incumbent employees holding those positions, in the
22 department of corrections responsible for the performance of security operations at
23 the Wisconsin Resource Center under s. 46.056 (2), 2021 stats., as determined by the
24 secretary of administration, are transferred to the department of health services.

1 (c) *Employee status.* Employees transferred under par. (b) have all the rights
2 and the same status under ch. 230 of the statutes in the department of health
3 services that they enjoyed in the department of corrections immediately before the
4 transfer. Notwithstanding s. 230.28 (4), no employee transferred under par. (b) who
5 has attained permanent status in class is required to serve a probationary period.

6 (d) *Tangible personal property.* On the effective date of this paragraph, all
7 tangible personal property, including records, of the department of corrections that
8 are primarily related to security operations at the Wisconsin Resource Center, as
9 determined by the secretary of administration, is transferred to the department of
10 health services.

11 (e) *Pending matters.* Any matter pending with the department of corrections
12 on the effective date of this paragraph that is primarily related to security operations
13 at the Wisconsin Resource Center, as determined by the secretary of administration,
14 is transferred to the department of health services. All materials submitted to or
15 actions taken by the department of corrections with respect to the pending matter
16 are considered as having been submitted to or taken by the department of health
17 services.

18 (f) *Contracts.* All contracts entered into by the department of corrections
19 primarily related to security operations at the Wisconsin Resource Center, as
20 determined by the secretary of administration, in effect on the effective date of this
21 paragraph remain in effect and are transferred to the department of health services.
22 The department of health services shall carry out any obligations under those
23 contracts unless modified or rescinded to the extent allowed under the contract.”.

24 **253.** Page 374, line 11: after that line insert:

1 **“SECTION 509.** 16.51 (7) of the statutes is amended to read:

2 16.51 (7) AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS AND
3 JUVENILES IN JUVENILE CORRECTIONAL FACILITIES. Receive, examine, determine, and
4 audit claims, duly certified and approved by the department of corrections, from the
5 county clerk of any county ~~in, city, village, or town~~ on behalf of the county, city, village,
6 or town, which are presented for ~~payment to reimburse the county~~ reimbursement
7 for certain expenses incurred or paid by it in reference to ~~all matters growing out of~~
8 ~~actions and proceedings~~ involving prisoners in state prisons, as defined in s. 302.01,
9 or juveniles in juvenile correctional facilities, as defined in s. 938.02 (10p), including
10 prisoners or juveniles transferred to a mental health institute for observation or
11 treatment, ~~when the.~~ The department shall reimburse under this subsection a
12 county in which a state prison or juvenile correctional facility is located for expenses
13 relating to actions or proceedings involving a prisoner in the state prison or a juvenile
14 in the juvenile correctional facility that are commenced ~~in counties in which the~~
15 ~~prisons or juvenile correctional facilities are located~~ by a district attorney or by the
16 prisoner or juvenile as a postconviction remedy or a matter involving the prisoner’s
17 status as a prisoner or the juvenile’s status as a resident of a juvenile correctional
18 facility and for certain expenses incurred or paid by it ~~the county~~ in reference to
19 holding those juveniles in secure custody while those actions or proceedings are
20 pending. The department shall reimburse a county, city, village, or town under this
21 subsection for expenses relating to law enforcement investigative services that it
22 provided for an incident involving a prisoner in a state prison or a juvenile in a
23 juvenile correctional facility within its jurisdiction. Expenses shall only include the
24 amounts that were necessarily incurred and actually paid and shall be no more than

1 the legitimate cost would be to any other ~~county~~ jurisdiction had the offense or crime
2 occurred therein.

3 **SECTION 510.** 20.410 (1) (c) of the statutes is amended to read:

4 20.410 (1) (c) *Reimbursement claims of counties or municipalities containing*
5 *state prisons.* A sum sufficient to pay all valid claims made by ~~county~~ clerks of
6 counties, cities, villages, or towns containing state prisons as provided in s. 16.51 (7).

7 **SECTION 511.** 20.410 (3) (c) of the statutes is amended to read:

8 20.410 (3) (c) *Reimbursement claims of counties or municipalities containing*
9 *juvenile correctional facilities.* A sum sufficient to pay all valid claims made by
10 ~~county~~ clerks of counties, cities, villages, or towns containing state juvenile
11 correctional facilities as provided in s. 16.51 (7).

12 **SECTION 512.** 60.33 (10p) of the statutes is created to read:

13 60.33 (10p) CLAIMS IN TOWNS CONTAINING STATE INSTITUTIONS. Make a certified
14 claim against the state, without direction from the board, in all cases in which the
15 reimbursement is directed in s. 16.51 (7), upon forms prescribed by the department
16 of administration. The forms shall contain information required by the clerk and
17 shall be filed annually with the department of corrections on or before June 1.

18 **SECTION 513.** 61.25 (11) of the statutes is created to read:

19 61.25 (11) To make a certified claim against the state, without direction from
20 the board, in all cases in which the reimbursement is directed in s. 16.51 (7), upon
21 forms prescribed by the department of administration. The forms shall contain
22 information required by the clerk and shall be filed annually with the department
23 of corrections on or before June 1.

24 **SECTION 514.** 62.03 (1) of the statutes is amended to read:

1 62.03 (1) This subchapter, except ss. 62.071, 62.08 (1), 62.09 (1) (e) and (11) (j)
2 and, (k), and (m), 62.175, 62.23 (7) (em) and (he), and 62.237, does not apply to 1st
3 class cities under special charter.

4 **SECTION 515.** 62.09 (11) (m) of the statutes is created to read:

5 62.09 (11) (m) The clerk shall make a certified claim against the state, without
6 direction from the council, in all cases in which the reimbursement is directed in s.
7 16.51 (7), upon forms prescribed by the department of administration. The forms
8 shall contain information required by the clerk and shall be filed annually with the
9 department of corrections on or before June 1.”.

10 **254.** Page 374, line 11: after that line insert:

11 **“SECTION 9108. Nonstatutory provisions; Corrections.**

12 (1) BUREAU OF TECHNOLOGY MANAGEMENT CONTRACTED POSITIONS. The authorized
13 FTE positions for the department of corrections are increased by 3.0 GPR positions
14 to convert 3 Bureau of Technology Management contracted positions to full-time
15 employee positions.”.

16 **255.** Page 374, line 11: after that line insert:

17 **“SECTION 516.** 967.056 of the statutes is created to read:

18 **967.056 Prosecution of offenses; disorderly conduct.** (1) If a person is
19 accused of or charged with disorderly conduct in violation of s. 947.01 or a local
20 ordinance in conformity with s. 947.01, a prosecutor shall offer the person an
21 alternative to prosecution under sub. (2) if all of the following apply:

22 (a) The accused or charged violation is the person’s first violation of s. 947.01.

23 (b) The person has not previously been convicted of a misdemeanor or felony
24 for conduct that is substantially similar to the accused or charged violation.

1 (c) The person has not been convicted of a felony in this state, or of a violation
2 in another state that would be a felony if committed by an adult in this state, in the
3 preceding 3 years.

4 (2) A prosecutor shall offer one of the following alternatives to prosecution to
5 a qualifying person under sub. (1):

6 (a) A deferred prosecution agreement that includes restitution, if applicable.

7 (b) An agreement in which the defendant stipulates to his or her guilt of a
8 noncriminal ordinance violation that includes payment of a forfeiture.”.

9 **256.** Page 374, line 11: after that line insert:

10 “SECTION 517. 302.085 of the statutes is created to read:

11 **302.085 Treatment of a pregnant or postpartum person. (1) DEFINITIONS.**

12 In this section:

13 (a) “Correctional facility” has the meaning given in s. 101.123 (1) (ac).

14 (b) “Doula” means a nonmedical, trained professional who provides continuous
15 physical, emotional, and informational support during pregnancy, labor, birth, and
16 the postpartum period.

17 (c) “Doula services” means childbirth education and support services, including
18 emotional, physical, and informational support provided during pregnancy, labor,
19 birth, and the postpartum period.

20 (d) “Postpartum” means the period of time following the birth of an infant to
21 6 months after the birth.

22 (e) “Restrain” means to use a mechanical, chemical, or other device to constrain
23 the movement of a person’s body or limbs.

1 **(2) RESTRAINING A PREGNANT PERSON.** (a) A representative of a correctional
2 facility may not restrain a person known to be pregnant unless the representative
3 makes an individualized determination that restraints are reasonably necessary to
4 ensure safety and security of the person, the staff of the correctional facility, other
5 inmates, or the public. If such a determination is made, the representative may use
6 only the least restrictive effective type of restraint that is most reasonable under the
7 circumstances.

8 (b) A representative of a correctional facility may not restrain a person known
9 to be pregnant while the person is being transported if the restraint is through the
10 use of leg irons, waist chains or other devices that cross or otherwise touch the
11 person's abdomen, or handcuffs or other devices that cross or otherwise touch the
12 person's wrists when affixed behind the person's back.

13 (c) A representative of a correctional facility may not place a person known to
14 be pregnant in solitary confinement for any punitive purpose.

15 (d) A representative of a correctional facility may restrain a person who is in
16 labor or who has given birth in the preceding 3 days only if all of the following apply:

17 1. There is a substantial flight risk or some other extraordinary medical or
18 security circumstance that requires restraints be used to ensure the safety and
19 security of the person, the staff of the correctional or medical facility, other inmates,
20 or the public.

21 2. The representative has made an individualized determination that
22 restraints are necessary to prevent escape or ensure safety or security.

23 3. There is no objection to the use of restraints by the treating medical care
24 provider.

1 4. The restraints used are the least restrictive effective type and are used in
2 the least restrictive manner.

3 (e) All staff members who may come into contact with a pregnant or postpartum
4 person at any correctional facility shall receive training on the requirements of this
5 subsection on an annual basis.

6 **(3) TREATMENT OF A PREGNANT OR POSTPARTUM PERSON.** A correctional facility
7 shall ensure all of the following for every person incarcerated at the facility:

8 (a) That every woman under 50 years of age is offered testing for pregnancy.

9 (b) That every pregnant person is offered testing for sexually transmitted
10 infections, including HIV.

11 (c) That every pregnant person who is on a methadone treatment regimen be
12 provided continuing methadone treatment.

13 (d) That every pregnant person and every person who has given birth in the
14 past 6 weeks is provided appropriate educational materials and resources related to
15 pregnancy, childbirth, breastfeeding, and parenting.

16 (e) That every pregnant person and every person who has given birth in the
17 past 6 weeks has access to doula services if these services are provided by a doula
18 without charge to the correctional facility or the incarcerated person pays for the
19 doula services.

20 (f) That every pregnant person and every person who has given birth in the past
21 6 months has access to a mental health assessment and, if necessary, mental health
22 treatment.

23 (g) That every pregnant person and every person who has given birth in the
24 past 6 months who is determined to be suffering from a mental illness has access to
25 evidence-based mental health treatment including psychotropic medication.

1 (h) That every pregnant person who is determined to be suffering from
2 depression and every person who has given birth in the past 6 months who is
3 determined to be suffering from postpartum depression has access to
4 evidence-based therapeutic care for depression.

5 (i) That every person who has given birth in the past 12 months whose body is
6 producing breast milk has access to the necessary supplies and is provided an
7 opportunity to express the breast milk as needed to maintain an active supply of
8 breast milk.

9 (j) That every pregnant person and every person who has given birth in the past
10 6 months is advised orally and in writing of all applicable laws and policies governing
11 an incarcerated pregnant or postpartum person.”.

12 **257.** Page 374, line 11: after that line insert:

13 “**SECTION 518.** 304.06 (1) (c) 3. of the statutes is amended to read:

14 304.06 (1) (c) 3. The victim of the crime committed by the inmate or, if the victim
15 died as a result of the crime, an adult member of the victim’s family and any member
16 of the victim’s family who was younger than 18 years old at the time the crime was
17 committed but is now 18 years old or older or, if the victim is younger than 18 years
18 old, the victim’s parent or legal guardian, upon submission of a card under par. (f)
19 requesting notification.

20 **SECTION 519.** 304.063 (2) (a) of the statutes is amended to read:

21 304.063 (2) (a) The victim of the crime committed by the prisoner or, if the
22 victim died as a result of the crime, an adult member of the victim’s family and any
23 member of the victim’s family who was younger than 18 years old at the time the

1 crime was committed but is now 18 years old or older or, if the victim is younger than
2 18 years old, the victim's parent or legal guardian.”.

3 **258.** Page 374, line 11: after that line insert:

4 “**SECTION 520.** 977.08 (5) (br) of the statutes is amended to read:

5 977.08 (5) (br) Beginning on July 1, 2000, and until June 30, 2023, the state
6 public defender may exempt up to 10 full-time assistant state public defenders in the
7 subunit responsible for trials from the annual caseload standards under par. (bn)
8 based on their need to perform other assigned duties.

9 **SECTION 521.** 977.08 (5) (bs) of the statutes is created to read:

10 977.08 (5) (bs) Beginning on July 1, 2023, the state public defender may exempt
11 up to 25 full-time assistant state public defenders in the subunit responsible for
12 trials from the annual caseload standards under par. (bn) based on their need to
13 perform other assigned duties.”.

14 **259.** Page 374, line 11: after that line insert:

15 “**SECTION 522.** 20.455 (2) (a) of the statutes is amended to read:

16 20.455 (2) (a) *General program operations.* The amounts in the schedule for
17 general program operations, including operating the state crime laboratories,
18 performing criminal investigations, providing law enforcement services ~~and,~~
19 providing independent crime laboratory services for defendants in a felony case upon
20 authorization by the presiding judge, and operating the office of school safety.

21 **SECTION 9227. Fiscal changes; Justice.**

22 (1) OFFICE OF SCHOOL SAFETY. In the schedule under s. 20.005 (3) for the
23 appropriation to the department of justice under s. 20.455 (2) (a), the dollar amount
24 for fiscal year 2023-24 is increased by \$387,800 to increase the authorized FTE

1 positions for the department by 7.0 GPR positions for the operations of the office of
 2 school safety to support and enhance school safety initiatives. In the schedule under
 3 s. 20.005 (3) for the appropriation to the department of justice under s. 20.455 (2) (a),
 4 the dollar amount for fiscal year 2024-25 is increased by \$601,000 to provide funding
 5 for the positions authorized under this subsection.”.

6 **260.** Page 374, line 11: after that line insert:

7 “SECTION 523. 20.005 (3) (schedule) of the statutes: at the appropriate place,
 8 insert the following amounts for the purposes indicated:

	2023-24	2024-25
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9 **20.455 Justice, department of**

10 (2) LAW ENFORCEMENT SERVICES

11 (fw) Elder abuse hotline and grant

12 program	GPR	C	-0-	250,000
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13 **SECTION 524.** 20.455 (2) (fw) of the statutes is created to read:

14 20.455 (2) (fw) *Elder abuse hotline and grant program.* As a continuing
 15 appropriation, the amounts in the schedule to fund a statewide elder abuse hotline
 16 and to provide grants under s. 165.937 to programs that promote the protection of
 17 elders.

18 **SECTION 525.** 165.937 of the statutes is created to read:

19 **165.937 Grants for protection of elders.** (1) The department of justice shall
 20 award grants from the appropriation under s. 20.455 (2) (fw) to organizations that
 21 promote the protection of elders.

1 (2) The department of justice shall provide funds from the appropriation under
2 s. 20.455 (2) (fw) to support a statewide elder abuse hotline for persons to
3 anonymously provide tips regarding suspected elder abuse.”.

4 **261.** Page 374, line 11: after that line insert:

5 “**SECTION 526.** 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and
6 amended to read:

7 66.0501 (1) (a) ~~No~~ Except as provided in par. (b), no person may be appointed
8 deputy sheriff of any county or police officer for any city, village, or town unless that
9 person is a citizen of the United States. This section does not apply to common
10 carriers or to a deputy sheriff not required to take an oath of office.

11 **SECTION 527.** 66.0501 (1) (b) of the statutes is created to read:

12 66.0501 (1) (b) The sheriff of a county or the appointing authority of a local law
13 enforcement agency that provides police service to a city, village, or town may elect
14 to authorize the appointment of noncitizens who are in receipt of valid employment
15 authorization from the federal department of homeland security as deputy sheriffs
16 for that county or as police officers for that city, village, or town.

17 **SECTION 528.** 165.85 (4) (a) 1m. of the statutes is created to read:

18 165.85 (4) (a) 1m. The board may not create criteria for participation in the
19 preparatory training program under subd. 1. that would prevent a person from
20 participation if the person is in receipt of a valid employment authorization from the
21 federal department of homeland security.”.

22 **262.** Page 374, line 11: after that line insert:

23 “**SECTION 529.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
24 insert the following amounts for the purposes indicated:

	2023-24	2024-25
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1 **20.455 Justice, department of**

2 (1) LEGAL SERVICES

3 (hg) Legal services; tobacco settle-

4 ment agreement	GPR	C	250,000	250,000
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5 **SECTION 530.** 20.455 (1) (hg) of the statutes is created to read:

6 20.455 (1) (hg) *Legal services; tobacco settlement agreement.* As a continuing
7 appropriation, the amounts in the schedule for legal expenses as set forth under s.
8 165.14.

9 **SECTION 531.** 165.14 of the statutes is created to read:

10 **165.14 Tobacco settlement. (1)** In this section:

11 (a) “Department” means the department of justice.

12 (b) “Tobacco settlement agreement” means the Attorneys General Master
13 Tobacco Settlement Agreement of November 23, 1998.”.

14 **(2)** The department may expend moneys from the appropriation under s.
15 20.455 (1) (hg) for its legal expenses related to participation in arbitration or other
16 alternative dispute resolution processes arising from payments under the tobacco
17 settlement agreement.

18 **(3)** Annually, no later than September 1, the department shall submit a report
19 to the governor and to the chief clerk of each house of the legislature for distribution
20 under s. 13.172 (2) that identifies its expenses that are attributable to participation
21 in arbitration or other alternative dispute resolution processes arising from
22 payments under the tobacco settlement agreement.”.

23 **263.** Page 374, line 11: after that line insert:

1 “**SECTION 532.** 20.455 (2) (gb) of the statutes is amended to read:

2 20.455 (2) (gb) *Gifts and grants.* ~~The amounts in the schedule to carry out the~~
3 ~~purposes for which gifts and grants are made and received.~~ All moneys received from
4 gifts and grants, other than moneys received for and credited to another
5 appropriation account under this subsection, ~~shall be credited to this appropriation~~
6 ~~account to carry out the purposes for which made and received.~~

7 **SECTION 533.** 20.455 (3) (g) of the statutes is amended to read:

8 20.455 (3) (g) *Gifts, grants and proceeds.* ~~The amounts in the schedule to carry~~
9 ~~out the purposes for which gifts and grants are made and collected.~~ All moneys
10 received from gifts and grants and all proceeds from services, conferences, and sales
11 of publications and promotional materials to carry out the purposes for which made
12 or collected, except as provided in sub. (2) (gm) and (gp) and to transfer to s. 20.505
13 (1) (kg), at the discretion of the attorney general, an amount not to exceed \$98,300
14 annually, ~~shall be credited to this appropriation account.~~

15 **SECTION 534.** 165.10 of the statutes is amended to read:

16 **165.10 Deposit Limits on expenditure of discretionary settlement**
17 **funds.** ~~The Notwithstanding s. 20.455 (3), before the~~ attorney general shall deposit
18 all may expend settlement funds into the general fund under s. 20.455 (3) (g) that are
19 not committed under the terms of the settlement, the attorney general shall submit
20 to the joint committee on finance a proposed plan for the expenditure of the funds.
21 If the cochairpersons of the committee do not notify the attorney general within 14
22 working days after the submittal that the committee has scheduled a meeting for the
23 purpose of reviewing the proposed plan, the attorney general may expend the funds
24 to implement the proposed plan. If, within 14 working days after the submittal, the
25 cochairpersons of the committee notify the attorney general that the committee has

1 scheduled a meeting for the purpose of reviewing the proposed plan, the attorney
2 general may expend the funds only to implement the plan as approved by the
3 committee.”.

4 **264.** Page 374, line 11: after that line insert:

5 “**SECTION 535.** 165.08 (1) of the statutes is amended to read:

6 165.08 (1) Any civil action prosecuted by the department by direction of any
7 officer, department, board, or commission,~~or any~~ shall be compromised or
8 discontinued when so directed by such officer, department, board, or commission.
9 Any civil action prosecuted by the department on the initiative of the attorney
10 general, or at the request of any individual may be compromised or discontinued with
11 the approval of an intervenor ~~under s. 803.09 (2m) or, if there is no intervenor, by~~
12 ~~submission of a proposed plan to the joint committee on finance for the approval of~~
13 ~~the committee. The compromise or discontinuance may occur only if the joint~~
14 ~~committee on finance approves the proposed plan. No proposed plan may be~~
15 ~~submitted to the joint committee on finance if the plan concedes the~~
16 ~~unconstitutionality or other invalidity of a statute, facially or as applied, or concedes~~
17 ~~that a statute violates or is preempted by federal law, without the approval of the~~
18 ~~joint committee on legislative organization~~ the governor.

19 **SECTION 536.** 165.12 (2) (a) of the statutes is repealed.

20 **SECTION 537.** 165.25 (6) (a) 1. of the statutes is amended to read:

21 165.25 (6) (a) 1. At the request of the head of any department of state
22 government, the attorney general may appear for and defend any state department,
23 or any state officer, employee, or agent of the department in any civil action or other
24 matter brought before a court or an administrative agency which is brought against

1 the state department, or officer, employee, or agent for or on account of any act
 2 growing out of or committed in the lawful course of an officer's, employee's, or agent's
 3 duties. Witness fees or other expenses determined by the attorney general to be
 4 reasonable and necessary to the defense in the action or proceeding shall be paid as
 5 provided for in s. 885.07. The attorney general may compromise and settle the action
 6 as the attorney general determines to be in the best interest of the state ~~except that,~~
 7 ~~if the action is for injunctive relief or there is a proposed consent decree, the attorney~~
 8 ~~general may not compromise or settle the action without the approval of an~~
 9 ~~intervenor under s. 803.09 (2m) or, if there is no intervenor, without first submitting~~
 10 ~~a proposed plan to the joint committee on finance. If, within 14 working days after~~
 11 ~~the plan is submitted, the cochairpersons of the committee notify the attorney~~
 12 ~~general that the committee has scheduled a meeting for the purpose of reviewing the~~
 13 ~~proposed plan, the attorney general may compromise or settle the action only with~~
 14 ~~the approval of the committee. The attorney general may not submit a proposed plan~~
 15 ~~to the joint committee on finance under this subdivision in which the plan concedes~~
 16 ~~the unconstitutionality or other invalidity of a statute, facially or as applied, or~~
 17 ~~concedes that a statute violates or is preempted by federal law, without the approval~~
 18 ~~of the joint committee on legislative organization.”.~~

19 **265.** Page 374, line 11: after that line insert:

20 “SECTION 538. 20.005 (3) (schedule) of the statutes: at the appropriate place,
 21 insert the following amounts for the purposes indicated:

2023-24 2024-25

22 **20.455 Justice, department of**

23 (2) LAW ENFORCEMENT SERVICES

1 (be) Law enforcement recruitment,
2 retention, and wellness grant
3 program GPR C 5,000,000 5,000,000

4 **SECTION 539.** 20.455 (2) (be) of the statutes is created to read:

5 20.455 (2) (be) *Law enforcement recruitment, retention, and wellness grant*
6 *program.* As a continuing appropriation, the amounts in the schedule to provide
7 grants under s. 165.991 to law enforcement agencies to fund programs designed to
8 recruit and retain law enforcement officers and promote officer wellness.

9 **SECTION 540.** 165.991 of the statutes is created to read:

10 **165.991 Grants for law enforcement recruitment, retention, and**
11 **wellness programs.** The department of justice shall award grants from the
12 appropriation under s. 20.455 (2) (be) to law enforcement agencies and tribal law
13 enforcement agencies in this state to fund programs that recruit and retain law
14 enforcement officers and that promote officer wellness.”.

15 **266.** Page 374, line 11: after that line insert:

16 “**SECTION 541.** 134.66 (title) of the statutes is amended to read:

17 **134.66 (title) Restrictions on sale or gift of cigarettes or nicotine, vapor,**
18 **or tobacco products.**

19 **SECTION 542.** 134.66 (1) (jm) of the statutes is created to read:

20 134.66 (1) (jm) “Vapor product” has the meaning given in s. 139.75 (14).

21 **SECTION 543.** 134.66 (2) (a), (am), (b) and (cm) 1m. of the statutes are amended
22 to read:

23 134.66 (2) (a) No retailer, direct marketer, manufacturer, distributor, jobber or
24 subjobber, no agent, employee or independent contractor of a retailer, direct

1 marketer, manufacturer, distributor, jobber or subjobber and no agent or employee
2 of an independent contractor may sell or provide for nominal or no consideration
3 cigarettes, nicotine products, ~~or tobacco products,~~ or vapor products to any person
4 under the age of ~~18~~ 21, except as provided in s. 254.92 (2) (a). A vending machine
5 operator is not liable under this paragraph for the purchase of cigarettes, nicotine
6 products, ~~or tobacco products,~~ or vapor products from his or her vending machine by
7 a person under the age of ~~18~~ 21 if the vending machine operator was unaware of the
8 purchase.

9 (am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber,
10 no agent, employee or independent contractor of a retailer, direct marketer,
11 manufacturer, distributor, jobber or subjobber and no agent or employee of an
12 independent contractor may provide for nominal or no consideration cigarettes,
13 nicotine products, ~~or tobacco products,~~ or vapor products to any person except in a
14 place where no person younger than ~~18~~ 21 years of age is present or permitted to
15 enter unless the person who is younger than ~~18~~ 21 years of age is accompanied by his
16 or her parent or guardian or by his or her spouse who has attained the age of ~~18~~ 21
17 years.

18 (b) 1. A retailer shall post a sign in areas within his or her premises where
19 cigarettes ~~or,~~ tobacco products, or vapor products are sold to consumers stating that
20 the sale of any cigarette ~~or,~~ tobacco product, or vapor product to a person under the
21 age of ~~18~~ 21 is unlawful under this section and s. 254.92.

22 2. A vending machine operator shall attach a notice in a conspicuous place on
23 the front of his or her vending machines stating that the purchase of any cigarette
24 ~~or,~~ tobacco product, or vapor product by a person under the age of ~~18~~ 21 is unlawful
25 under s. 254.92 and that the purchaser is subject to a forfeiture of not to exceed \$50.

1 (cm) 1m. A retailer or vending machine operator may not sell cigarettes or,
2 tobacco products, or vapor products from a vending machine unless the vending
3 machine is located in a place where the retailer or vending machine operator ensures
4 that no person younger than ~~18~~ 21 years of age is present or permitted to enter unless
5 he or she is accompanied by his or her parent or guardian or by his or her spouse who
6 has attained the age of ~~18~~ 21 years.

7 **SECTION 544.** 134.66 (2m) (a) of the statutes is amended to read:

8 134.66 **(2m)** (a) Except as provided in par. (b), at the time that a retailer hires
9 or contracts with an agent, employee, or independent contractor whose duties will
10 include the sale of cigarettes, vapor products, or tobacco products, the retailer shall
11 provide the agent, employee, or independent contractor with training on compliance
12 with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for
13 a violation of sub. (2) (a) or (am). The department of health services shall make
14 available to any retailer on request a training program developed or approved by that
15 department that provides the training required under this paragraph. A retailer
16 may comply with this paragraph by providing the training program developed or
17 approved by the department of health services or by providing a comparable training
18 program approved by that department. At the completion of the training, the retailer
19 and the agent, employee, or independent contractor shall sign a form provided by the
20 department of health services verifying that the agent, employee, or independent
21 contractor has received the training, which the retailer shall retain in the personnel
22 file of the agent, employee, or independent contractor.

23 **SECTION 545.** 134.66 (3) of the statutes is amended to read:

24 134.66 **(3)** DEFENSE; SALE TO MINOR. Proof of all of the following facts by a
25 retailer, manufacturer, distributor, jobber, or subjobber, an agent, employee, or

1 independent contractor of a retailer, manufacturer, distributor, jobber, or subjobber,
2 or an agent or employee of an independent contractor who sells cigarettes ~~or~~ tobacco
3 products, or vapor products to a person under the age of ~~18~~ 21 is a defense to any
4 prosecution, or a complaint made under s. 134.65 (7), for a violation of sub. (2) (a):

5 (a) That the purchaser falsely represented that he or she had attained the age
6 of ~~18~~ 21 and presented an identification card.

7 (b) That the appearance of the purchaser was such that an ordinary and
8 prudent person would believe that the purchaser had attained the age of ~~18~~ 21.

9 (c) That the sale was made in good faith, in reasonable reliance on the
10 identification card and appearance of the purchaser and in the belief that the
11 purchaser had attained the age of ~~18~~ 21.

12 **SECTION 546.** 139.345 (3) (a) (intro.) of the statutes is amended to read:

13 139.345 (3) (a) (intro.) Verifies the consumer's name and address and that the
14 consumer is at least ~~18~~ 21 years of age by any of the following methods:

15 **SECTION 547.** 139.345 (3) (b) 2. of the statutes is amended to read:

16 139.345 (3) (b) 2. That the consumer understands that no person who is under
17 ~~18~~ 21 years of age may purchase or possess cigarettes or falsely represent his or her
18 age for the purpose of receiving cigarettes, as provided under s. 254.92.

19 **SECTION 548.** 139.345 (7) (a) of the statutes is amended to read:

20 139.345 (7) (a) No person may deliver a package of cigarettes sold by direct
21 marketing to a consumer in this state unless the person making the delivery receives
22 a government issued identification card from the person receiving the package and
23 verifies that the person receiving the package is at least ~~18~~ 21 years of age. If the
24 person receiving the package is not the person to whom the package is addressed, the
25 person delivering the package shall have the person receiving the package sign a

1 statement that affirms that the person to whom the package is addressed is at least
2 ~~18~~ 21 years of age.

3 **SECTION 549.** Subchapter IX (title) of chapter 254 [precedes 254.911] of the
4 statutes is amended to read:

5 **CHAPTER 254**

6 **SUBCHAPTER IX**

7 **SALE OR GIFT OF CIGARETTES,**

8 **NICOTINE PRODUCTS, VAPOR**

9 **PRODUCTS, OR TOBACCO**

10 **PRODUCTS TO MINORS**

11 **SECTION 550.** 254.911 (11) of the statutes is created to read:

12 254.911 (11) "Vapor product" has the meaning given in s. 139.75 (14).

13 **SECTION 551.** 254.916 (2) (intro.) of the statutes is amended to read:

14 254.916 (2) (intro.) ~~With the permission of his or her parent or guardian, a~~ A
15 person under ~~18~~ 21 years of age, but not under 15 years of age, may buy, attempt to
16 buy, or possess any cigarette, nicotine product, ~~or tobacco product, or vapor product~~
17 if all of the following are true:

18 **SECTION 552.** 254.916 (2) (d) of the statutes is created to read:

19 254.916 (2) (d) If the person is under 18 years of age, he or she has obtained
20 permission from his or her parent or guardian to participate in the investigation.

21 **SECTION 553.** 254.916 (3) (a), (b), (c) and (d) of the statutes are amended to read:

22 254.916 (3) (a) If questioned about his or her age during the course of an
23 investigation, the ~~minor~~ person under 21 years of age shall state his or her true age.

24 (b) A ~~minor~~ person under 21 years of age may not be used for the purposes of
25 an investigation at a retail outlet at which the ~~minor~~ person is a regular customer.

1 (c) The appearance of a minor person under 21 years of age may not be
2 materially altered so as to indicate greater age.

3 (d) A photograph or videotape of the minor person under 21 years of age shall
4 be made before or after the investigation or series of investigations on the day of the
5 investigation or series of investigations. If a prosecution results from an
6 investigation, the photograph or videotape shall be retained until the final
7 disposition of the case.

8 **SECTION 554.** 254.916 (3) (f) 2. of the statutes is amended to read:

9 254.916 (3) (f) 2. The age of the minor person under 21 years of age.

10 **SECTION 555.** 254.916 (11) of the statutes is amended to read:

11 254.916 (11) A person conducting an investigation under this section may not
12 have a financial interest in a regulated cigarette and tobacco product retailer, a vapor
13 product retailer, a tobacco vending machine operator, a tobacco vending machine
14 premises, or a tobacco vending machine that may interfere with his or her ability to
15 properly conduct that investigation. A person who is investigated under this section
16 may request the local health department or local law enforcement agency that
17 contracted for the investigation to conduct a review under ch. 68 to determine
18 whether the person conducting the investigation is in compliance with this
19 subsection or, if applicable, may request the state agency or state law enforcement
20 agency that contracted for the investigation to conduct a contested case hearing
21 under ch. 227 to make that determination. The results of an investigation that is
22 conducted by a person who is not in compliance with this subsection may not be used
23 to prosecute a violation of s. 134.66 (2) (a) or (am) or a local ordinance adopted under
24 s. 134.66 (5).

25 **SECTION 556.** 254.92 (title) of the statutes is amended to read:

1 **254.92** (title) **Purchase or possession of cigarettes ~~or~~, tobacco products,**
2 **nicotine products, or vapor products by person under ~~18~~ 21 prohibited.**

3 **SECTION 557.** 254.92 (1) of the statutes is amended to read:

4 254.92 (1) No person under ~~18~~ 21 years of age may falsely represent his or her
5 age for the purpose of receiving any cigarette, nicotine product, ~~or~~ tobacco product,
6 or vapor product.

7 **SECTION 558.** 254.92 (2) of the statutes is amended to read:

8 254.92 (2) No person under ~~18~~ 21 years of age may purchase, attempt to
9 purchase, or possess any cigarette, nicotine product, ~~or~~ tobacco product, or vapor
10 product except as follows:

11 (a) A person under ~~18~~ 21 years of age may purchase or possess cigarettes,
12 nicotine products, ~~or~~ tobacco products, or vapor products for the sole purpose of resale
13 in the course of employment during his or her working hours if employed by a
14 retailer.

15 (b) A person under ~~18~~ 21 years of age, but not under 15 years of age, may
16 purchase, attempt to purchase or possess cigarettes, nicotine products, ~~or~~ tobacco
17 products, or vapor products in the course of his or her participation in an
18 investigation under s. 254.916 that is conducted in accordance with s. 254.916 (3).

19 **SECTION 559.** 254.92 (2m) (intro.) of the statutes is amended to read:

20 254.92 (2m) (intro.) No person may purchase cigarettes, tobacco products, ~~or~~
21 nicotine products, or vapor products on behalf of, or to provide to, any person who is
22 under ~~18~~ 21 years of age. Any person who violates this subsection may be:

23 **SECTION 560.** 254.92 (3) of the statutes is amended to read:

1 254.92 (3) A law enforcement officer shall seize any cigarette, nicotine product,
2 or tobacco product, or vapor product that has been sold to and is in the possession of
3 a person under ~~18~~ 21 years of age.

4 **SECTION 9302. Initial applicability; Agriculture, Trade and Consumer**
5 **Protection.**

6 (1) MINIMUM AGE FOR CIGARETTES, NICOTINE PRODUCTS, TOBACCO PRODUCTS, AND
7 VAPOR PRODUCTS. The treatment of ss. 134.66 (title), (1) (jm), (2) (a), (am), (b), and (cm)
8 1m., (2m) (a), and (3), 139.345 (3) (a) (intro.) and (b) 2. and (7) (a), 254.911 (11),
9 254.916 (2) (intro.) and (d), (3) (a), (b), (c), (d), and (f) 2., and (11), and 254.92 (title),
10 (1), (2), (2m) (intro.), and (3) and subch. IX (title) of ch. 254 first applies to purchases,
11 attempts to purchase, possession, and false representations of age for the purpose of
12 receiving any cigarette, nicotine product, tobacco product, or vapor product by
13 persons under 21 years of age on the effective date of this subsection and to sales or
14 the provision of cigarettes, nicotine products, tobacco products, or vapor products to
15 persons under 21 years of age on the effective date of this subsection.”.

16 **267.** Page 374, line 11: after that line insert:

17 “**SECTION 561.** 20.625 (1) (cg) of the statutes is amended to read:

18 20.625 (1) (cg) *Circuit court costs; generally.* Biennially, the amounts in the
19 schedule to make payments to counties for circuit court costs under s. 758.19 (5) (am)
20 to (i).

21 **SECTION 562.** 20.625 (1) (d) of the statutes is created to read:

22 20.625 (1) (d) *Circuit court costs; pretrial risk assessments.* Biennially, the
23 amounts in the schedule to reimburse counties for circuit court costs under s. 758.19
24 (5) (j).

1 **SECTION 563.** 758.19 (5) (j) of the statutes is created to read:

2 758.19 (5) (j) Notwithstanding par. (b), the director of state courts shall make
3 payments from the appropriation under s. 20.625 (1) (d) to counties to reimburse
4 counties for circuit court costs related to implementing the use of pretrial risk
5 assessments.”.

6 **268.** Page 374, line 11: after that line insert:

7 “**SECTION 564.** 20.625 (1) (h) of the statutes is repealed.

8 **SECTION 565.** 973.25 (4) (a) of the statutes is amended to read:

9 973.25 (4) (a) An offender may file an application for a certificate of
10 qualification for employment with the council on offender employment on a form to
11 be provided by the director of state courts ~~along with an application fee of \$20 that~~
12 ~~shall be deposited in the appropriation under s. 20.625 (1) (h). The council may waive~~
13 ~~the fee if the offender submits an affidavit along with the application in which he or~~
14 ~~she swears or affirms that he or she is unable to pay the application fee.~~

15 **SECTION 9207. Fiscal changes; Circuit Courts.**

16 (1) CERTIFICATES OF QUALIFICATION FOR EMPLOYMENT APPROPRIATION. The
17 unencumbered balance in s. 20.625 (1) (h), 2021 stats., is transferred to s. 20.625 (1)
18 (g), and the amounts in the schedule for s. 20.625 (1) (g) are increased by the amount
19 transferred.

20 **SECTION 9307. Initial applicability; Circuit Courts.**

21 (1) CERTIFICATES OF QUALIFICATION FOR EMPLOYMENT. The treatment of s. 973.25
22 (4) (a) first applies to an application submitted on the effective date of this
23 subsection.”.

24 **269.** Page 374, line 11: after that line insert:

1 **SECTION 571.** 48.45 (1) (a) of the statutes is amended to read:

2 48.45 (1) (a) If in the hearing of a case of a child alleged to be in a condition
3 described in s. 48.13 it appears that any ~~person 17 years of age or older~~ adult has been
4 guilty of contributing to, encouraging, or tending to cause by any act or omission,
5 ~~such~~ that condition of the child, the judge may make orders with respect to the
6 conduct of ~~such~~ that person in his or her relationship to the child, including orders
7 determining the ability of the person to provide for the maintenance or care of the
8 child and directing when, how, and from where funds for the maintenance or care
9 shall be paid.

10 **SECTION 572.** 48.45 (1) (am) of the statutes is amended to read:

11 48.45 (1) (am) If in the hearing of a case of an unborn child and the unborn
12 child's expectant mother alleged to be in a condition described in s. 48.133 it appears
13 that any ~~person 17 years of age or over~~ adult has been guilty of contributing to,
14 encouraging, or tending to cause by any act or omission, ~~such~~ that condition of the
15 unborn child and expectant mother, the judge may make orders with respect to the
16 conduct of ~~such~~ that person in his or her relationship to the unborn child and
17 expectant mother.

18 **SECTION 573.** 48.45 (3) of the statutes is amended to read:

19 48.45 (3) If it appears at a court hearing that any ~~person 17 years of age or older~~
20 adult has violated s. 948.40, the judge shall refer the record to the district attorney
21 for criminal proceedings as may be warranted in the district attorney's judgment.
22 This subsection does not prevent prosecution of violations of s. 948.40 without the
23 prior reference by the judge to the district attorney, as in other criminal cases.

24 **SECTION 574.** 48.5275 of the statutes is created to read:

1 **48.5275 Seventeen-year-old juvenile justice aids.** Notwithstanding s.
2 48.526, from the appropriation under s. 20.437 (1) (cL), beginning on January 1,
3 2024, the department shall reimburse counties for the costs under s. 48.526 (2) (c)
4 associated with juveniles who were alleged to have violated a state or federal
5 criminal law or any civil law or municipal ordinance at age 17.

6 **SECTION 575.** 118.163 (4) of the statutes is amended to read:

7 118.163 (4) A person who is ~~under 17 years of age~~ a minor on the date of
8 disposition is subject to s. 938.342.

9 **SECTION 576.** 125.07 (4) (d) of the statutes is amended to read:

10 125.07 (4) (d) A person who is ~~under 17 years of age~~ a minor on the date of
11 disposition is subject to s. 938.344 unless proceedings have been instituted against
12 the person in a court of civil or criminal jurisdiction after dismissal of the citation
13 under s. 938.344 (3).

14 **SECTION 577.** 125.07 (4) (e) 1. of the statutes is amended to read:

15 125.07 (4) (e) 1. In this paragraph, “defendant” means a person found guilty
16 of violating par. (a) or (b) who is ~~17, 18, 19 or 20~~ an adult under 21 years of age.

17 **SECTION 578.** 125.085 (3) (bt) of the statutes is amended to read:

18 125.085 (3) (bt) A person who is ~~under 17 years of age~~ a minor on the date of
19 disposition is subject to s. 938.344 unless proceedings have been instituted against
20 the person in a court of civil or criminal jurisdiction after dismissal of the citation
21 under s. 938.344 (3).

22 **SECTION 579.** 165.83 (1) (c) 1. of the statutes is amended to read:

23 165.83 (1) (c) 1. An act that is committed by ~~a person who has attained the age~~
24 ~~of 17~~ an adult and that is a felony or a misdemeanor.

25 **SECTION 580.** 165.83 (1) (c) 2. of the statutes is amended to read:

1 165.83 (1) (c) 2. An act that is committed by a ~~person~~ minor who has attained
2 the age of 10 ~~but who has not attained the age of 17~~ and that would be a felony or
3 misdemeanor if committed by an adult.

4 **SECTION 581.** 301.12 (2m) of the statutes is amended to read:

5 301.12 (2m) The liability specified in sub. (2) shall not apply to ~~persons 17 and~~
6 ~~older~~ adults receiving care, maintenance, services, and supplies provided by prisons
7 named in s. 302.01.

8 **SECTION 582.** 301.12 (14) (a) of the statutes is amended to read:

9 301.12 (14) (a) Except as provided in pars. (b) and (c), liability of a person
10 specified in sub. (2) or s. 301.03 (18) for care and maintenance of ~~persons under 17~~
11 ~~years of age~~ minors in residential, nonmedical facilities such as group homes, foster
12 homes, residential care centers for children and youth, and juvenile correctional
13 institutions is determined in accordance with the cost-based fee established under
14 s. 301.03 (18). The department shall bill the liable person up to any amount of
15 liability not paid by an insurer under s. 632.89 (2) or (4m) or by other 3rd-party
16 benefits, subject to rules that include formulas governing ability to pay promulgated
17 by the department under s. 301.03 (18). Any liability of the resident not payable by
18 any other person terminates when the resident ~~reaches age 17~~ becomes an adult,
19 unless the liable person has prevented payment by any act or omission.

20 **SECTION 583.** 302.31 (7) of the statutes is amended to read:

21 302.31 (7) The temporary placement of persons in the custody of the
22 department, other than ~~persons under 17 years of age~~ minors, and ~~persons who have~~
23 ~~attained the age of 17 years but have not attained~~ adults under the age of 25 years
24 who are under the supervision of the department under s. 938.355 (4) and who have

1 been taken into custody pending revocation of community supervision or aftercare
2 supervision under s. 938.357 (5) (e).

3 **SECTION 584.** 938.02 (1) of the statutes is amended to read:

4 938.02 (1) "Adult" means a person who is 18 years of age or older, ~~except that~~
5 ~~for purposes of investigating or prosecuting a person who is alleged to have violated~~
6 ~~any state or federal criminal law or any civil law or municipal ordinance, "adult"~~
7 ~~means a person who has attained 17 years of age.~~

8 **SECTION 585.** 938.02 (10m) of the statutes is amended to read:

9 938.02 (10m) "Juvenile," when used without further qualification, means a
10 person who is less than 18 years of age, ~~except that for purposes of investigating or~~
11 ~~prosecuting a person who is alleged to have violated a state or federal criminal law~~
12 ~~or any civil law or municipal ordinance, "juvenile" does not include a person who has~~
13 ~~attained 17 years of age.~~

14 **SECTION 586.** 938.12 (2) of the statutes is amended to read:

15 938.12 (2) ~~SEVENTEEN-YEAR-OLDS~~ JUVENILES WHO BECOME ADULTS. If a petition
16 alleging that a juvenile is delinquent is filed before the juvenile is 17 years of age
17 becomes an adult, but the juvenile becomes 17 years of age an adult before admitting
18 the facts of the petition at the plea hearing or, if the juvenile denies the facts, before
19 an adjudication, the court retains jurisdiction over the case.

20 **SECTION 587.** 938.18 (2) of the statutes is amended to read:

21 938.18 (2) PETITION. The petition for waiver of jurisdiction may be filed by the
22 district attorney or the juvenile or may be initiated by the court and shall contain a
23 brief statement of the facts supporting the request for waiver. The petition for waiver
24 of jurisdiction shall be accompanied by or filed after the filing of a petition alleging
25 delinquency and shall be filed prior to the plea hearing, except that if the juvenile

1 denies the facts of the petition and becomes ~~17 years of age~~ an adult before an
2 adjudication, the petition for waiver of jurisdiction may be filed at any time prior to
3 the adjudication. If the court initiates the petition for waiver of jurisdiction, the
4 judge shall disqualify himself or herself from any future proceedings on the case.

5 **SECTION 588.** 938.183 (3) of the statutes is amended to read:

6 938.183 (3) PLACEMENT IN STATE PRISON; PAROLE. ~~When~~ Subject to s. 973.013
7 (3m), when a juvenile who is subject to a criminal penalty under sub. (1m) or s.
8 938.183 (2), 2003 stats., ~~attains the age of 17 years~~ becomes an adult, the department
9 of corrections may place the juvenile in a state prison named in s. 302.01, except that
10 that department may not place any person under the age of 18 years in the
11 correctional institution authorized in s. 301.16 (1n). A juvenile who is subject to a
12 criminal penalty under sub. (1m) or under s. 938.183 (2), 2003 stats., for an act
13 committed before December 31, 1999, is eligible for parole under s. 304.06.

14 **SECTION 589.** 938.255 (1) (intro.) of the statutes is amended to read:

15 938.255 (1) TITLE AND CONTENTS. (intro.) A petition initiating proceedings
16 under this chapter, other than a petition initiating proceedings under s. 938.12,
17 938.125, or 938.13 (12), shall be entitled, "In the interest of (juvenile's name), a
18 person under the age of 18"." A petition initiating proceedings under s. 938.12,
19 938.125, or 938.13 (12) shall be entitled, "In the interest of (juvenile's name), a ~~person~~
20 ~~under the age of 17".~~ juvenile." A petition initiating proceedings under this chapter
21 shall specify all of the following:

22 **SECTION 590.** 938.34 (8) of the statutes is amended to read:

23 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that
24 this disposition is in the best interest of the juvenile and the juvenile's rehabilitation.
25 The maximum forfeiture that the court may impose under this subsection for a

1 violation by a juvenile is the maximum amount of the fine that may be imposed on
2 an adult for committing that violation or, if the violation is applicable only to ~~a person~~
3 ~~under 18 years of age~~ juveniles, \$100. The order shall include a finding that the
4 juvenile alone is financially able to pay the forfeiture and shall allow up to 12 months
5 for payment. If the juvenile fails to pay the forfeiture, the court may vacate the
6 forfeiture and order other alternatives under this section; or the court may suspend
7 any license issued under ch. 29 for not less than 30 days nor more than 5 years, or
8 suspend the juvenile's operating privilege, as defined in s. 340.01 (40), for not more
9 than 2 years. If the court suspends any license under this subsection, the clerk of the
10 court shall immediately take possession of the suspended license if issued under ch.
11 29 or, if the license is issued under ch. 343, the court may take possession of, and if
12 possession is taken, shall destroy, the license. The court shall forward to the
13 department ~~which~~ that issued the license a notice of suspension stating that the
14 suspension is for failure to pay a forfeiture imposed by the court, together with any
15 license issued under ch. 29 of which the court takes possession. If the forfeiture is
16 paid during the period of suspension, the suspension shall be reduced to the time
17 period ~~which~~ that has already elapsed and the court shall immediately notify the
18 department, which shall then, if the license is issued under ch. 29, return the license
19 to the juvenile. Any recovery under this subsection shall be reduced by the amount
20 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

21 **SECTION 591.** 938.343 (2) of the statutes is amended to read:

22 938.343 (2) FORFEITURE. Impose a forfeiture not to exceed the maximum
23 forfeiture that may be imposed on an adult for committing that violation or, if the
24 violation is only applicable to ~~a person under 18 years of age~~ juveniles, \$50. The
25 order shall include a finding that the juvenile alone is financially able to pay and

1 shall allow up to 12 months for the payment. If a juvenile fails to pay the forfeiture,
2 the court may suspend any license issued under ch. 29 or suspend the juvenile's
3 operating privilege, as defined in s. 340.01 (40), for not more than 2 years. The court
4 shall immediately take possession of the suspended license if issued under ch. 29 or,
5 if the license is issued under ch. 343, the court may take possession of, and if
6 possession is taken, shall destroy, the license. The court shall forward to the
7 department ~~which~~ that issued the license the notice of suspension stating that the
8 suspension is for failure to pay a forfeiture imposed by the court, together with any
9 license issued under ch. 29 of which the court takes possession. If the forfeiture is
10 paid during the period of suspension, the court shall immediately notify the
11 department, which shall, if the license is issued under ch. 29, return the license to
12 the person. Any recovery under this subsection shall be reduced by the amount
13 recovered as a forfeiture for the same act under s. 938.45 (1r) (b).

14 **SECTION 592.** 938.344 (3) of the statutes is amended to read:

15 938.344 (3) PROSECUTION IN ADULT COURT. If the juvenile alleged to have
16 committed the violation is within 3 months of ~~his or her 17th birthday~~ becoming an
17 adult, the court assigned to exercise jurisdiction under this chapter and ch. 48 may,
18 at the request of the district attorney or on its own motion, dismiss the citation
19 without prejudice and refer the matter to the district attorney for prosecution under
20 s. 125.07 (4). The juvenile is entitled to a hearing only on the issue of his or her age.
21 This subsection does not apply to violations under s. 961.573 (2), 961.574 (2), or
22 961.575 (2) or a local ordinance that strictly conforms to one of those statutes.

23 **SECTION 593.** 938.35 (1m) of the statutes is amended to read:

24 938.35 (1m) FUTURE CRIMINAL PROCEEDINGS BARRED. Disposition by the court
25 assigned to exercise jurisdiction under this chapter and ch. 48 of any allegation

1 under s. 938.12 or 938.13 (12) shall bar any future proceeding on the same matter
2 in criminal court when the juvenile attains ~~17 years of age~~ becomes an adult. This
3 subsection does not affect proceedings in criminal court that have been transferred
4 under s. 938.18.

5 **SECTION 594.** 938.355 (4) (b) of the statutes is amended to read:

6 938.355 (4) (b) Except as provided in s. 938.368, an order under s. 938.34 (4d)
7 or (4m) made before the juvenile attains 18 years of age may apply for up to 2 years
8 after the date on which the order is granted or until the juvenile's ~~18th~~ 19th birthday,
9 whichever is earlier, unless the court specifies a shorter period of time or the court
10 terminates the order sooner. If the order does not specify a termination date, it shall
11 apply for one year after the date on which the order is granted or until the juvenile's
12 ~~18th~~ 19th birthday, whichever is earlier, unless the court terminates the order
13 sooner. Except as provided in s. 938.368, an order under s. 938.34 (4h) made before
14 the juvenile attains 18 years of age shall apply for 5 years after the date on which the
15 order is granted, if the juvenile is adjudicated delinquent for committing a violation
16 of s. 943.10 (2) or for committing an act that would be punishable as a Class B or C
17 felony if committed by an adult, or until the juvenile reaches 25 years of age, if the
18 juvenile is adjudicated delinquent for committing an act that would be punishable
19 as a Class A felony if committed by an adult. Except as provided in s. 938.368, an
20 extension of an order under s. 938.34 (4d), (4h), (4m), or (4n) made before the juvenile
21 ~~attains 17 years of age~~ becomes an adult shall terminate at the end of one year after
22 the date on which the order is granted unless the court specifies a shorter period of
23 time or the court terminates the order sooner. No extension under s. 938.365 of an
24 original dispositional order under s. 938.34 (4d), (4h), (4m), or (4n) may be granted

1 for a juvenile who is ~~17 years of age or older when~~ becomes an adult by the time the
2 original dispositional order terminates.

3 **SECTION 595.** 938.355 (4m) (a) of the statutes is amended to read:

4 938.355 (**4m**) (a) A juvenile who has been adjudged delinquent under s. 48.12,
5 1993 stats., or s. 938.12 may, on ~~attaining 17 years of age~~ becoming an adult, petition
6 the court to expunge the court's record of the juvenile's adjudication. Subject to par.
7 (b), the court may expunge the record if the court determines that the juvenile has
8 satisfactorily complied with the conditions of his or her dispositional order and that
9 the juvenile will benefit from, and society will not be harmed by, the expungement.

10 **SECTION 596.** 938.39 of the statutes is amended to read:

11 **938.39 Disposition by court bars criminal proceeding.** Disposition by the
12 court of any violation of state law within its jurisdiction under s. 938.12 bars any
13 future criminal proceeding on the same matter in circuit court when the juvenile
14 ~~reaches the age of 17~~ becomes an adult. This section does not affect criminal
15 proceedings in circuit court that were transferred under s. 938.18.

16 **SECTION 597.** Subchapter IX (title) of chapter 938 [precedes 938.44] of the
17 statutes is amended to read:

18 **CHAPTER 938**

19 **SUBCHAPTER IX**

20 **JURISDICTION OVER PERSONS 17**

21 **OR OLDER ADULTS**

22 **SECTION 598.** 938.44 of the statutes is amended to read:

23 **938.44 Jurisdiction over persons ~~17 or older~~ adults.** The court has
24 jurisdiction over persons ~~17 years of age or older~~ adults as provided under ss. 938.355
25 (4), 938.357 (6), 938.365 (5), and 938.45 and as otherwise specified in this chapter.

1 **SECTION 599.** 938.45 (1) (a) of the statutes is amended to read:

2 938.45 (1) (a) If in the hearing of a case of a juvenile alleged to be delinquent
3 under s. 938.12 or in need of protection or services under s. 938.13 it appears that any
4 ~~person 17 years of age or older~~ adult has been guilty of contributing to, encouraging,
5 or tending to cause by any act or omission, ~~such~~ that condition of the juvenile, the
6 court may make orders with respect to the conduct of that person in his or her
7 relationship to the juvenile, including orders relating to determining the ability of
8 the person to provide for the maintenance or care of the juvenile and directing when,
9 how, and from where funds for the maintenance or care shall be paid.

10 **SECTION 600.** 938.45 (3) of the statutes is amended to read:

11 938.45 (3) PROSECUTION OF ADULT CONTRIBUTING TO DELINQUENCY OF JUVENILE.
12 If it appears at a court hearing that any ~~person 17 years of age or older~~ adult has
13 violated s. 948.40, the court shall refer the record to the district attorney. This
14 subsection does not prohibit prosecution of violations of s. 948.40 without the prior
15 reference by the court to the district attorney.

16 **SECTION 601.** 938.48 (4m) (title) of the statutes is amended to read:

17 938.48 (4m) (title) CONTINUING CARE AND SERVICES FOR JUVENILES ~~OVER 17~~ WHO
18 BECOME ADULTS.

19 **SECTION 602.** 938.48 (4m) (a) of the statutes is amended to read:

20 938.48 (4m) (a) Is ~~at least 17 years of age~~ an adult.

21 **SECTION 603.** 938.48 (4m) (b) of the statutes is amended to read:

22 938.48 (4m) (b) Was under the supervision of the department under s. 938.183,
23 938.34 (4h), or 938.357 (3) or (4) when the person ~~reached 17 years of age~~ became an
24 adult.

25 **SECTION 604.** 938.48 (14) of the statutes is amended to read:

1 938.48 (14) SCHOOL-RELATED EXPENSES FOR JUVENILES ~~OVER 17~~ WHO BECOME
2 ADULTS. Pay maintenance, tuition, and related expenses from the appropriation
3 under s. 20.410 (3) (ho) for persons who, when they ~~attained 17 years of age~~ became
4 adults, were students regularly attending a school, college, or university or regularly
5 attending a course of vocational or technical training designed to prepare them for
6 gainful employment, and who upon ~~attaining that age~~ becoming adults were under
7 the supervision of the department under s. 938.183, 938.34 (4h), or 938.357 (3) or (4)
8 as a result of a judicial decision.

9 **SECTION 605.** 938.57 (3) (title) of the statutes is amended to read:

10 938.57 (3) (title) CONTINUING MAINTENANCE FOR JUVENILES ~~OVER 17~~ WHO BECOME
11 ADULTS.

12 **SECTION 606.** 938.57 (3) (a) (intro.) of the statutes is amended to read:

13 938.57 (3) (a) (intro.) From the reimbursement received under s. 48.569 (1) (d),
14 counties may provide funding for the maintenance of any juvenile person who meets
15 all of the following qualifications:

16 **SECTION 607.** 938.57 (3) (a) 1. of the statutes is amended to read:

17 938.57 (3) (a) 1. Is ~~17 years of age or older~~ an adult.

18 **SECTION 608.** 938.57 (3) (a) 3. of the statutes is amended to read:

19 938.57 (3) (a) 3. Received funding under s. 48.569 (1) (d) immediately prior to
20 ~~his or her 17th birthday~~ becoming an adult.

21 **SECTION 609.** 938.57 (3) (b) of the statutes is amended to read:

22 938.57 (3) (b) The funding provided for the maintenance of a juvenile person
23 under par. (a) shall be in an amount equal to that which the juvenile person would
24 receive under s. 48.569 (1) (d) if the person were a juvenile ~~were 16 years of age~~.

25 **SECTION 610.** 946.50 (intro.) of the statutes is amended to read:

1 **946.50 Absconding.** (intro.) Any person who is adjudicated delinquent, but
2 who intentionally fails to appear before the court assigned to exercise jurisdiction
3 under chs. 48 and 938 for his or her dispositional hearing under s. 938.335, and who
4 does not return to that court for a dispositional hearing before ~~attaining the age of~~
5 ~~17 years~~ becoming an adult is guilty of the following:

6 **SECTION 611.** 948.01 (1) of the statutes is amended to read:

7 948.01 (1) “Child” means a person who has not attained the age of 18 years,
8 ~~except that for purposes of prosecuting a person who is alleged to have violated a~~
9 ~~state or federal criminal law, “child” does not include a person who has attained the~~
10 ~~age of 17 years.~~

11 **SECTION 612.** 948.11 (2) (am) (intro.) of the statutes is amended to read:

12 948.11 (2) (am) (intro.) ~~Any person who has attained the age of 17 and~~ adult
13 who, with knowledge of the character and content of the description or narrative
14 account, verbally communicates, by any means, a harmful description or narrative
15 account to a child, with or without monetary consideration, is guilty of a Class I
16 felony if any of the following applies:

17 **SECTION 613.** 948.45 (1) of the statutes is amended to read:

18 948.45 (1) ~~Except as provided in sub. (2), any person 17 years of age or older~~
19 ~~adult~~ who, by any act or omission, knowingly encourages or contributes to the
20 truancy, as defined under s. 118.16 (1) (c), of a ~~person 17 years of age or under~~ child
21 is guilty of a Class C misdemeanor.

22 **SECTION 614.** 948.60 (2) (d) of the statutes is amended to read:

23 948.60 (2) (d) ~~A person under 17 years of age~~ child who has violated this
24 subsection is subject to the provisions of ch. 938 unless jurisdiction is waived under

1 s. 938.18 or the person is subject to the jurisdiction of a court of criminal jurisdiction
2 under s. 938.183.

3 **SECTION 615.** 948.61 (4) of the statutes is amended to read:

4 948.61 (4) A ~~person under 17 years of age~~ child who has violated this section
5 is subject to the provisions of ch. 938, unless jurisdiction is waived under s. 938.18
6 or the person is subject to the jurisdiction of a court of criminal jurisdiction under s.
7 938.183.

8 **SECTION 616.** 961.455 (title) of the statutes is amended to read:

9 **961.455 (title) Using a ~~child~~ minor for illegal drug distribution or**
10 **manufacturing purposes.**

11 **SECTION 617.** 961.455 (1) of the statutes is amended to read:

12 961.455 (1) Any ~~person who has attained the age of 17 years~~ adult who
13 knowingly solicits, hires, directs, employs, or uses a ~~person who is under the age of~~
14 ~~17 years~~ minor for the purpose of violating s. 961.41 (1) is guilty of a Class F felony.

15 **SECTION 618.** 961.455 (2) of the statutes is amended to read:

16 961.455 (2) The knowledge requirement under sub. (1) does not require proof
17 of knowledge of the age of the ~~child~~ minor. It is not a defense to a prosecution under
18 this section that the actor mistakenly believed that the person solicited, hired,
19 directed, employed, or used under sub. (1) had attained the age of 18 years, even if
20 the mistaken belief was reasonable.

21 **SECTION 619.** 961.46 of the statutes is amended to read:

22 **961.46 Distribution to ~~persons under age 18~~ minors.** ~~If a person 17 years~~
23 ~~of age or over~~ an adult violates s. 961.41 (1) by distributing or delivering a controlled
24 substance or a controlled substance analog to a ~~person 17 years of age or under~~ minor
25 who is at least 3 years his or her junior, the applicable maximum term of

1 imprisonment prescribed under s. 961.41 (1) for the offense may be increased by not
2 more than 5 years.

3 **SECTION 620.** 961.573 (2) of the statutes is amended to read:

4 961.573 (2) Any person minor who violates sub. (1) ~~who is under 17 years of age~~
5 is subject to a disposition under s. 938.344 (2e).

6 **SECTION 621.** 961.574 (2) of the statutes is amended to read:

7 961.574 (2) Any person minor who violates sub. (1) ~~who is under 17 years of age~~
8 is subject to a disposition under s. 938.344 (2e).

9 **SECTION 622.** 961.575 (1) of the statutes is amended to read:

10 961.575 (1) Any person ~~17 years of age or over~~ adult who violates s. 961.574 (1)
11 by delivering drug paraphernalia to a person ~~17 years of age or under~~ minor who is
12 at least 3 years younger than the violator may be fined not more than \$10,000 or
13 imprisoned for not more than 9 months or both.

14 **SECTION 623.** 961.575 (2) of the statutes is amended to read:

15 961.575 (2) Any person minor who violates this section ~~who is under 17 years~~
16 ~~of age~~ is subject to a disposition under s. 938.344 (2e).

17 **SECTION 624.** 961.575 (3) of the statutes is amended to read:

18 961.575 (3) Any person ~~17 years of age or over~~ adult who violates s. 961.574 (3)
19 by delivering drug paraphernalia to a person ~~17 years of age or under~~ minor is guilty
20 of a Class G felony.

21 **SECTION 625.** 990.01 (3) of the statutes is amended to read:

22 990.01 (3) ADULT. "Adult" means a person who has attained the age of 18 years,
23 ~~except that for purposes of investigating or prosecuting a person who is alleged to~~
24 ~~have violated any state or federal criminal law or any civil law or municipal~~
25 ~~ordinance, "adult" means a person who has attained the age of 17 years.~~

1 **SECTION 626.** 990.01 (20) of the statutes is amended to read:

2 990.01 **(20)** MINOR. “Minor” means a person who has not attained the age of
3 18 years, ~~except that for purposes of investigating or prosecuting a person who is~~
4 ~~alleged to have violated a state or federal criminal law or any civil law or municipal~~
5 ~~ordinance, “minor” does not include a person who has attained the age of 17 years.~~

6 **SECTION 9308. Initial applicability; Corrections.**

7 (1) AGE OF ADULT JURISDICTION. The treatment of ss. 48.02 (1d) and (2), 48.44,
8 48.45 (1) (a) and (am) and (3), 118.163 (4), 125.07 (4) (d) and (e) 1., 125.085 (3) (bt),
9 165.83 (1) (c) 1. and 2., 301.12 (2m) and (14) (a), 302.31 (7), 938.02 (1) and (10m),
10 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.34 (8), 938.343 (2), 938.344
11 (3), 938.35 (1m), 938.355 (4) (b) and (4m) (a), 938.39, 938.44, 938.45 (1) (a) and (3),
12 938.48 (4m) (title), (a), and (b) and (14), 938.57 (3) (title), (a) (intro.), 1., and 3., and
13 (b), 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d),
14 948.61 (4), 961.455 (title), (1), and (2), 961.46, 961.573 (2), 961.574 (2), 961.575 (1),
15 (2), and (3), and 990.01 (3) and (20), subch. IX (title) of ch. 48, and subch. IX (title)
16 of ch. 938 first applies to a violation of a criminal law, civil law, or municipal
17 ordinance allegedly committed on the effective date of this subsection.

18 **SECTION 9408. Effective dates; Corrections.**

19 (1) AGE OF ADULT JURISDICTION. The treatment of ss. 48.02 (1d) and (2), 48.44,
20 48.45 (1) (a) and (am) and (3), 118.163 (4), 125.07 (4) (d) and (e) 1., 125.085 (3) (bt),
21 165.83 (1) (c) 1. and 2., 301.12 (2m) and (14) (a), 302.31 (7), 938.02 (1) and (10m),
22 938.12 (2), 938.18 (2), 938.183 (3), 938.255 (1) (intro.), 938.34 (8), 938.343 (2), 938.344
23 (3), 938.35 (1m), 938.355 (4) (b) and (4m) (a), 938.39, 938.44, 938.45 (1) (a) and (3),
24 938.48 (4m) (title), (a), and (b) and (14), 938.57 (3) (title), (a) (intro.), 1., and 3., and
25 (b), 946.50 (intro.), 948.01 (1), 948.11 (2) (am) (intro.), 948.45 (1), 948.60 (2) (d),

1 948.61 (4), 961.455 (title), (1), and (2), 961.46, 961.573 (2), 961.574 (2), 961.575 (1),
2 (2), and (3), and 990.01 (3) and (20), subch. IX (title) of ch. 48, and subch. IX (title)
3 of ch. 938 and SECTION 9308 (1) of this act take effect on January 1, 2024.”.

4 **270.** Page 374, line 11: after that line insert:

5 **“SECTION 9106. Nonstatutory provisions; Children and Families.**

6 (1) JUVENILE JUSTICE REFORM REVIEW COMMITTEE.

7 (a) There is created in the department of children and families a juvenile justice
8 reform review committee with members appointed by the governor.

9 (b) The juvenile justice reform review committee shall study and, prior to
10 September 16, 2024, provide recommendations to the department of children and
11 families and the department of corrections on how to do all of the following:

12 1. Increase the minimum age of delinquency.

13 2. Eliminate original adult court jurisdiction over juveniles under s. 938.183.

14 3. Modify the waiver procedure for adult court jurisdiction over juveniles and
15 incorporate offenses currently subject to original adult court jurisdiction into the
16 waiver procedure.

17 4. Eliminate the serious juvenile offender program under s. 938.538 and create
18 extended juvenile court jurisdiction with a blended juvenile and adult sentence
19 structure for certain juvenile offenders.

20 5. Prohibit placement of a juvenile in a juvenile detention facility for a status
21 offense and limit sanctions and short-term holds in a juvenile detention facility to
22 cases where there is a public safety risk.

23 6. Sunset long-term post-disposition programs at juvenile detention facilities.

24 7. Create a sentence adjustment procedure for youthful offenders.

1 8. Conform with the U.S. Constitution the statutes that mandate imposing
2 sentences of life imprisonment without parole or extended supervision to minors.

3 (c) In submitting information under s. 16.42 (1) for purposes of the 2025-27
4 biennial budget bill, the department of children and families and the department of
5 corrections shall each include a request to implement the juvenile justice reform
6 review committee's recommendations.

7 (d) The juvenile justice reform review committee terminates on September 16,
8 2024.”.

9 **271.** Page 374, line 11: after that line insert:

10 “**SECTION 627.** 20.437 (1) (cj) of the statutes is amended to read:

11 20.437 (1) (cj) *Community youth and family aids.* The amounts in the schedule
12 for the improvement and provision of community-based juvenile
13 delinquency-related services under s. 48.526 and juvenile correctional services
14 under s. 301.26 and for reimbursement to counties having a population of less than
15 750,000 for the cost of court attached intake services as provided in s. 938.06 (4).
16 Disbursements may be made from this appropriation account under s. 49.32 (2).
17 Refunds received relating to payments made under s. 49.32 (2) shall be returned to
18 this appropriation account. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
19 department of children and families may transfer moneys under this paragraph
20 between fiscal years. Except for moneys authorized to be carried forward under s.
21 48.526 (3) (dm) or for transfer under s. 48.526 (3) (e), all moneys from this paragraph
22 allocated under s. 48.526 (3) and not spent or encumbered by counties by December
23 31 of each year shall lapse into the general fund on the succeeding January 1. The
24 joint committee on finance may transfer additional moneys to the next calendar year.

1 **SECTION 628.** 20.437 (1) (cm) of the statutes is amended to read:

2 20.437 (1) (cm) ~~Community intervention program~~ Youth justice system
3 improvement program. The amounts in the schedule for the ~~community intervention~~
4 program youth justice system improvement program under s. 48.528.

5 **SECTION 629.** 20.437 (1) (kp) of the statutes is created to read:

6 20.437 (1) (kp) *Youth aids funding for the youth justice system improvement*
7 *program*. All moneys transferred from the appropriation account under par. (cj), as
8 provided under s. 48.526 (3) (e), for the youth justice system improvement program
9 under s. 48.528.

10 **SECTION 630.** 48.526 (3) (e) of the statutes is amended to read:

11 48.526 (3) (e) The department may ~~carry forward \$500,000 or~~ transfer to the
12 appropriation account under s. 20.437 (1) (kp) 10 percent of its funds allocated under
13 this subsection and not ~~encumbered~~ expended or carried forward under par. (dm) by
14 counties by December 31, ~~whichever is greater, to the next 2 calendar years.~~ The
15 department may ~~transfer moneys from or within s. 20.437 (1) (cj) to accomplish this~~
16 ~~purpose.~~ The department may ~~allocate these transferred moneys to counties with~~
17 ~~persistently high rates of juvenile arrests for serious offenses during the next 2~~
18 ~~calendar years to improve community-based juvenile delinquency-related services,~~
19 ~~as defined in s. 46.011 (1c).~~ The allocation does not affect a county's base allocation.

20 **SECTION 631.** 48.526 (3) (em) of the statutes is repealed.

21 **SECTION 632.** 48.526 (7) (intro.) of the statutes is amended to read:

22 48.526 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
23 of the appropriations under s. 20.437 (1) (cj) and (o), the department shall allocate
24 funds for community youth and family aids for the period beginning on July 1, 2021

1 2023, and ending on June 30, ~~2023~~ 2025, as provided in this subsection to county
2 departments under ss. 46.215, 46.22, and 46.23 as follows:

3 **SECTION 633.** 48.526 (7) (a) of the statutes is amended to read:

4 48.526 (7) (a) For community youth and family aids under this section,
5 amounts not to exceed ~~\$47,740,750~~ \$48,089,350 for the last 6 months of ~~2021~~ 2023,
6 ~~\$95,481,500~~ \$96,178,700 for ~~2022~~ 2024, and ~~\$47,740,750~~ \$48,089,350 for the first 6
7 months of ~~2023~~ 2025.

8 **SECTION 634.** 48.526 (7) (b) (intro.) of the statutes is amended to read:

9 48.526 (7) (b) (intro.) Of the amounts specified in par. (a), the department shall
10 allocate \$2,000,000 for the last 6 months of ~~2021~~ 2023, \$4,000,000 for ~~2022~~ 2024, and
11 \$2,000,000 for the first 6 months of ~~2023~~ 2025 to counties based on each of the
12 following factors weighted equally:

13 **SECTION 635.** 48.526 (7) (bm) of the statutes is amended to read:

14 48.526 (7) (bm) Of the amounts specified in par. (a), the department shall
15 allocate \$6,250,000 for the last 6 months of ~~2021~~ 2023, \$12,500,000 for ~~2022~~ 2024,
16 and \$6,250,000 for the first 6 months of ~~2023~~ 2025 to counties based on each county's
17 proportion of the number of juveniles statewide who are placed in a juvenile
18 correctional facility or a secured residential care center for children and youth during
19 the most recent 3-year period for which that information is available.

20 **SECTION 636.** 48.526 (7) (c) of the statutes is amended to read:

21 48.526 (7) (c) Of the amounts specified in par. (a), the department shall allocate
22 \$1,053,200 for the last 6 months of ~~2021~~ 2023, \$2,106,500 for ~~2022~~ 2024, and
23 \$1,053,300 for the first 6 months of ~~2023~~ 2025 to counties based on each of the factors
24 specified in par. (b) 1. to 3. weighted equally, except that no county may receive an
25 allocation under this paragraph that is less than 93 percent nor more than 115

1 percent of the amount that the county would have received under this paragraph if
2 the allocation had been distributed only on the basis of the factor specified in par. (b)
3 3.

4 **SECTION 637.** 48.526 (7) (e) of the statutes is repealed.

5 **SECTION 638.** 48.526 (7) (h) of the statutes is repealed.

6 **SECTION 639.** 48.526 (8) of the statutes is repealed.

7 **SECTION 640.** 48.528 of the statutes is repealed and recreated to read:

8 **48.528 Youth justice system improvement program.** From the
9 appropriations under s. 20.437 (1) (cm) and (kp), in each fiscal year the department
10 may expend funds for the following purposes:

11 (1) To fund programs that enhance diversion, prevention, or early intervention
12 to reduce the number of justice-involved youth or promote successful outcomes for
13 all youth. To determine eligibility for a payment under this subsection, the
14 department shall require a county or other provider to submit a plan for the
15 expenditure of the payment.

16 (2) To address emergencies related to community youth and family aids under
17 s. 48.526.

18 (3) To fund activities required of the department under s. 48.526 (1).”.

19 **272.** Page 374, line 11: after that line insert:

20 “**SECTION 641.** 301.26 (4) (d) 2. of the statutes is amended to read:

21 301.26 (4) (d) 2. ~~Beginning on July 1, 2019, and ending on June 30, 2020, the~~
22 ~~per person daily cost assessment to counties shall be \$532 for care in a Type 1~~
23 ~~juvenile correctional facility, as defined in s. 938.02 (19), and \$532 for care for~~
24 ~~juveniles transferred from a juvenile correctional institution under s. 51.35 (3).~~

1 Beginning on July 1, ~~2021~~ 2023, and ending on June 30, ~~2022~~ 2024, the per person
2 daily cost assessment to counties shall be ~~\$1,154~~ \$1,246 for care in a Type 1
3 juvenile correctional facility, as defined in s. 938.02 (19), and ~~\$1,154~~ \$1,246 for care
4 for juveniles transferred from a juvenile correctional institution under s. 51.35 (3).

5 **SECTION 642.** 301.26 (4) (d) 3. of the statutes is amended to read:

6 301.26 (4) (d) 3. ~~Beginning on July 1, 2020, and ending on December 31, 2020,~~
7 ~~the per person daily cost assessment to counties shall be \$550 for care in a Type 1~~
8 ~~juvenile correctional facility, as defined in s. 938.02 (19), and \$550 for care for~~
9 ~~juveniles transferred from a juvenile correctional institution under s. 51.35 (3).~~
10 Beginning on January 1, 2021, and ending on June 30, 2021, the per person daily cost
11 assessment to counties shall be ~~\$615~~ for care in a Type 1 juvenile correctional facility,
12 as defined in s. 938.02 (19), and ~~\$615~~ for care for juveniles transferred from a juvenile
13 correctional institution under s. 51.35 (3). Beginning on July 1, ~~2022~~ 2024, and
14 ending on June 30, ~~2023~~ 2025, the per person daily cost assessment to counties shall
15 be ~~\$1,178~~ \$1,268 for care in a Type 1 juvenile correctional facility, as defined in s.
16 938.02 (19), and ~~\$1,178~~ \$1,268 for care for juveniles transferred from a juvenile
17 correctional institution under s. 51.35 (3).”.

18 **273.** Page 374, line 11: after that line insert:

19 “**SECTION 643.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
20 insert the following amounts for the purposes indicated:

2023-24 2024-25

21 **20.455 Justice, department of**

22 (2) LAW ENFORCEMENT SERVICES

1 (bc) Grants for community policing
2 and community prosecution pro-
3 grams GPR C 5,000,000 5,000,000

4 **SECTION 644.** 20.455 (2) (bc) of the statutes is created to read:

5 20.455 (2) (bc) *Grants for community policing and community prosecution*
6 *programs.* As a continuing appropriation, the amounts in the schedule to provide
7 grants for community policing and community prosecution programs under s.
8 165.990.

9 **SECTION 645.** 165.990 of the statutes is created to read:

10 **165.990 Grants for community policing and community prosecution**
11 **programs.** The department of justice shall award grants from the appropriation
12 under s. 20.455 (2) (bc) to cities, villages, and towns; counties, including district
13 attorney offices; and federally recognized American Indian tribes or bands in this
14 state to fund community policing and community prosecution programs.”.

15 **274.** Page 374, line 11: after that line insert:

16 “**SECTION 646.** 756.04 (2) (b) of the statutes is amended to read:

17 756.04 (2) (b) Each year, on a date agreed upon with the office of the director
18 of state courts, the department of transportation shall compile a list that includes the
19 name, address, county, date of birth, race, gender, identification number and renewal
20 date of each person residing in the state who is licensed as a motor vehicle operator
21 under ch. 343 or who has received an identification card under s. 343.50 or 343.51,
22 and social security number, as permitted by law and any record sharing agreement
23 between the department of transportation and the office of the director of state
24 courts. The office of the director of state courts shall establish the format of the list

1 by agreement with the department of transportation. The department of
2 transportation shall transmit the list without charge to the office of the director of
3 state courts, ~~without charge.~~ and to the clerks of court for the district courts of the
4 United States within this state. If the department of transportation does not have
5 a record sharing agreement with the clerk of court for a district court that requires
6 the clerk of court to keep prospective jurors' identification numbers, renewal dates,
7 and social security numbers confidential and secure from unauthorized access, the
8 department of transportation shall redact that information from the list the
9 department of transportation transmits to the clerk of court."

10 **275.** Page 374, line 11: after that line insert:

11 "SECTION 647. 165.25 (11) of the statutes is repealed."

12 **276.** Page 374, line 11: after that line insert:

13 "SECTION 648. 20.455 (2) (gr) of the statutes is amended to read:

14 20.455 (2) (gr) *Handgun Firearm purchaser record check; checks for licenses or*
15 *certifications to carry concealed weapons.* All moneys received as fee payments under
16 ss. 175.35 (2i) (a), 175.49 (5m), and 175.60 (7) (c) and (d), (13), and (15) (b) 4. a. and
17 b. to provide services under ss. 175.35, 175.49, and 175.60.

18 SECTION 649. 175.33 of the statutes is created to read:

19 **175.33 Transfer of firearms. (1)** In this section:

20 (a) "Family member" means a spouse, parent, grandparent, sibling, child, or
21 grandchild. The relationship may be by blood, marriage, or adoption.

22 (b) "Firearm" includes the frame or receiver of a firearm.

23 (c) "Firearms dealer" has the meaning given in s. 175.35 (1) (ar).

24 (d) "Transfer" has the meaning given in s. 175.35 (1) (br).

1 (2) No person may transfer ownership of a firearm, or be transferred ownership
2 of a firearm, unless one of the following applies:

3 (a) The transferor is a firearms dealer.

4 (b) The transferor makes the transfer to or through a firearms dealer and
5 obtains a receipt under s. 175.35 (2j) (b).

6 (c) The transfer of ownership of the firearm is one of the transfers listed under
7 s. 175.35 (2t).

8 (d) The transferor is transferring ownership of the firearm to a family member
9 by gift, bequest, or inheritance, the transferee is not prohibited from possessing a
10 firearm under state or federal law, and the transferee is at least 18 years of age.

11 (e) The transferor is transferring the firearm with the intent that the transfer
12 is for the purpose of hunting or target shooting if the transfer is for no longer than
13 14 days, the transferor did not receive in exchange for the transfer more than
14 nominal consideration, the transferee is not prohibited from possessing a firearm
15 under state or federal law, and the transfer is not otherwise prohibited by law.

16 (3) Any person who intentionally violates sub. (2) is guilty of a misdemeanor
17 and shall be fined not less than \$500 nor more than \$10,000 and may be imprisoned
18 for not more than 9 months. The person is also prohibited under s. 941.29 from
19 possessing a firearm for a period of 2 years.

20 **SECTION 650.** 175.35 (title) of the statutes is amended to read:

21 **175.35 (title) Purchase Transfer of handguns firearms.**

22 **SECTION 651.** 175.35 (1) (at) of the statutes, as affected by 2023 Wisconsin Act
23 (this act), is amended to read:

24 175.35 (1) (at) "Firearms restrictions record search" means a search of
25 department of justice records to determine whether a person seeking to purchase be

1 transferred a handgun firearm is prohibited from possessing a firearm under s.
2 941.29. “Firearms restrictions record search” includes a criminal history record
3 search, a search to determine whether a person is prohibited from possessing a
4 firearm under s. 51.20 (13) (cv) 1., 2007 stats., a search in the national instant
5 criminal background check system to determine whether a person has been ordered
6 not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or
7 55.12 (10) (a), a search to determine whether the person is subject to an injunction
8 under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued
9 by a court established by any federally recognized Wisconsin Indian tribe or band,
10 except the Menominee Indian tribe of Wisconsin, that includes notice to the
11 respondent that he or she is subject to the requirements and penalties under s.
12 941.29 and that has been filed with the circuit court under s. 813.128 (3g), and a
13 search to determine whether the person is prohibited from possessing a firearm
14 under s. 813.123 (5m) or 813.125 (4m).

15 **SECTION 652.** 175.35 (1) (b) of the statutes is repealed.

16 **SECTION 653.** 175.35 (1) (br) of the statutes is created to read:

17 175.35 (1) (br) “Transfer” includes to sell, assign, pledge, lease, loan, give away,
18 or otherwise dispose of.

19 **SECTION 654.** 175.35 (2) (intro.) of the statutes is renumbered 175.35 (2) (am)
20 and amended to read:

21 175.35 (2) (am) When a firearms dealer sells transfers a handgun firearm,
22 including the frame or receiver of a firearm, he or she may not transfer possession
23 of that handgun firearm to any other person until all of the following have occurred:
24 requirements under par. (cm) have been met.

1 **SECTION 655.** 175.35 (2) (a), (b), (c) and (d) of the statutes are renumbered
2 175.35 (2) (cm) 1., 2., 3. and 4.

3 **SECTION 656.** 175.35 (2) (bm) of the statutes is created to read:

4 175.35 (2) (bm) When a person transfers a firearm, including the frame or
5 receiver of a firearm, through a firearms dealer, the transfer of possession of that
6 firearm may not be made until all of the requirements of par. (cm) have been met.

7 **SECTION 657.** 175.35 (2) (cm) (intro.) of the statutes is created to read:

8 175.35 (2) (cm) (intro.) All of the following must occur before a transfer of a
9 firearm occurs under par. (am) or (bm):

10 **SECTION 658.** 175.35 (2g) (a) of the statutes is amended to read:

11 175.35 (2g) (a) The department of justice shall promulgate rules prescribing
12 procedures for use under sub. (2) (cm) 1. for a transferee to provide and a firearms
13 dealer to inspect identification containing a photograph of the transferee.

14 **SECTION 659.** 175.35 (2g) (b) 1. of the statutes is amended to read:

15 175.35 (2g) (b) 1. The department of justice shall promulgate rules prescribing
16 a notification form for use under sub. (2) (cm) 2. and 3. requiring the transferee to
17 provide his or her name, date of birth, gender, race and social security number and
18 other identification necessary to permit an accurate firearms restrictions record
19 search under par. (c) 3. and the required notification under par. (c) 4. ~~The department~~
20 ~~of justice shall make the forms available at locations throughout the state.~~

21 **SECTION 660.** 175.35 (2g) (b) 2. of the statutes is amended to read:

22 175.35 (2g) (b) 2. The department of justice shall ensure that each notification
23 form under subd. 1. requires the transferee to indicate that he or she is not
24 purchasing receiving a transfer of the firearm with the purpose or intent to transfer
25 the firearm to a person who is prohibited from possessing a firearm under state or

1 federal law and that each notification form informs the transferee that making a
2 false statement with regard to this purpose or intent is a Class H felony.

3 **SECTION 661.** 175.35 (2i) of the statutes is renumbered 175.35 (2i) (a) and
4 amended to read:

5 175.35 **(2i)** (a) The department shall charge a firearms dealer a \$10 fee for each
6 firearms restrictions record search that the firearms dealer requests under sub. (2)
7 ~~(e)~~ (cm) 3.

8 (b) 1. The firearms dealer may collect the fee under par. (a) from the transferee.

9 (c) The department may refuse to conduct firearms restrictions record searches
10 for any firearms dealer who fails to pay any fee under ~~this subsection~~ par. (a) within
11 30 days after billing by the department.

12 **SECTION 662.** 175.35 (2i) (b) 2. of the statutes is created to read:

13 175.35 **(2i)** (b) 2. If the transfer is made under sub. (2) (bm), the firearms dealer
14 may collect from the transferor the fee under par. (a) and any additional amount to
15 cover any costs he or she incurs in processing the transfer.

16 **SECTION 663.** 175.35 (2j) of the statutes is renumbered 175.35 (2j) (a).

17 **SECTION 664.** 175.35 (2j) (b) of the statutes is created to read:

18 175.35 **(2j)** (b) If a person transfers a firearm through a firearms dealer under
19 sub. (2) (bm), or transfers a firearm to a firearms dealer, the firearms dealer shall
20 provide the person a written receipt documenting the dealer's participation in the
21 transfer.

22 **SECTION 665.** 175.35 (2k) (ar) 2. of the statutes is amended to read:

23 175.35 **(2k)** (ar) 2. Check each notification form received under sub. (2j) (a)
24 against the information recorded by the department regarding the corresponding
25 request for a firearms restrictions record search under sub. (2g). If the department

1 previously provided a unique approval number regarding the request and nothing
2 in the completed notification form indicates that the transferee is prohibited from
3 possessing a firearm under s. 941.29, the department shall destroy all records
4 regarding that firearms restrictions record search within 30 days after receiving the
5 notification form.

6 **SECTION 666.** 175.35 (2k) (c) 2. a. of the statutes is amended to read:

7 175.35 (2k) (c) 2. a. A statement that the Wisconsin law enforcement agency
8 is conducting an investigation of a crime in which a ~~handgun~~ firearm was used or was
9 attempted to be used or was unlawfully possessed.

10 **SECTION 667.** 175.35 (2k) (c) 2. b. of the statutes is amended to read:

11 175.35 (2k) (c) 2. b. A statement by a division commander or higher authority
12 within the Wisconsin law enforcement agency that he or she has a reasonable
13 suspicion that the person who is the subject of the information request has obtained
14 or is attempting to obtain a ~~handgun~~ firearm.

15 **SECTION 668.** 175.35 (2k) (g) of the statutes is amended to read:

16 175.35 (2k) (g) If a search conducted under sub. (2g) indicates that the
17 transferee is prohibited from possessing a firearm under s. 941.29, the attorney
18 general or his or her designee may disclose to a law enforcement agency that the
19 transferee has attempted to obtain a ~~handgun~~ firearm.

20 **SECTION 669.** 175.35 (2k) (h) of the statutes is amended to read:

21 175.35 (2k) (h) If a search conducted under sub. (2g) indicates a felony charge
22 without a recorded disposition and the attorney general or his or her designee has
23 reasonable grounds to believe the transferee may pose a danger to himself, herself
24 or another, the attorney general or his or her designee may disclose to a law

1 enforcement agency that the transferee has obtained or has attempted to obtain a
2 handgun firearm.

3 **SECTION 670.** 175.35 (2L) of the statutes is amended to read:

4 175.35 **(2L)** The department of justice shall promulgate rules providing for the
5 review of nonapprovals under sub. (2g) (c) 4. a. Any person who is denied the right
6 to purchase receive a transfer of a handgun firearm because the firearms dealer
7 received a nonapproval number under sub. (2g) (c) 4. a. may request a firearms
8 restrictions record search review under those rules. If the person disagrees with the
9 results of that review, the person may file an appeal under rules promulgated by the
10 department.

11 **SECTION 671.** 175.35 (2t) (a), (b) and (c) of the statutes are amended to read:

12 175.35 **(2t)** (a) Transfers of any handgun firearm classified as an antique by
13 regulations of the U.S. department of the treasury.

14 (b) Transfers of any handgun firearm between firearms dealers or between
15 wholesalers and dealers.

16 (c) Transfers of any handgun firearm to law enforcement or armed services
17 agencies.

18 **SECTION 672.** 175.35 (3) (b) 2. of the statutes is amended to read:

19 175.35 **(3)** (b) 2. A person who violates sub. (2e) by intentionally providing false
20 information regarding whether he or she is purchasing receiving a transfer of the
21 firearm with the purpose or intent to transfer the firearm to another who the person
22 knows or reasonably should know is prohibited from possessing a firearm under
23 state or federal law is guilty of a Class H felony. The penalty shall include a fine that
24 is not less than \$500.

25 **SECTION 673.** 175.60 (7) (d) of the statutes is amended to read:

1 175.60 (7) (d) A fee for a background check that is equal to the fee charged under
2 s. 175.35 (2i) (a).

3 **SECTION 674.** 175.60 (15) (b) 4. b. of the statutes is amended to read:

4 175.60 (15) (b) 4. b. A fee for a background check that is equal to the fee charged
5 under s. 175.35 (2i) (a).

6 **SECTION 675.** 938.208 (1) (b) of the statutes is amended to read:

7 938.208 (1) (b) Probable cause exists to believe that the juvenile possessed,
8 used or threatened to use a handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d),
9 short-barreled rifle, as defined in s. 941.28 (1) (b), or short-barreled shotgun, as
10 defined in s. 941.28 (1) (c), while committing a delinquent act that would be a felony
11 under ch. 940 if committed by an adult.

12 **SECTION 676.** 938.34 (4m) (b) 2. of the statutes is amended to read:

13 938.34 (4m) (b) 2. The juvenile has possessed, used or threatened to use a
14 handgun, as defined in s. ~~175.35 (1) (b)~~ 941.237 (1) (d), short-barreled rifle, as
15 defined in s. 941.28 (1) (b), or short-barreled shotgun, as defined in s. 941.28 (1) (c),
16 while committing a delinquent act that would be a felony under ch. 940 if committed
17 by an adult.

18 **SECTION 677.** 938.341 of the statutes is amended to read:

19 **938.341 Delinquency adjudication; restriction on firearm possession.**

20 Whenever a court adjudicates a juvenile delinquent for an act that if committed by
21 an adult in this state would be a felony or for a violation under s. 175.33 (2), the court
22 shall inform the juvenile of the requirements and penalties under s. 941.29.

23 **SECTION 678.** 941.237 (1) (d) of the statutes is amended to read:

24 941.237 (1) (d) “Handgun” ~~has the meaning given in s. 175.35 (1) (b)~~ means any
25 weapon designed or redesigned, or made or remade, and intended to be fired while

1 held in one hand and to use the energy of an explosive to expel a projectile through
2 a smooth or rifled bore.

3 **SECTION 679.** 941.29 (1m) (dm), (dn) and (do) of the statutes are created to read:

4 941.29 **(1m)** (dm) The person has been convicted of a misdemeanor under s.
5 175.33 (2), unless at least 2 years have passed since the conviction.

6 (dn) The person has been adjudicated delinquent for a violation under s. 175.33
7 (2), unless at least 2 years have passed since the adjudication.

8 (do) The person has been found not guilty of a misdemeanor under s. 175.33 (2)
9 by reason of mental disease or defect, unless at least 2 years have passed since the
10 finding.

11 **SECTION 680.** 941.296 (1) (b) of the statutes is amended to read:

12 941.296 **(1)** (b) “Handgun” has the meaning given in s. ~~175.35 (1) (b)~~ 941.237
13 (1) (d).

14 **SECTION 681.** 968.20 (3) (b) of the statutes is amended to read:

15 968.20 **(3)** (b) Except as provided in par. (a) or sub. (1m) or (4), a city, village,
16 town or county or other custodian of a seized dangerous weapon or ammunition, if
17 the dangerous weapon or ammunition is not required for evidence or use in further
18 investigation and has not been disposed of pursuant to a court order at the
19 completion of a criminal action or proceeding, shall make reasonable efforts to notify
20 all persons who have or may have an authorized rightful interest in the dangerous
21 weapon or ammunition of the application requirements under sub. (1). If, within 30
22 days after the notice, an application under sub. (1) is not made and the seized
23 dangerous weapon or ammunition is not returned by the officer under sub. (2), the
24 city, village, town or county or other custodian may retain the dangerous weapon or
25 ammunition and authorize its use by a law enforcement agency, except that a

1 dangerous weapon used in the commission of a homicide or a handgun, as defined
2 in s. ~~175.35 (1) (b)~~ 941.237 (1) (d), may not be retained. If a dangerous weapon other
3 than a firearm is not so retained, the city, village, town or county or other custodian
4 shall safely dispose of the dangerous weapon or, if the dangerous weapon is a motor
5 vehicle, as defined in s. 340.01 (35), sell the motor vehicle following the procedure
6 under s. 973.075 (4). If a firearm or ammunition is not so retained, the city, village,
7 town or county or other custodian shall ship it to the state crime laboratories and it
8 is then the property of the laboratories. A person designated by the department of
9 justice may destroy any material for which the laboratories have no use or arrange
10 for the exchange of material with other public agencies. In lieu of destruction,
11 shoulder weapons for which the laboratory has no use shall be turned over to the
12 department of natural resources for sale and distribution of proceeds under s. 29.934
13 or for use under s. 29.938.

14 **SECTION 682.** 971.17 (1g) of the statutes is amended to read:

15 971.17 **(1g)** NOTICE OF RESTRICTION ON FIREARM POSSESSION. If the defendant
16 under sub. (1) is found not guilty of a felony, or of a violation under s. 175.33 (2), by
17 reason of mental disease or defect, the court shall inform the defendant of the
18 requirements and penalties under s. 941.29.

19 **SECTION 683.** 973.176 (1) of the statutes is amended to read:

20 973.176 **(1)** FIREARM POSSESSION. Whenever a court imposes a sentence or
21 places a defendant on probation regarding a felony conviction or regarding a
22 conviction for a misdemeanor under s. 175.33 (2), the court shall inform the
23 defendant of the requirements and penalties applicable to him or her under s. 941.29
24 (1m) or (4m).

25 **SECTION 9327. Initial applicability; Justice.**

1 (1fa) TRANSFERS OF FIREARMS. The treatment of ss. 175.33 and 175.35 (1) (at)
2 (with respect to background checks for transfers of firearms that are not handguns)
3 and (br) and (2) (intro.), (a), (b), (bm), (c), (cm) (intro.), and (d), the renumbering of
4 s. 175.35 (2j), and the creation of s. 175.35 (2j) (b) first apply to transfers that occur
5 on the effective date of this subsection.

6 **SECTION 9427. Effective dates; Justice.**

7 (1fa) TRANSFERS OF FIREARMS. The treatment of ss. 20.455 (2) (gr), 175.33, 175.35
8 (title), (1) (at) (by SECTION 651), (b), and (br), (2) (intro.), (a), (b), (bm), (c), (cm) (intro.),
9 and (d), (2g) (a) and (b) 1. and 2., (2k) (ar) 2., (c) 2. a. and b., (g), and (h), (2L), (2t) (a),
10 (b), and (c), (3) (b) 2., (7) (d), and (15) (b) 4. b., 938.208 (1) (b), 938.34 (4m) (b) 2.,
11 938.341, 941.237 (1) (d), 941.29 (1m) (dm), (dn), and (do), 941.296 (1) (b), 968.20 (3)
12 (b), 971.17 (1g), and 973.176 (1), the renumbering of s. 175.35 (2j), the renumbering
13 and amendment of s. 175.35 (2i), and the creation of s. 175.35 (2i) (b) 2. and (2j) (b)
14 and SECTION 9327 (1fa) of this act take effect on the first day of the 7th month
15 beginning after publication.”.

16 **277.** Page 374, line 11: after that line insert:

17 “SECTION 48s. 19.35 (3) (c) of the statutes is amended to read:

18 19.35 (3) (c) Except as otherwise provided by law or as authorized to be
19 prescribed by law, an authority may impose a fee upon a requester for locating a
20 record, not exceeding the actual, necessary and direct cost of location, if the cost is
21 \$50 \$100 or more.

22 **SECTION 9351. Initial applicability; Other.**

23 (1) PUBLIC RECORDS LOCATION FEE. The treatment of s. 19.35 (3) (c) first applies
24 to a public records request received on the effective date of this subsection.”.

1 **278.** Page 374, line 11: after that line insert:

2 “**SECTION 684.** 85.61 (1) of the statutes is amended to read:

3 85.61 (1) The secretary of transportation and the administrator of the elections
4 commission shall enter into an agreement to match personally identifiable
5 information on the official registration list maintained by the commission under s.
6 6.36 (1) and the information specified in ~~s.~~ ss. 6.256 (2) and 6.34 (2m) with personally
7 identifiable information in the operating record file database under ch. 343 and
8 vehicle registration records under ch. 341 to the extent required to enable the
9 secretary of transportation and the administrator of the elections commission to
10 verify the accuracy of the information provided for the purpose of voter registration.
11 Notwithstanding ss. 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), but subject to s.
12 343.14 (2p) (b), the agreement shall provide for the transfer of electronic information
13 under s. 6.256 (2) to the commission on a continuous basis, no less often than weekly.

14 **SECTION 685.** 343.14 (2p) of the statutes is created to read:

15 343.14 (2p) (a) The forms for application for a license or identification card or
16 for renewal thereof shall inform the applicant of the department’s duty to make
17 available to the elections commission the information described in s. 6.256 (2) for the
18 purposes specified in s. 6.256 (1) and (3) and shall provide the applicant an
19 opportunity to elect not to have this information made available for these purposes.

20 (b) If the applicant elects not to have the information described in s. 6.256 (2)
21 made available for the purposes specified in s. 6.256 (1) and (3), the department may
22 not make this information available for these purposes. This paragraph does not
23 preclude the department from making available to the elections commission

1 information for the purposes specified in s. 6.34 (2m) or for any purpose other than
2 those specified in s. 6.256 (1) and (3).

3 **SECTION 9112. Nonstatutory provisions; Elections Commission.**

4 (1) INITIAL SHARING OF REGISTRATION INFORMATION. Notwithstanding ss. 85.61
5 (1), 110.09 (2), 342.06 (1) (eg), and 343.14 (2j), the department of transportation shall
6 enter into and begin transferring information under a revised agreement with the
7 elections commission administrator pursuant to s. 85.61 (1) no later than the first
8 day of the 9th month beginning after the effective date of this subsection.”.

9 **279.** Page 374, line 11: after that line insert:

10 “SECTION 1. 343.50 (1) (c) 1. of the statutes is amended to read:

11 343.50 (1) (c) 1. The department may issue a receipt to any applicant for an
12 identification card, and shall issue a receipt to an applicant requesting an
13 identification card under sub. (5) (a) 3., which receipt shall constitute a temporary
14 identification card while the application is being processed and shall be valid for a
15 period not to exceed ~~60~~ 180 days. If the application for an identification card is
16 processed under the exception specified in s. 343.165 (7) or (8), the receipt shall
17 include the marking specified in sub. (3) (b).”.

18 **280.** Page 374, line 11: after that line insert:

19 “SECTION 686. 20.455 (2) (cv) of the statutes is amended to read:

20 20.455 (2) (cv) ~~Shot Spotter~~ Gunfire Detection Program. The amounts in the
21 schedule for the ~~Shot Spotter~~ Gunfire Detection Program in the city of Milwaukee.”.

22 **281.** Page 374, line 11: after that line insert:

23 “SECTION 687. 165.63 (3) of the statutes is amended to read:

1 165.63 (3) REQUESTS FROM COURTS. In making a determination required under
2 s. 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1., a judge or court commissioner
3 shall request information under sub. (2) from the department or from a law
4 enforcement agency or law enforcement officer as provided in sub. (4) (d).

5 **SECTION 688.** 165.63 (4) (d) of the statutes is amended to read:

6 165.63 (4) (d) Aid the court in making a determination required under s.
7 813.124 (7) (a), 813.1285 (7) (a), or 968.20 (1m) (d) 1. or aid an entity in making a
8 determination required under s. 968.20 (1m) (d) 2.

9 **SECTION 689.** 175.35 (1) (at) of the statutes is amended to read:

10 175.35 (1) (at) “Firearms restrictions record search” means a search of
11 department of justice records to determine whether a person seeking to purchase a
12 handgun is prohibited from possessing a firearm under s. 941.29. “Firearms
13 restrictions record search” includes a criminal history record search, a search to
14 determine whether a person is prohibited from possessing a firearm under s. 51.20
15 (13) (cv) 1., 2007 stats., a search in the national instant criminal background check
16 system to determine whether a person has been ordered not to possess a firearm
17 under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1., 54.10 (3) (f) 1., or 55.12 (10) (a), a search
18 to determine whether the person is subject to an injunction under s. 813.12 or
19 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
20 established by any federally recognized Wisconsin Indian tribe or band, except the
21 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
22 or she is subject to the requirements and penalties under s. 941.29 and that has been
23 filed with the circuit court under s. 813.128 (3g), a search to determine whether the
24 person is subject to a temporary restraining order or injunction under s. 813.124, and

1 a search to determine whether the person is prohibited from possessing a firearm
2 under s. 813.123 (5m) or 813.125 (4m).

3 **SECTION 690.** 175.60 (9g) (a) 2. of the statutes is amended to read:

4 175.60 **(9g)** (a) 2. The department shall conduct a criminal history record
5 search and shall search its records and conduct a search in the national instant
6 criminal background check system to determine whether the applicant is prohibited
7 from possessing a firearm under federal law; whether the applicant is prohibited
8 from possessing a firearm under s. 941.29; whether the applicant is prohibited from
9 possessing a firearm under s. 51.20 (13) (cv) 1., 2007 stats.; whether the applicant
10 has been ordered not to possess a firearm under s. 51.20 (13) (cv) 1., 51.45 (13) (i) 1.,
11 54.10 (3) (f) 1., or 55.12 (10) (a); whether the applicant is subject to an injunction
12 under s. 813.12 or 813.122, or a tribal injunction, as defined in s. 813.12 (1) (e), issued
13 by a court established by any federally recognized Wisconsin Indian tribe or band,
14 except the Menominee Indian tribe of Wisconsin, that includes notice to the
15 respondent that he or she is subject to the requirements and penalties under s.
16 941.29 and that has been filed with the circuit court under s. 813.128 (3g); whether
17 the applicant is subject to a temporary restraining order or injunction under s.
18 813.124; and whether the applicant is prohibited from possessing a firearm under
19 s. 813.123 (5m) or 813.125 (4m); and to determine if the court has prohibited the
20 applicant from possessing a dangerous weapon under s. 969.02 (3) (c) or 969.03 (1)
21 (c) and if the applicant is prohibited from possessing a dangerous weapon as a
22 condition of release under s. 969.01.

23 **SECTION 691.** 175.60 (11) (a) 2. f. of the statutes is amended to read:

1 175.60 (11) (a) 2. f. The individual becomes subject to an a temporary
2 restraining order or injunction described in s. 941.29 (1m) (f) or is ordered not to
3 possess a firearm under s. 813.123 (5m) or 813.125 (4m).

4 **SECTION 692.** 801.50 (5sb) of the statutes is created to read:

5 801.50 (5sb) Venue of an action under s. 813.124 shall be in the county in which
6 the cause of action arose or where the petitioner or the respondent resides.

7 **SECTION 693.** 801.58 (2m) of the statutes is amended to read:

8 801.58 (2m) If, under sub. (2), the judge determines that the request for
9 substitution was made timely and in proper form, any ex parte order granted by the
10 original judge remains in effect according to the terms, except that a temporary
11 restraining order issued under s. 813.12 (3), 813.122 (4), 813.123 (4), 813.124 (2t), or
12 813.125 (3) by the original judge is extended until the newly assigned judge holds a
13 hearing on the issuance of an injunction. The newly assigned judge shall hear any
14 subsequent motion to modify or vacate any ex parte order granted by the original
15 judge.

16 **SECTION 694.** 813.06 of the statutes is amended to read:

17 **813.06 Security for damages.** In proceedings under s. 767.225 the court or
18 judge may, and in all other proceedings except proceedings under ss. 813.12, 813.122,
19 813.124, 813.125 and 823.113 the court or judge shall, require a bond of the party
20 seeking an injunction, with sureties, to the effect that he or she will pay to the party
21 enjoined such damages, not exceeding an amount to be specified, as he or she may
22 sustain by reason of the injunction if the court finally decides that the party was not
23 entitled thereto. Copies of such bond, affidavit or other pleading shall be served upon
24 the party enjoined and the officer serving the same shall, within 8 days after such
25 service, file his or her return in the office of the clerk of the court.

1 **SECTION 695.** 813.124 of the statutes is created to read:

2 **813.124 Extreme risk protection temporary restraining orders and**
3 **injunctions. (1) DEFINITIONS.** In this section:

4 (a) “Family or household member” means any of the following:

5 1. A person related by blood, adoption, or marriage to the respondent.

6 2. A person with whom the respondent has or had a dating relationship, as
7 defined in s. 813.12 (1) (ag), or with whom the respondent has a child in common.

8 3. A person who resides with, or within the 6 months before filing a petition,
9 had resided with, the respondent.

10 4. A domestic partner under ch. 770 of the respondent.

11 5. A person who is acting or has acted as the respondent’s legal guardian or who
12 is or was a foster parent or other physical custodian described in s. 48.62 (2) of the
13 respondent.

14 6. A person for whom the respondent is acting or has acted as a legal guardian
15 or for whom the respondent is or was the foster parent or other physical custodian
16 described in s. 48.62 (2).

17 (b) “Firearms dealer” has the meaning given in s. 175.35 (1) (ar).

18 (c) “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

19 **(2) COMMENCEMENT OF ACTION AND RESPONSE.** No action under this section may
20 be commenced by complaint and summons. An action under this section may be
21 commenced only by a petition described under sub. (4) (a).

22 **(2m) PROCEDURE.** Procedure for an action under this section is as follows:

23 (a) If the petitioner requests an extreme risk protection temporary restraining
24 order, the court shall consider the request as provided under sub. (2t). If the court
25 issues a temporary restraining order, the court shall set forth the date, which must

1 be within 14 days of issuing the temporary restraining order, for the hearing on the
2 injunction and shall forward a copy of the temporary restraining order, the
3 injunction hearing date, and the petition to the appropriate law enforcement agency
4 with jurisdiction over the respondent's residence. The law enforcement agency shall
5 immediately, or as soon as practicable, serve it on the respondent. If personal service
6 cannot be effected upon the respondent, the court may order other appropriate
7 service.

8 (b) The court shall hold a hearing under sub. (3) on whether to issue an extreme
9 risk protection injunction, which is the final relief. If there was no temporary
10 restraining order, the respondent shall be served notice of the petition by a law
11 enforcement officer and the date for the hearing shall be set upon motion by either
12 party. If personal service cannot be effected upon the respondent, the court may
13 order other appropriate service. The service shall include the name of the respondent
14 and of the petitioner, and, if known, notice of the date, time, and place of the
15 injunction hearing.

16 (c) When the respondent is served under this subsection, the respondent shall
17 be provided notice of the requirements and penalties under s. 941.29.

18 **(2t) EXTREME RISK PROTECTION TEMPORARY RESTRAINING ORDER.** (a) A judge shall
19 issue an extreme risk protection temporary restraining order under this subsection
20 prohibiting the respondent from possessing a firearm and ordering the respondent
21 to surrender all firearms in the respondent's possession if all of the following occur:

22 1. A petitioner files a petition alleging the elements under sub. (4) (a), and
23 requests a temporary restraining order. The petition requesting a temporary
24 restraining order shall be heard by the court in an expedited manner. The court shall

1 examine under oath the petitioner and any witness the petitioner may produce or
2 may rely on an affidavit submitted in support of the petition.

3 2. The judge finds all of the following:

4 a. Substantial likelihood that the petition for an injunction will be successful.

5 b. Good cause to believe that there is an immediate and present danger that
6 the respondent may injure himself or herself or another person if the respondent
7 possesses a firearm and that waiting for the injunction hearing may increase the
8 immediate and present danger.

9 (b) A temporary restraining order issued under this subsection shall remain
10 in effect until a hearing is held on issuance of an injunction under sub. (3). Notice
11 need not be given to the respondent before issuing a temporary restraining order
12 under this subsection. A temporary restraining order may be entered against only
13 the respondent named in the petition and may not be renewed or extended.

14 (c) A temporary restraining order issued under this subsection shall inform the
15 respondent named in the petition of the requirements and penalties under s. 941.29.

16 (d) The temporary restraining order issued under this subsection shall require
17 one of the following:

18 1. If a law enforcement officer is able to personally serve the respondent with
19 the order, the officer to require the respondent to immediately surrender all firearms
20 in the respondent's possession.

21 2. If a law enforcement officer is not able to personally serve the respondent
22 with the order, the respondent to, within 24 hours of service, surrender all firearms
23 in the respondent's possession to a law enforcement officer or transfer or sell all
24 firearms in the respondent's possession to a firearms dealer. Within 48 hours of
25 service, the respondent shall file with the court that issued the order under this

1 subsection a receipt indicating that the respondent surrendered, transferred, or sold
2 the firearms. The receipt must include the date on which each firearm was
3 surrendered, transferred, or sold and the manufacturer, model, and serial number
4 of each firearm and must be signed by either the law enforcement officer to whom the
5 firearm was surrendered or the firearms dealer to whom the firearm was transferred
6 or sold.

7 **(3) EXTREME RISK PROTECTION INJUNCTION.** (a) The court shall hold a hearing on
8 whether to issue an extreme risk protection injunction, which is the final relief. At
9 the hearing, a judge may grant an injunction prohibiting the respondent from
10 possessing a firearm and, if there was no temporary restraining order under sub. (2t),
11 ordering the respondent to surrender all firearms in the respondent's possession if
12 all of the following occur:

13 1. The petitioner files a petition alleging the elements set forth under sub. (4)
14 (a).

15 2. The petitioner serves upon the respondent a copy or summary of the petition
16 and notice of the time for hearing on the issuance of the injunction, or the respondent
17 serves upon the petitioner notice of the time for hearing on the issuance of the
18 injunction.

19 3. The judge finds by clear and convincing evidence that the respondent is
20 substantially likely to injure himself or herself or another person if the respondent
21 possesses a firearm.

22 (b) The judge may enter an injunction against only the respondent named in
23 the petition.

1 (c) 1. Unless a judge vacates the injunction under par. (d), an injunction under
2 this subsection is effective for a period determined by the judge that is no longer than
3 one year.

4 2. When an injunction expires, the court shall extend the injunction, upon
5 petition, for up to one year if the judge finds by clear and convincing evidence that
6 the respondent is still substantially likely to injure himself or herself or another
7 person if the respondent possesses a firearm.

8 (d) A respondent who is subject to an injunction issued under this subsection
9 may request in writing a judge to vacate the injunction one time during any
10 injunction period. If a respondent files a request under this paragraph, the
11 petitioner shall be notified of the request before the judge considers the request. The
12 judge shall vacate the injunction if the respondent demonstrates by clear and
13 convincing evidence that the respondent is no longer substantially likely to injure
14 himself or herself or another person if the respondent possesses a firearm.

15 (e) An injunction issued under this subsection shall inform the respondent
16 named in the petition of the requirements and penalties under s. 941.29.

17 **(4) PETITION.** (a) The petition shall allege facts sufficient to show the following:

18 1. The name of the petitioner and, unless the petitioner is a law enforcement
19 officer, how the petitioner is a family or household member of the respondent.

20 2. The name of the respondent.

21 3. That the respondent is substantially likely to injure himself or herself or
22 another person if the respondent possesses a firearm.

23 4. If the petitioner knows, the number, types, and locations of any firearms that
24 the respondent possesses.

1 5. If requesting a temporary restraining order, evidence of an immediate and
2 present danger that the respondent may injure himself or herself or another person
3 if the respondent possesses a firearm and that waiting for the injunction hearing may
4 increase the immediate and present danger.

5 (b) The clerk of the circuit court shall provide simplified forms to help a person
6 file a petition.

7 (c) Only the following persons may file a petition under this section:

8 1. A law enforcement officer.

9 2. A family or household member of the respondent.

10 **(5) ENFORCEMENT ASSISTANCE.** (a) 1. If a temporary restraining order is issued
11 under sub. (2t) or an injunction is issued, extended, or vacated under sub. (3), the
12 clerk of the circuit court shall notify the department of justice of the action and shall
13 provide the department of justice with information concerning the period during
14 which the order or injunction is in effect or the date on which the injunction is vacated
15 and with information necessary to identify the respondent for purposes of
16 responding to a request under s. 165.63 or for purposes of a firearms restrictions
17 record search under s. 175.35 (2g) (c) or a background check under s. 175.60 (9g) (a).

18 2. Except as provided in subd. 3., the department of justice may disclose
19 information that it receives under subd. 1. only to respond to a request under s.
20 165.63 or as part of a firearms restrictions record search under s. 175.35 (2g) (c) or
21 a background check under s. 175.60 (9g) (a).

22 3. The department of justice shall disclose any information that it receives
23 under subd. 1. to a law enforcement agency when the information is needed for law
24 enforcement purposes.

1 (b) Within one business day after a temporary restraining order is issued under
2 sub. (2t) or an injunction is issued, extended, or vacated under sub. (3), the clerk of
3 the circuit court shall send a copy of the temporary restraining order, of the
4 injunction, or of the order extending or vacating an injunction, to the sheriff or to any
5 other local law enforcement agency that is the central repository for injunctions and
6 that has jurisdiction over the petitioner's premises.

7 (c) No later than 24 hours after receiving the information under par. (b), the
8 sheriff or other appropriate local law enforcement agency under par. (b) shall enter
9 the information concerning a temporary restraining order issued under sub. (2t) or
10 concerning an injunction issued, extended, or vacated under sub. (3) into the
11 transaction information for management of enforcement system. The sheriff or other
12 appropriate local law enforcement agency shall also make available to other law
13 enforcement agencies, through a verification system, information on the existence
14 and status of any order or injunction issued under this section. The information need
15 not be maintained after the order or injunction is no longer in effect.

16 (d) 1. The court may schedule a hearing to surrender firearms for any reason
17 relevant to the surrender of firearms.

18 2. If the respondent does not comply with an order issued at a hearing to
19 surrender firearms, or a law enforcement officer has probable cause to believe that
20 the respondent possesses a firearm, the law enforcement officer shall request a
21 search warrant to seize the firearms and may use information contained in the
22 petition to establish probable cause.

23 **(6) PENALTY FOR FALSE SWEARING.** Whoever files a petition under this section
24 knowing the information in the petition to be false is subject to the penalty for false
25 swearing under s. 946.32 (1).

1 **(7) RETURN OF FIREARMS AND FORM.** (a) A firearm surrendered under this section
2 may not be returned to the respondent until the respondent completes a petition for
3 the return of firearms under par. (c) and a judge or circuit court commissioner
4 determines all of the following:

5 1. If a temporary restraining order was issued, that the temporary restraining
6 order has expired and no injunction has been issued.

7 2. If an injunction was issued, that the injunction has been vacated or has
8 expired and not been extended.

9 3. That the person is not prohibited from possessing a firearm under any state
10 or federal law or by the order of any federal court or state court, other than an order
11 from which the judge or circuit court commissioner is competent to grant relief. The
12 judge or commissioner shall use the information provided under s. 165.63 to aid in
13 making the determination under this subdivision.

14 (b) If a respondent surrenders under this section a firearm that is owned by a
15 person other than the respondent, the person who owns the firearm may apply for
16 its return to the circuit court for the county in which the person to whom the firearm
17 was surrendered is located. The court shall order such notice as it considers
18 adequate to be given to all persons who have or may have an interest in the firearm
19 and shall hold a hearing to hear all claims to its true ownership. If the right to
20 possession is proved to the court's satisfaction, it shall order the firearm returned.
21 If the court returns a firearm under this paragraph, the court shall inform the person
22 to whom the firearm is returned of the requirements and penalties under s. 941.2905.

23 (c) The director of state courts shall develop a petition for the return of firearms
24 form that is substantially the same as the form under s. 813.1285 (5) (b).

1 **(8) NOTICE OF FULL FAITH AND CREDIT.** A temporary restraining order issued
2 under sub. (2t) and an injunction issued under sub. (3) shall include a statement that
3 the order or injunction may be accorded full faith and credit in every civil or criminal
4 court of the United States, civil or criminal courts of any other state, and Indian
5 tribal courts to the extent that such courts may have personal jurisdiction over
6 nontribal members.

7 **SECTION 696.** 813.126 (1) of the statutes is amended to read:

8 **813.126 (1) TIME LIMITS FOR DE NOVO HEARING.** If a party seeks to have the judge
9 conduct a hearing de novo under s. 757.69 (8) of a determination, order, or ruling
10 entered by a court commissioner in an action under s. 813.12, 813.122, 813.123,
11 813.124, or 813.125, including a denial of a request for a temporary restraining order,
12 the motion requesting the hearing must be filed with the court within 30 days after
13 the circuit court commissioner issued the determination, order, or ruling. The court
14 shall hold the de novo hearing within 30 days after the motion requesting the hearing
15 is filed with the court unless the court finds good cause for an extension. Any
16 determination, order, or ruling entered by a court commissioner in an action under
17 s. 813.12, 813.122, 813.123, 813.124, or 813.125 remains in effect until the judge in
18 the de novo hearing issues his or her final determination, order, or ruling.

19 **SECTION 697.** 813.127 of the statutes is amended to read:

20 **813.127 Combined actions; domestic abuse, child abuse, extreme risk**
21 **protection, and harassment.** A petitioner may combine in one action 2 or more
22 petitions under one or more of the provisions in ss. 813.12, 813.122, 813.124, and
23 813.125 if the respondent is the same person in each petition. In any such action,
24 there is only one fee applicable under s. 814.61 (1) (a). In any such action, the

1 hearings for different types of temporary restraining orders or injunctions may be
2 combined.

3 **SECTION 698.** 813.128 (2g) (b) of the statutes is amended to read:

4 813.128 **(2g)** (b) A foreign protection order or modification of the foreign
5 protection order that meets the requirements under this section has the same effect
6 as an order issued under s. 813.12, 813.122, 813.123, 813.124, or 813.125, except that
7 the foreign protection order or modification shall be enforced according to its own
8 terms.

9 **SECTION 699.** 941.29 (1m) (f) of the statutes is amended to read:

10 941.29 **(1m)** (f) The person is subject to an injunction issued under s. 813.12
11 or 813.122, a temporary restraining order or an injunction issued under s. 813.124,
12 or ~~under~~ a tribal injunction, as defined in s. 813.12 (1) (e), issued by a court
13 established by any federally recognized Wisconsin Indian tribe or band, except the
14 Menominee Indian tribe of Wisconsin, that includes notice to the respondent that he
15 or she is subject to the requirements and penalties under this section and that has
16 been filed under s. 813.128 (3g).”.

17 **282.** Page 374, line 11: after that line insert:

18 “**SECTION 700.** 111.335 (3) (a) of the statutes is renumbered 111.335 (3) (ar).

19 **SECTION 701.** 111.335 (3) (ah) of the statutes is created to read:

20 111.335 **(3)** (ah) 1. Employment discrimination because of conviction record
21 includes, but is not limited to, requesting an applicant, employee, member, licensee,
22 or any other individual, on an application form or otherwise, to supply information
23 regarding a crime the record of which has been expunged under s. 973.015. A request
24 to supply information regarding criminal convictions shall not be construed as a

1 request to supply information regarding a crime the record of which has been
2 expunged under s. 973.015.

3 2. Notwithstanding par. (ar) 1., and except as provided in par. (g), it is
4 employment discrimination because of conviction record for an employer or licensing
5 agency to engage in any act of employment discrimination specified in s. 111.322 on
6 the basis of a conviction the record of which has been expunged under s. 973.015.
7 This subdivision does not apply to the extent that its application conflicts with
8 federal law.

9 **SECTION 702.** 111.335 (3) (g) of the statutes is created to read:

10 111.335 (3) (g) Notwithstanding s. 111.322, it is not employment discrimination
11 because of conviction record for the law enforcement standards board to refuse to
12 certify, recertify, or allow to participate in a preparatory training program or to
13 decertify under s. 165.85 an individual who has a conviction the record of which has
14 been expunged under s. 973.015.

15 **SECTION 703.** 111.335 (4) (b) of the statutes is amended to read:

16 111.335 (4) (b) It is employment discrimination because of conviction record for
17 a licensing agency to refuse to license any individual under sub. (3) (a) (ar) 1. or to
18 bar or terminate an individual from licensing under sub. (3) (a) (ar) 1. because the
19 individual was adjudicated delinquent under ch. 938 for an offense other than an
20 exempt offense.

21 **SECTION 704.** 111.335 (4) (c) 1. (intro.) of the statutes is amended to read:

22 111.335 (4) (c) 1. (intro.) If a licensing agency refuses to license an individual
23 under sub. (3) (a) (ar) 1. or bars or terminates an individual from licensing under sub.
24 (3) (a) (ar) 1., the licensing agency shall, subject to subd. 2., do all of the following:

25 **SECTION 705.** 111.335 (4) (e) of the statutes is amended to read:

1 111.335 (4) (e) A state licensing agency that may refuse to license individuals
2 under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate an individual from licensure
3 under sub. (3) ~~(a)~~ (ar) 1. shall publish on the agency's Internet site a document
4 indicating the offenses or kinds of offenses that may result in such a refusal, bar, or
5 termination.

6 **SECTION 706.** 111.335 (4) (f) 1. of the statutes is amended to read:

7 111.335 (4) (f) 1. A state licensing agency that may refuse to license individuals
8 under sub. (3) ~~(a)~~ (ar) 1. or that may bar or terminate individuals from licensing
9 under sub. (3) ~~(a)~~ (ar) 1. shall allow an individual who does not possess a license to,
10 without submitting a full application and without paying the fees applicable to
11 applicants, apply to the agency for a determination of whether the individual would
12 be disqualified from obtaining the license due to his or her conviction record.

13 **SECTION 707.** 950.04 (1v) (g) of the statutes is amended to read:

14 950.04 (1v) (g) To have reasonable attempts made to notify the victim of
15 hearings or court proceedings, as provided under ss. 302.113 (9g) (g) 2., 302.114 (6),
16 938.27 (4m) and (6), 938.273 (2), 971.095 (3) ~~and~~, 972.14 (3) (b), and 973.015 (1m) (c).

17 **SECTION 708.** 973.015 (1b) of the statutes is created to read:

18 973.015 (1b) In this section, "record" means a criminal case file.

19 **SECTION 709.** 973.015 (1m) (a) 1. of the statutes is renumbered 973.015 (1m)
20 (a) 1. (intro.) and amended to read:

21 973.015 (1m) (a) 1. (intro.) Subject to subd. 2. ~~and except as provided in subd.~~
22 ~~3., when a person is under the age of 25 at the time of the commission of an offense~~
23 ~~for which the person has been found guilty in a court for violation of a law for which~~
24 ~~the maximum period of imprisonment is 6 years or less, the, a court may order at the~~
25 ~~time of sentencing~~ after a conviction that the record a criminal case be expunged

1 ~~upon successful completion of the sentence if the court determines the person will~~
2 ~~benefit and society will not be harmed by this disposition. by one of the following~~
3 ~~methods:~~

4 (d) This subsection does not apply to information maintained by the
5 department of transportation regarding a conviction that is required to be included
6 in a record kept under s. 343.23 (2) (a).

7 **SECTION 710.** 973.015 (1m) (a) 1. a. and b. of the statutes are created to read:

8 973.015 (1m) (a) 1. a. Except as provided in subd. 3., the court may order at the
9 time of sentencing that the record be expunged upon successful completion of the
10 sentence if the court determines that the person has not previously had a record
11 expunged under this section and that the person will benefit and society will not be
12 harmed by this disposition.

13 b. If at least one year has passed since the person successfully completed his
14 or her sentence, the person may file a petition in the county of conviction requesting
15 that the record be expunged. Upon receipt of the petition, the court shall review the
16 petition to determine if the person is ineligible to petition for expungement because
17 subd. 3. or 4. applies, less than one year has passed since the person successfully
18 completed his or her sentence, there are criminal charges pending against the
19 person, the person has previously had a record expunged under this section, or the
20 person has exceeded the maximum number of petitions allowed under this subd. 1.

21 b. If the court determines the person is eligible to petition for expungement, the court
22 shall forward the petition to the district attorney. If the district attorney requests
23 a hearing within 90 days after the court forwards the petition, the court shall
24 schedule a hearing to review the petition. If the district attorney waives the hearing
25 or at least 90 days have passed since the court forwarded the petition, the court may

1 review the petition with or without a hearing. If a hearing is scheduled, then if
2 practicable, the sentencing judge shall be the judge to review the petition. The court
3 may order that the record be expunged if the court determines the person will benefit
4 and society will not be harmed by this disposition. If the court does not order the
5 record be expunged under this subd. 1. b., the person may file a 2nd petition under
6 this subd. 1. b. only if at least 2 years have passed since he or she filed the first
7 petition. No person may file more than 2 petitions per record under this subd. 1. b.
8 For a 2nd petition regarding the same record, the person shall pay to the clerk of
9 circuit court a \$100 fee to be retained for the use of the county.

10 **SECTION 711.** 973.015 (1m) (a) 3. a. of the statutes is amended to read:

11 973.015 **(1m)** (a) 3. a. A Class H felony, if the person has, in his or her lifetime,
12 been convicted of a prior felony offense, or if the felony is a violent offense, as defined
13 in s. 301.048 (2) (bm), or is a violation of s. ~~940.32~~, 948.03 (2), (3), or (5) (a) 1., 2., 3.,
14 or 4., or 948.095.

15 **SECTION 712.** 973.015 (1m) (a) 3. c., cg., cr. and d. and 4. of the statutes are
16 created to read:

17 973.015 **(1m)** (a) 3. c. A crime for which the maximum period of imprisonment
18 is more than 6 years.

19 cg. A violation of s. 940.32 or 943.14 or, if the court noted in the record that the
20 property damaged was a business, a violation of s. 943.01.

21 cr. A violation of a temporary restraining order or injunction issued under s.
22 813.12 (3) or (4).

23 d. A violation of chs. 341 to 348.

24 4. The court may order at the time of sentencing that the record is ineligible
25 for expungement.

1 **SECTION 713.** 973.015 (1m) (b) of the statutes is amended to read:

2 973.015 **(1m)** (b) ~~—A—~~ For purposes of par. (a), a person has successfully
3 completed the sentence if the person has completed all periods of incarceration,
4 parole, or extended supervision to which he or she was sentenced; the person has paid
5 all fines, costs, fees, surcharges, and restitution assessed and has completed any
6 court-ordered community service; the person has not been convicted of a subsequent
7 offense crime; and, if ~~on~~ probation was imposed, the probation has not been revoked
8 and the probationer has satisfied the conditions of probation. Upon successful
9 completion of the a sentence involving incarceration or probation, the detaining or
10 probationary authority shall issue and forward to the court of record a certificate of
11 discharge which shall be forwarded to the court of record and which shall have the
12 effect of expunging the record that indicates whether the person successfully
13 completed his or her sentence. If the court has ordered the record expunged under
14 par. (a) 1. a. or 2. and the person has successfully completed the sentence, the person's
15 record shall be expunged as ordered. If the person has been imprisoned incarcerated,
16 the detaining authority shall also forward a copy of the certificate of discharge to the
17 department.

18 **SECTION 714.** 973.015 (1m) (c) of the statutes is created to read:

19 973.015 **(1m)** (c) Upon receipt of a petition under par. (a) 1. b., the district
20 attorney shall make a reasonable attempt to notify the victim, as defined in s. 950.02
21 (4), of the petition. In the notice, the district attorney shall inform the victim that
22 he or she may waive the hearing requirement and that, if waived, the court may
23 review the petition without a hearing. The district attorney shall inform the victim
24 of the manner in which he or she may provide written statements concerning the
25 petition and, if the victim does not waive the hearing requirement, that he or she may

1 appear at the hearing. If the victim waives the hearing requirement, the district
2 attorney may inform the court that there is no objection to waiving the hearing
3 requirement. Notwithstanding the confidentiality of victim address information
4 obtained under s. 302.113 (9g) (g) 3., a district attorney who is required to make a
5 reasonable attempt to notify a victim under this paragraph may obtain from the clerk
6 of the circuit court the victim address information that the victim provided to the
7 clerk under s. 302.113 (9g) (g) 3.

8 **SECTION 715.** 973.015 (4) of the statutes is created to read:

9 973.015 (4) A record of a crime expunged under this section is not considered
10 a conviction for employment purposes or for purposes of the issuance of a license, as
11 defined in s. 111.32 (10), by a licensing agency, as defined in s. 111.32 (11). This
12 subsection does not apply to the extent that its application conflicts with federal law.

13 **SECTION 716.** 973.25 (1) (a) of the statutes is amended to read:

14 973.25 (1) (a) “Certificate of qualification for employment” means a certificate
15 issued by the council on offender employment that provides an offender with relief
16 from a collateral sanction, except that it does not provide relief from s. 48.685 (5m),
17 50.065 (4m), or 111.335 (3) ~~(a)~~ (ar), (b), (c), or (e) or (4) (h) or (i).

18 **SECTION 9351. Initial applicability; Other.**

19 (1ex) EXPUNGEMENT. The treatment of s. 973.015 (1m) (a) 3. a., c., cg., cr., and
20 d. and 4., (b), and (c), the renumbering and amendment of s. 973.015 (1m) (a) 1., and
21 the creation of s. 973.015 (1m) (a) 1. a. and b. first apply to any conviction for which
22 sentencing has occurred but for which the record has not been ordered expunged on
23 the effective date of this subsection.

24 **SECTION 9451. Effective dates; Other.**

1 (1ex) EXPUNGEMENT. The treatment of ss. 111.335 (3) (a), (ah), and (g) and (4)
2 (b), (c) 1. (intro.), (e), and (f) 1., 950.04 (1v) (g), 973.015 (1b), (1m) (a) 3. a., c., cg., cr.,
3 and d. and 4., (b), and (c), and (4), and 973.25 (1) (a), the renumbering and
4 amendment of s. 973.015 (1m) (a) 1., the creation of s. 973.015 (1m) (a) 1. a. and b.,
5 and SECTION 9351 (1ex) of this act take effect on the first day of the 13th month
6 beginning after publication.”.

7 **283.** Page 374, line 11: after that line insert:

8 “SECTION 717. 20.005 (3) (schedule) of the statutes: at the appropriate place,
9 insert the following amounts for the purposes indicated:

	2023-24	2024-25
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10 **20.455 Justice, department of**

11 (5) LAW ENFORCEMENT SERVICES

12 (bf) Grants to provide services to

crime victims.	GPR	C	5,000,000	5,000,000
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14 **SECTION 718.** 20.455 (5) (bf) of the statutes is created to read:

15 20.455 (5) (bf) *Grants to provide services to crime victims.* As a continuing
16 appropriation, the amounts in the schedule to provide grants under s. 165.935 for
17 crime victim service programs.

18 **SECTION 719.** 165.935 of the statutes is created to read:

19 **165.935 Grants for crime victim services.** The department of justice shall
20 award grants from the appropriation under s. 20.455 (5) (bf) to organizations that
21 provide services for crime victims.”.

22 **284.** Page 374, line 11: after that line insert:

23 “SECTION 720. 978.03 (1m) of the statutes is amended to read:

1 978.03 **(1m)** The district attorney of any prosecutorial unit having a population
2 of 200,000 or more but less than 750,000 may appoint ~~3~~ 4 deputy district attorneys
3 and such assistant district attorneys as may be requested by the department of
4 administration and authorized in accordance with s. 16.505. The district attorney
5 shall rank the deputy district attorneys for purposes of carrying out duties under this
6 section. The deputies, according to rank, may perform any duty of the district
7 attorney, under the district attorney's direction. In the absence or disability of the
8 district attorney, the deputies, according to rank, may perform any act required by
9 law to be performed by the district attorney. Any such deputy must have practiced
10 law in this state for at least 2 years prior to appointment under this section.”.

11 **285.** Page 374, line 11: after that line insert:

12 “**SECTION 1.** 977.08 (4m) (d) of the statutes is amended to read:

13 977.08 **(4m)** (d) Unless otherwise provided by a rule promulgated under s.
14 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
15 January 1, 2020, and before July 1, 2023, private local attorneys shall be paid \$70
16 per hour for time spent related to a case, excluding travel, and \$25 per hour for time
17 spent in travel related to a case if any portion of the trip is outside the county in which
18 the attorney's principal office is located or if the trip requires traveling a distance of
19 more than 30 miles, one way, from the attorney's principal office.

20 **SECTION 2.** 977.08 (4m) (e) of the statutes is created to read:

21 977.08 **(4m)** (e) Unless otherwise provided by a rule promulgated under s.
22 977.02 (7r) or by a contract authorized under sub. (3) (f), for cases assigned on or after
23 July 1, 2023, private local attorneys shall be paid \$100 per hour for time spent related
24 to a case, excluding travel, and \$50 per hour for time spent in travel related to a case

1 if any portion of the trip is outside the county in which the attorney's principal office
2 is located or if the trip requires traveling a distance of more than 30 miles, one way,
3 from the attorney's principal office.”.

4 **286.** Page 374, line 11: after that line insert:

5 **“SECTION 9133. Nonstatutory provisions; Public Defender Board.**

6 (1) PROGRAMMATIC FUNDING REALIGNMENT. Transfer funding annually within
7 the State Public Defender Board GPR program operation appropriation between
8 private bar and investigator reimbursement (-\$622,800 GPR) and transcripts,
9 discovery, and interpreter costs (\$622,800 GPR) in order to align budgeted funding
10 with programmatic expenditures.”.

11 **287.** Page 374, line 11: after that line insert:

12 **“SECTION 9101. Nonstatutory provisions; Administration.**

13 (1) PAY PROGRESSION CAPS; DEPUTY AND ASSISTANT DISTRICT ATTORNEYS AND
14 ASSISTANT STATE PUBLIC DEFENDERS.

15 (a) *Deputy and assistant district attorneys.* Notwithstanding s. 230.12 (10) (c),
16 during the 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12
17 (10) (c) for a deputy or assistant district attorney may exceed 10 percent of the deputy
18 or assistant district attorney's base pay.

19 (b) *Assistant state public defenders.* Notwithstanding s. 230.12 (11) (c), during
20 the 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12 (11) (c)
21 for an assistant state public defender may exceed 10 percent of the assistant public
22 defender's base pay.”.

23 **288.** Page 374, line 11: after that line insert:

24 **“SECTION 9101. Nonstatutory provisions; Administration.**

1 (1) PAY PROGRESSION CAPS; ASSISTANT ATTORNEYS GENERAL

2 (a) *Assistant attorneys general*. Notwithstanding s. 230.12 (12) (c), during the
3 2023-24 and 2024-25 fiscal years, a salary adjustment under s. 230.12 (12) (c) for
4 an assistant attorney general may exceed 10 percent of the assistant attorney
5 general's base pay.”.

6 **289.** Page 374, line 11: after that line insert:

7 **“SECTION 9127. Nonstatutory provisions; Justice.**

8 (1v) POSITION REALIGNMENT. Adjust funding of \$360,300 FED and -\$360,300 PR
9 annually to reflect the duties and funding sources of existing positions.

10 (2v) PROGRAM REVENUE REESTIMATES. Provide \$2,803,400 annually to reflect
11 current revenue projections and estimated program needs for the following program
12 revenue appropriations:

13 (a) -\$300,000 annually for the terminal charges annual appropriation.
14 Expenditures are estimated to reflect revenue available for the TIME (transaction
15 information for the management of enforcement) system. Base funding for the
16 appropriation is \$2,695,200.

17 (b) -\$7,500 annually for the grants for substance abuse treatment programs
18 for criminal offenders continuing appropriation. Expenditures are estimated to
19 address an estimated \$1,491,400 deficit in the appropriation at the end of 2022-23.
20 Base funding for the appropriation is \$7,500.

21 (c) \$15,000 annually for the legal services delinquent obligation collection
22 annual appropriation. Expenditures are estimated to reflect estimated expenditures
23 in the 2023-25 biennium. Base funding for the appropriation is \$10,000.

1 (d) \$45,900 annually for the crime laboratory equipment and supplies annual
2 appropriation. Expenditures are estimated to reflect an increased transfer from the
3 DNA surcharge. Base funding for the appropriation is \$854,100.

4 (e) \$75,000 annually for the law enforcement training fund, local assistance
5 annual appropriation. Estimated expenditures are associated with payments for
6 new recruit, recertification and specialized training to local law enforcement
7 agencies, technical colleges, and jail or secure detention agencies. Base funding for
8 the appropriation is \$4,425,000.

9 (f) \$80,000 annually for the legal services environment litigation project
10 continuing appropriation. Expenditures are estimated to reflect an updated
11 memorandum of understanding with the department of natural resources. Base
12 funding for the appropriation is \$617,600.

13 (g) \$100,000 annually for the law enforcement services gifts, and grants annual
14 appropriation. Expenditures are estimated to reflect anticipated revenue. Base
15 funding for the appropriation is \$0.

16 (h) \$320,000 annually for the handgun purchaser record check; checks for
17 licenses or certifications to carry concealed weapons continuing appropriation.
18 Expenditures are estimated to reflect anticipated revenue. Base funding for the
19 appropriation is \$2,948,800.

20 (i) \$350,000 annually for the law enforcement training fund, state operations
21 annual appropriation. Expenditures are estimated to maintain expenditure
22 authority for law enforcement trainings, due to reductions taken in the position
23 realignment item. Base funding for the appropriation is \$3,482,400.

24 (j) \$525,000 annually for the administrative services gifts, grants, and proceeds
25 annual appropriation. Expenditures are estimated to support trainings, conferences

1 and other administrative services and supplies that collect proceeds and non-federal
2 grant revenues. Base funding for the appropriation is \$0.

3 (k) \$600,000 annually for the legal services interagency and intra-agency
4 assistance continuing appropriation. Expenditures are estimated to reflect an
5 updated memoranda of understanding with other state agencies. Base funding for
6 the appropriation is \$2,041,300.

7 (l) \$1,000,000 annually for the legal services restitution continuing
8 appropriation. Expenditures are estimated to reflect anticipated revenues. Base
9 funding for the appropriation is \$0.”.

10 **290.** Page 374, line 12: before that line insert:

11 “SECTION 721. 5.056 of the statutes is amended to read:

12 **5.056 Matching program with secretary of transportation.** The
13 commission administrator shall enter into the agreement with the secretary of
14 transportation specified under s. 85.61 (1) to match personally identifiable
15 information on the official registration list maintained by the commission under s.
16 6.36 (1) and the information specified in s. ss. 6.256 (2) and 6.34 (2m) with personally
17 identifiable information maintained by the department of transportation. Subject
18 to s. 343.14 (2p) (b), the agreement shall provide for the electronic transfer of
19 information under s. 6.256 (2) to the commission on a continuous basis, no less often
20 than weekly.

21 SECTION 722. 6.256 of the statutes is created to read:

22 **6.256 Facilitating registration of electors.** (1) The commission shall use
23 all feasible means to facilitate the registration of all eligible electors of this state and

1 the maintenance of the registration of all eligible electors for so long as they remain
2 eligible.

3 **(2)** Subject to s. 343.14 (2p) (b), for the purpose of carrying out its functions
4 under sub. (1), the commission shall obtain the following information from the
5 department of transportation, to the extent that the department has the
6 information:

7 (a) The full name of each individual who holds a current operator's license
8 issued to the individual under ch. 343 or a current identification card issued to the
9 individual under s. 343.50, together with the following information pertaining to
10 that individual:

11 1. The current address of the individual together with any address history and
12 any name history maintained by the department of transportation.

13 2. The date of birth of the individual.

14 3. The number of the license or identification card issued to the individual.

15 4. A copy of each document that the applicant provided as proof of citizenship
16 and a statement from the department of transportation indicating that the
17 department verified the applicant's citizenship.

18 (b) For each item of information specified in par. (a), the most recent date that
19 the item of information was provided to or obtained by the department of
20 transportation.

21 **(3)** The commission shall compare the information obtained under sub. (2) with
22 the information in the registration list under s. 6.36 (1) (a). If the commission finds
23 any discrepancy between the information obtained under sub. (2) regarding an
24 elector and the information in the registration list under s. 6.36 (1) (a) regarding that
25 elector, the commission shall attempt to contact the elector to resolve the discrepancy

1 and update the registration list accordingly. If the commission is unable to resolve
2 the discrepancy, the information in the registration list shall control.

3 (4) If the commission concludes that an individual appears eligible to vote in
4 this state but is not registered and the commission has obtained from reliable sources
5 all the information required under s. 6.33 (1) to complete the individual's
6 registration, the commission shall enter the individual's name on the registration list
7 maintained under s. 6.36 (1) (a). If the commission has not obtained from reliable
8 sources all the information pertaining to an individual that is required under s. 6.33
9 (1), the commission shall attempt to obtain from reliable sources the necessary
10 information under s. 6.33 (1) that is required to complete the individual's
11 registration. If an elector's status has been changed from eligible to ineligible under
12 s. 6.50 and the elector's eligibility, name, or residence has not changed, the
13 commission may not change the individual's name to eligible status unless the
14 commission first verifies that the individual is eligible and wishes to change his or
15 her status to eligible.

16 (5) The commission shall attempt to contact an individual described in sub. (4)
17 if necessary to obtain all the information specified in s. 6.33 (1) pertaining to the
18 individual that is required to complete the individual's registration.

19 (6) The commission shall mail a notice to each individual whose name the
20 commission enters under sub. (4) on the registration list maintained under s. 6.36
21 (1) (a). The notice shall be printed in English, Spanish, and other languages spoken
22 by a significant number of state residents, as determined by the commission, and
23 shall include all of the following:

1 (a) A statement informing the individual that his or her name has been entered
2 on the registration list and showing the current address for the individual based on
3 the commission's records.

4 (b) A statement informing the individual that he or she may request to have
5 his or her name deleted from the registration list and instructions for doing so.

6 (c) Instructions for notifying the commission of a change in name or address.

7 (d) Instructions for obtaining a confidential listing under s. 6.47 (2) and a
8 description of how an individual qualifies for a confidential listing.

9 **(7)** Any individual may file a request with the commission to exclude his or her
10 name from the registration list maintained under s. 6.36 (1) (a). Any individual
11 whose name is added to the registration list by the commission may file a request
12 with the commission or a municipal clerk to have his or her name deleted from the
13 list. A request for exclusion or deletion shall be filed in the manner prescribed by the
14 commission. An individual who files an exclusion or deletion request under this
15 subsection may revoke his or her request by the same means that an individual may
16 request an exclusion or deletion. The commission shall ensure that the name of any
17 individual who has filed an exclusion or deletion request under this subsection is
18 excluded from the registration list or, if the individual's name appears on the list, is
19 removed from the registration list and is not added to the list at any subsequent time
20 unless the individual files a revocation of his or her request under this subsection.

21 **(8)** If the commission removes from the registration list maintained under s.
22 6.36 (1) (a) the name of an elector who does not request that his or her name be
23 deleted, or changes the elector's status from eligible to ineligible, other than to
24 correct an entry that the commission determines to be a duplication or to change the
25 name of an individual who is verified to be deceased to ineligible status, the

1 commission shall mail the individual a notice of the removal or change in status by
2 1st class postcard at the individual's last-known address. The notice shall provide
3 that the individual may apply to have his or her status changed to eligible if he or
4 she is a qualified elector.

5 (9) The commission shall attempt to facilitate the initial registration of all
6 eligible electors as soon as practicable.

7 (10) The commission shall maintain the confidentiality of all information
8 obtained from the department of transportation under sub. (2) and may use this
9 information only for the purpose of carrying out its functions under sub. (1) and s.
10 6.34 (2m) and in accordance with the agreement under s. 85.61 (1).

11 **SECTION 723.** 16.971 (2) (o) of the statutes is created to read:

12 16.971 (2) (o) Assist the elections commission with information technology
13 systems development for purposes of facilitating the registration of eligible electors
14 under s. 6.256.”.

15 **291.** Page 422, line 19: after “BRIDGE.” insert “(a)”.

16 **292.** Page 422, line 24: after that line insert:

17 “(b) Notwithstanding eligibility requirements for receiving aid or limitations
18 on the amount and use of aid provided under s. 84.18, in the 2023-24 fiscal year, from
19 the appropriation under s. 20.395 (2) (eq), the department of transportation shall set
20 aside \$1,200,000 for repairs to the Ray Nitschke Memorial Bridge in Brown County.”.

21 **293.** Page 423, line 10: delete lines 10 to 19.

22 **294.** Page 423, line 20: delete lines 20 to 23.

23 (END)