



1999 ASSEMBLY BILL 725

February 8, 2000 - Introduced by Representatives F. LASEE, STONE, DUFF, STASKUNAS, MUSSER, RYBA, PETTIS, GOETSCH, AINSWORTH, NASS and SKINDRUD, cosponsored by Senators A. LASEE, HUELSMAN and ROSENZWEIG. Referred to Committee on Financial Institutions.

1 **AN ACT to renumber** 343.345; **to amend** 13.64 (2), 93.06 (8), 93.11 (1), 94.65 (3)
2 (c) 1., 94.66 (8), 95.72 (2) (c) 5., 99.02 (1), 103.275 (2) (b) (intro.), 105.13 (1),
3 165.85 (3) (c), 165.85 (3) (cm), 165.85 (4) (d), 165.85 (4) (f), 343.345 (title), 343.69,
4 442.12 (7), 445.13 (2), 446.05 (2) and 449.07 (3); and **to create** 13.63 (1) (d),
5 29.024 (2m), 93.137, 101.02 (21) (cm), 103.275 (2) (bs), 103.91 (4) (d), 105.13 (4),
6 115.32, 118.19 (1s), 138.09 (3) (am) 5., 138.09 (4) (d), 146.51 (4), 165.85 (3s),
7 224.72 (7m) (d), 224.77 (6s), 250.041 (4), 299.08 (3), 343.345 (2), 343.675 (3),
8 440.01 (1) (gs), 440.14, 551.34 (1m) (d), 562.05 (5) (a) 11., 562.05 (8) (f), 628.097
9 (1) (c), 628.10 (2) (cs), 632.68 (2) (bm) 3., 632.68 (3) (b) 3. and 751.15 (4) of the
10 statutes; **relating to:** suspension of licenses, permits and other credentials for
11 failure to pay student loans.

Analysis by the Legislative Reference Bureau

Under current law, the department of regulation and licensing, examining and affiliated credentialing boards and many other state agencies, departments and boards issue licenses, permits, certificates or other credentials for professional or occupational purposes. Current law prohibits those agencies, departments and

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boards from issuing or renewing a professional or occupational license, permit, certificate or other credential if the individual fails to provide his or her social security number or fails to pay child, family or spousal support ordered by a court or if the individual is delinquent in the payment of taxes. The agencies, departments and boards are required by current law to limit, restrict or suspend the professional or occupational license, permit, certificate or other credential if the individual fails to provide his or her social security number or fails to pay child, family or spousal support ordered by a court or if the individual is delinquent in the payment of taxes.

This bill would prohibit state agencies, departments and boards from issuing or renewing a professional or occupational license, permit, certificate or other credential if the individual is in default (more than 120 days past due on the payment) on a student loan. The agency, department or board is required to notify the individual that the license, permit, certificate or other credential will not be issued or renewed until the individual is not in default on the loan. The bill requires the agencies, departments and boards to limit, restrict or suspend the professional or occupational license, permit, certificate or other credential if the individual is in default on a student loan 90 days after the notice of the default is mailed to the individual. The bill also asks the supreme court to promulgate rules that deny, suspend, restrict or refuse to renew a license to practice law if the individual is in default on a student loan.

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

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

1 **SECTION 1.** 13.63 (1) (d) of the statutes is created to read:

2 13.63 (1) (d) The board shall refuse to issue a license or shall suspend any
3 existing license of an applicant or licensee who is in default on a student loan, as
4 defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a
5 payment of a student loan, the individual shall be considered in default on the
6 student loan. The board shall mail the individual written notice that he or she is in
7 default and that his or her request for a license will be refused until he or she is not
8 in default or that his or her license will be suspended if the default continues for more
9 than 90 days after the board mails the notice.

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1 **SECTION 2.** 13.64 (2) of the statutes, as affected by 1999 Wisconsin Act 9, is
2 amended to read:

3 13.64 (2) The registration shall expire on December 31 of each even-numbered
4 year. Except as provided in sub. (2m), the board shall refuse to accept a registration
5 statement filed by an individual who does not provide his or her social security
6 number. The board shall refuse to accept a registration statement filed by an
7 individual or shall suspend any existing registration of an individual for failure of
8 the individual or registrant to pay court-ordered payments of child or family
9 support, maintenance, birth expenses, medical expenses or other expenses related
10 to the support of a child or former spouse or failure of the individual or registrant to
11 comply, after appropriate notice, with a subpoena or warrant issued by the
12 department of workforce development or a county child support agency under s.
13 59.53 (5) and related to paternity or child support proceeding, as provided in a
14 memorandum of understanding entered into under s. 49.857. The board shall refuse
15 to accept a registration statement filed by an individual who is in default on a student
16 loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due
17 on a payment of a student loan, the individual shall be considered in default on the
18 student loan. The board shall mail the individual written notice that he or she is in
19 default and that his or her registration statement will be refused until he or she is
20 not in default. If all lobbying by or on behalf of the principal which is not exempt
21 under s. 13.621 ceases, the board shall terminate the principal's registration and any
22 authorizations under s. 13.65 as of the day after the principal files a statement of
23 cessation and expense statements under s. 13.68 for the period covering all dates on
24 which the principal was registered. Refusal to accept a registration statement or

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1 suspension of an existing registration pursuant to a memorandum of understanding
2 under s. 49.857 is not subject to review under ch. 227.

3 **SECTION 3.** 29.024 (2m) of the statutes is created to read:

4 29.024 **(2m)** DENIAL AND REVOCATION OF APPROVALS BASED ON STUDENT LOAN
5 DEFAULT. The department shall deny an application to issue or renew, or revoke if
6 already issued, an approval listed in sub. (2r) if the applicant for or the holder of the
7 approval is in default on a student loan, as defined in s. 440.01 (1) (gs). If the
8 individual is more than 120 days past due on a payment of a student loan, the
9 individual shall be considered in default on the student loan. The department shall
10 mail the individual written notice that he or she is in default and that his or her
11 request for an approval will be refused until he or she is not in default or that his or
12 her license will be revoked if the default continues for more than 90 days after the
13 department mails the notice. For purposes of this subsection, an application for a
14 duplicate of an approval listed in sub. (2r) shall be considered an application for the
15 issuance of the approval.

16 **SECTION 4.** 93.06 (8) of the statutes is amended to read:

17 93.06 **(8)** PRESCRIBE CONDITIONS OF LICENSES. Except as provided in ~~s. ss. 93.135~~
18 and 93.137, issue any permit, certificate, registration or license on a temporary or
19 conditional basis, contingent upon pertinent circumstances or acts. If the temporary
20 or conditional permit, certificate, registration or license is conditioned upon
21 compliance with chs. 93 to 100, ch. 127, a rule promulgated by the department or a
22 regulation adopted under s. 97.41 (7) within a specified period of time and the
23 condition is not met within the specified period, the permit, certificate, registration
24 or license shall be void.

25 **SECTION 5.** 93.11 (1) of the statutes is amended to read:

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1 93.11 (1) Except as provided in s. ss. 93.135 and 93.137, the department, upon
2 presentation of satisfactory evidence that the applicant is competent, may issue a
3 license to any person to certify the grade of food products or farm products or of
4 receptacles therefor, for which standards have become effective under s. 93.09. The
5 purpose of such certification may be either to enforce the standard or merely to
6 furnish to an interested party an official statement of the grade. A certificate issued
7 under this section, unless superseded by a finding as provided in sub. (4), shall be
8 accepted in any court of this state as prima facie evidence of the facts to which the
9 certificate relates.

10 **SECTION 6.** 93.137 of the statutes is created to read:

11 **93.137 License denial, nonrenewal, suspension or restriction based on**
12 **failure to pay student loans.** The department shall deny an application for the
13 issuance or renewal of a license, registration, registration certificate or certification
14 specified in s. 93.135 (1) or shall suspend or restrict a license, registration,
15 registration certificate or certification specified in s. 93.135 (1) if the applicant for or
16 the holder of the license, registration, registration certificate or certification is in
17 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more
18 than 120 days past due on a payment of a student loan, the individual shall be
19 considered in default on the student loan. The department shall mail the individual
20 written notice that he or she is in default and that his or her application will be
21 refused until he or she is not in default or that his or her license, registration,
22 registration certificate or certification will be suspended or restricted if the default
23 continues for more than 90 days after the department mails the notice.

24 **SECTION 7.** 94.65 (3) (c) 1. of the statutes is amended to read:

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1 94.65 (3) (c) 1. Except as provided in s. ss. 93.135 and 93.137, if the department
2 finds that the applicant has fulfilled the requirements of par. (b), the department
3 shall issue a permit.

4 **SECTION 8.** 94.66 (8) of the statutes is amended to read:

5 94.66 (8) Except as provided in s. ss. 93.135 and 93.137, the department may
6 revoke a license, after reasonable notice, only for wilful failure to comply with any
7 of the provisions of this section and in the event the license is revoked the licensee
8 may have the order of revocation reviewed by the circuit court of the county wherein
9 the producing plant is located and the review by the court shall be of all questions
10 therein whether of fact or law; any such appeal must be taken within 20 days of the
11 date of the service of the order of revocation upon the licensee.

12 **SECTION 9.** 95.72 (2) (c) 5. of the statutes is amended to read:

13 95.72 (2) (c) 5. Subject to s. ss. 93.135 and 93.137, a person may renew a license
14 by submitting the required license fee and renewal form.

15 **SECTION 10.** 99.02 (1) of the statutes is amended to read:

16 99.02 (1) APPLICATION. Except as provided in sub. (2), no person may operate
17 a warehouse, including a cold storage warehouse, for the storage of property as bailee
18 for hire without a public warehouse keeper's license. A person desiring a public
19 warehouse keeper's license shall apply on a form furnished by the department and
20 shall set forth the location, size, character and equipment of the building or premises
21 to be used by the applicant, the kinds of goods intended to be stored, the name of each
22 partner if a partnership or of each member if a limited liability company, the names
23 of the officers if a corporation, and such other facts as the department requires to
24 show that the property proposed to be used is suitable for a warehouse and that the
25 applicant is qualified as a public warehouse keeper. Subject to s. ss. 93.135 and

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1 93.137, if the property proposed to be used is suitable for a public warehouse and the
2 applicant is otherwise qualified, a license shall be issued upon payment of the license
3 fee under sub. (3) and the filing of security or insurance as required under s. 99.03.

4 **SECTION 11.** 101.02 (21) (cm) of the statutes is created to read:

5 101.02 (21) (cm) The department shall deny an application to issue or renew
6 a license if the applicant for or the holder of the license is in default on a student loan,
7 as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on
8 a payment of a student loan, the individual shall be considered in default on the
9 student loan. The department shall mail the individual written notice that he or she
10 is in default and that his or her request for a license will be refused until he or she
11 is not in default.

12 **SECTION 12.** 103.275 (2) (b) (intro.) of the statutes is amended to read:

13 103.275 (2) (b) (intro.) Except as provided under pars. (bm) ~~and~~, (br) and (bs),
14 upon receipt of a properly completed application, the department shall issue a
15 house-to-house employer certificate if all of the following apply:

16 **SECTION 13.** 103.275 (2) (bs) of the statutes is created to read:

17 103.275 (2) (bs) The department shall deny an application to issue or renew,
18 or suspend if already issued, a house-to-house certificate if the applicant for or the
19 holder of the certificate is in default on a student loan, as defined in s. 440.01 (1) (gs).
20 If the individual is more than 120 days past due on a payment of a student loan, the
21 individual shall be considered in default on the student loan. The department shall
22 mail the individual written notice that he or she is in default and that his or her
23 request for a certificate will be refused until he or she is not in default or that his or
24 her certificate will be suspended if the default continues for more than 90 days after
25 the department mails the notice.

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1 **SECTION 14.** 103.91 (4) (d) of the statutes is created to read:

2 103.91 (4) (d) The department shall deny, suspend, restrict, refuse to renew or
3 otherwise withhold a certificate of registration under sub. (1) if the applicant or
4 registrant is in default on a student loan, as defined in s. 440.01 (1) (gs). If the
5 individual is more than 120 days past due on a payment of a student loan, the
6 individual shall be considered in default on the student loan. The department shall
7 mail the individual written notice that he or she is in default and that his or her
8 request for a certificate will be refused until he or she is not in default or that his or
9 her certificate will be suspended or restricted if the default continues for more than
10 90 days after the department mails the notice.

11 **SECTION 15.** 105.13 (1) of the statutes is amended to read:

12 105.13 (1) The department may issue licenses to employment agents, and
13 refuse to issue a license whenever, after investigation, the department finds that the
14 character of the applicant makes the applicant unfit to be an employment agent, that
15 the applicant has failed to pay court-ordered payments as provided in sub. (2) or, that
16 the applicant is liable for delinquent taxes as provided in sub. (3), that the applicant
17 is in default on a student loan as provided in sub. (4) or when the premises for
18 conducting the business of an employment agent is found upon investigation to be
19 unfit for such use. Any license granted by the department may be suspended or
20 revoked by it upon notice to the licensee and good cause. Failure to comply with this
21 chapter and rules promulgated thereunder, or with any lawful orders of the
22 department, is cause to suspend or revoke a license. Failure to pay court-ordered
23 payments as provided in sub. (2) is cause to deny, suspend, restrict, refuse to renew
24 or otherwise withhold a license. Liability for delinquent taxes as provided in sub. (3)

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1 is cause to deny or revoke a license. Defaulting on a student loan as provided in sub.
2 (4) is cause to deny, suspend, restrict or renew or otherwise withhold a license.

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

4 105.13 (4) The department shall deny, suspend, restrict, refuse to renew or
5 otherwise withhold an employment agent's license if the applicant or licensee is in
6 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more
7 than 120 days past due on a payment of a student loan, the individual shall be
8 considered in default on the student loan. The department shall mail the individual
9 written notice that he or she is in default and that his or her request for a license will
10 be refused until he or she is not in default or that his or her license will be suspended
11 or restricted if the default continues for more than 90 days after the department
12 mails the notice.

13 **SECTION 17.** 115.32 of the statutes is created to read:

14 **115.32 License restriction or restriction; student loan default.** The
15 department shall restrict or suspend a license or permit granted by the department
16 if the applicant for or the holder of the license is in default on a student loan, as
17 defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a
18 payment of a student loan, the individual shall be considered in default on the
19 student loan. The department shall mail the individual written notice that he or she
20 is in default and that his or her request for a license or permit will be suspended or
21 restricted if the default continues for more than 90 days after the department mails
22 the notice.

23 **SECTION 18.** 118.19 (1s) of the statutes is created to read:

24 118.19 (1s) The department of public instruction may not issue or renew a
25 license or permit or revalidate a license that has no expiration date if the applicant

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1 is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more
2 than 120 days past due on a payment of a student loan, the individual shall be
3 considered in default on the student loan. The department shall mail the individual
4 written notice that he or she is in default and that his or her request for a license or
5 permit will be refused until he or she is not in default or that his or her license or
6 permit will not be renewed or revalidated if the default continues for more than 90
7 days after the department mails the notice.

8 **SECTION 19.** 138.09 (3) (am) 5. of the statutes is created to read:

9 138.09 (3) (am) 5. The applicant is an individual who is in default on a student
10 loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due
11 on a payment of a student loan, the individual shall be considered in default on the
12 student loan. The division shall mail the individual written notice that he or she is
13 in default and that his or her application will be refused until he or she is not in
14 default.

15 **SECTION 20.** 138.09 (4) (d) of the statutes is created to read:

16 138.09 (4) (d) The division shall suspend a license issued under this section to
17 an individual if the individual is in default on a student loan, as defined in s. 440.01
18 (1) (gs). If the individual is more than 120 days past due on a payment of a student
19 loan, the individual shall be considered in default on the student loan. The division
20 shall mail the individual written notice that he or she is in default and that his or
21 her license will be suspended if the default continues for more than 90 days after the
22 division mails the notice.

23 **SECTION 21.** 146.51 (4) of the statutes is created to read:

24 146.51 (4) The department shall deny an application for the issuance or
25 renewal of a license, training permit or certification specified in sub. (1), shall

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1 suspend a license, training permit or certification specified in sub. (1) or may restrict
2 a license, training permit or certification specified in sub. (1), if the applicant is in
3 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more
4 than 120 days past due on a payment of a student loan, the individual shall be
5 considered in default on the student loan. The department shall mail the individual
6 written notice that he or she is in default and that his or her request for a license or
7 permit will be refused until he or she is not in default or that his or her license,
8 training permit or certification will be suspended or restricted if the default
9 continues for more than 90 days after the department mails the notice.

10 **SECTION 22.** 165.85 (3) (c) of the statutes is amended to read:

11 165.85 (3) (c) Except as provided under ~~sub.~~ subs. (3m) ~~(a)~~ and (3s), certify
12 persons as being qualified under this section to be law enforcement, tribal law
13 enforcement, jail or secure detention officers. Prior to being certified under this
14 paragraph, a tribal law enforcement officer shall agree to accept the duties of law
15 enforcement officers under the laws of this state.

16 **SECTION 23.** 165.85 (3) (cm) of the statutes is amended to read:

17 165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or
18 secure detention officers who terminate employment or are terminated or, who
19 violate or fail to comply with a rule or order of the board relating to curriculum or
20 training, who default on a student loan, who fail to pay court-ordered payments of
21 child or family support, maintenance, birth expenses, medical expenses or other
22 expenses related to the support of a child or former spouse or who fail to comply, after
23 appropriate notice, with a subpoena or warrant issued by the department of
24 workforce development or a county child support agency under s. 59.53 (5) and
25 related to paternity or child support proceedings. The board shall establish

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1 procedures for decertification in compliance with ch. 227, except that decertification
2 for failure to pay court-ordered payments of child or family support, maintenance,
3 birth expenses, medical expenses or other expenses related to the support of a child
4 or former spouse or for failure to comply, after appropriate notice, with a subpoena
5 or warrant issued by the department of workforce development or a county child
6 support agency under s. 59.53 (5) and related to paternity or child support
7 proceedings shall be done as provided under sub. (3m) (a).

8 **SECTION 24.** 165.85 (3s) of the statutes is created to read:

9 165.85 (3s) DUTIES RELATED TO STUDENT LOANS. The board shall refuse
10 certification to an individual who applies for certification under this section, refuse
11 recertification to an individual certified under this section or decertify an individual
12 certified under this section if the individual is in default on a student loan, as defined
13 in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment
14 of a student loan, the individual shall be considered in default on the student loan.
15 The board shall mail the individual written notice that he or she is in default and that
16 his or her request for certification will be refused until he or she is not in default or
17 that his or her recertification will be refused if the default continues for more than
18 90 days after the board mails the notice.

19 **SECTION 25.** 165.85 (4) (d) of the statutes is amended to read:

20 165.85 (4) (d) Except as provided under ~~sub.~~ subs. (3m) (a) and (3s), the board
21 shall issue a certificate evidencing satisfaction of the requirements of pars. (b), (bn)
22 and (c) to any applicant who presents such evidence, as is required by its rules, of
23 satisfactory completion of requirements equivalent in content and quality to those
24 fixed by the board under the board's authority as set out in pars. (b), (bn) and (c).

25 **SECTION 26.** 165.85 (4) (f) of the statutes is amended to read:

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1 165.85 (4) (f) Except as provided under ~~sub.~~ subs. (3m) ~~(a) and (3s)~~, and in
2 addition to certification procedures under pars. (a) to (d), the board may certify any
3 person as being a tribal law enforcement officer on the basis of the person's
4 completion of the training requirements for law enforcement officer certification
5 prior to May 6, 1994. The officer must also meet the agreement requirements under
6 sub. (3) (c) prior to certification as a tribal law enforcement officer.

7 **SECTION 27.** 224.72 (7m) (d) of the statutes is created to read:

8 224.72 (7m) (d) The applicant for the issuance or renewal is an individual who
9 is in default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more
10 than 120 days past due on a payment of a student loan, the individual shall be
11 considered in default on the student loan. The department shall mail the individual
12 written notice that he or she is in default and that his or her request for a certificate
13 of registration will be refused until he or she is not in default or that his or her
14 certificate of registration will not be renewed if the default continues for more than
15 90 days after the department mails the notice.

16 **SECTION 28.** 224.77 (6s) of the statutes is created to read:

17 224.77 (6s) STUDENT LOAN DEFAULT. The department shall restrict or suspend
18 the registration of a mortgage banker, loan originator or mortgage broker if the
19 registrant is an individual who is in default on a student loan, as defined in s. 440.01
20 (1) (gs). If the individual is more than 120 days past due on a payment of a student
21 loan, the individual shall be considered in default on the student loan. The
22 department shall mail the individual written notice that he or she is in default and
23 that his or her registration will be restricted or suspended if the default continues
24 for more than 90 days after the department mails the notice.

25 **SECTION 29.** 250.041 (4) of the statutes is created to read:

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1 250.041 (4) The department shall deny an application for the issuance or
2 renewal of a registration, license, certification, approval, permit or certificate
3 specified in sub. (1) (a), (b), (c), (d) and (f) or may suspend or restrict a registration,
4 license, certification, approval, permit or certificate specified in sub. (1) (a), (b), (c),
5 (d) and (f) if the applicant for or holder of the registration, license, certification,
6 approval, permit or certificate is in default on a student loan, as defined in s. 440.01
7 (1) (gs). If the individual is more than 120 days past due on a payment of a student
8 loan, the individual shall be considered in default on the student loan. The
9 department shall mail the individual written notice that he or she is in default and
10 that his or her request for an approval, certificate, certification, license or
11 registration will be refused until he or she is not in default or that his or her approval,
12 certificate, certification, license or registration will be restricted or suspended if the
13 default continues for more than 90 days after the department mails the notice.

14 **SECTION 30.** 299.08 (3) of the statutes is created to read:

15 299.08 (3) The department shall deny the application for the issuance or
16 renewal of a license, registration or certification specified in sub. (1) (a) 1., 2., 3., 6.
17 or 7., or shall suspend a license, registration or certification specified in sub. (1) (a)
18 1., 2., 3., 6. or 7., of an individual who is in default on a student loan, as defined in
19 s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment of
20 a student loan, the individual shall be considered in default on the student loan. The
21 department shall mail the individual written notice that he or she is in default and
22 that his or her request for a license, registration or certification will be refused until
23 he or she is not in default or that his or her license, registration or certification will
24 be suspended if the default continues for more than 90 days after the department
25 mails the notice.

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1 **SECTION 31.** 343.345 (title) of the statutes is amended to read:

2 **343.345** (title) **Restriction, limitation, denial or suspension of**
3 **operating privilege certain licenses.**

4 **SECTION 32.** 343.345 of the statutes is renumbered 343.345 (1).

5 **SECTION 33.** 343.345 (2) of the statutes is created to read:

6 343.345 (2) The department shall restrict, limit, deny or suspend an
7 individual's commercial driver license if the individual is in default on a student loan,
8 as defined in s. 440.01 (1) (gs). If the individual is more than 120 days past due on
9 a payment of a student loan, the individual shall be considered in default on the
10 student loan. The department shall mail the individual written notice that he or she
11 is in default and that his or her application will be refused until he or she is not in
12 default or that his or her license will be restricted, limited or suspended if the default
13 continues for more than 90 days after the department mails the notice.

14 **SECTION 34.** 343.675 (3) of the statutes is created to read:

15 343.675 (3) The secretary shall deny, restrict, limit or suspend any instructor's
16 license issued under s. 343.62 or refuse to issue a renewal for such license if the
17 applicant or licensee is an individual who is in default on a student loan, as defined
18 in s. 440.01 (1) (gs). If the individual is more than 120 days past due on a payment
19 of a student loan, the individual shall be considered in default on the student loan.
20 The department shall mail the individual written notice that he or she is in default
21 and that his or her request for a license will be refused until he or she is not in default
22 or that his or her license will be restricted, suspended, limited or not renewed if the
23 default continues for more than 90 days after the department mails the notice.

24 **SECTION 35.** 343.69 of the statutes is amended to read:

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1 **343.69 Hearings on license denials and revocations.** Before the
2 department denies an application for a driver school license or instructor's license
3 or revokes any such license, the department shall notify the applicant or licensee of
4 the pending action and that the division of hearings and appeals will hold a hearing
5 on the pending denial or revocation. The division of hearings and appeals shall send
6 notice of the hearing by registered or certified mail to the last-known address of the
7 licensee or applicant, at least 10 days prior to the date of the hearing. This section
8 does not apply to denials of applications of licenses under s. 343.665 or 343.675 (1)
9 or (2).

10 **SECTION 36.** 440.01 (1) (gs) of the statutes is created to read:

11 440.01 (1) (gs) "Student loan" means a loan to provide educational assistance
12 to a borrower that is made, insured or guaranteed by a federal or state governmental
13 agency.

14 **SECTION 37.** 440.14 of the statutes is created to read:

15 **440.14 Default of student loan.** Notwithstanding any other provision of chs.
16 440 to 480 relating to issuance or renewal of a credential, the department or
17 credentialing board shall deny an application for an initial credential or credential
18 renewal or revoke a credential if the individual is in default on a student loan. If the
19 individual is more than 120 days past due on a payment of a student loan, the
20 individual shall be considered in default on the student loan. The department or
21 credentialing board shall mail the individual written notice that he or she is in
22 default and that his or her request for credentialing will be refused until he or she
23 is not in default or that his or her credential will be revoked or not renewed if the
24 default continues for more than 90 days after the department or credentialing board
25 mails the notice.

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1 **SECTION 38.** 442.12 (7) of the statutes is amended to read:

2 442.12 (7) Upon application in writing and after hearing pursuant to notice,
3 issue a new license to a licensee whose license has been revoked, reinstate a revoked
4 certificate or modify the suspension of any license or certificate which has been
5 suspended. This subsection does not apply to a license or certificate that is
6 suspended under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

7 **SECTION 39.** 445.13 (2) of the statutes is amended to read:

8 445.13 (2) No reprimand or order limiting, suspending or revoking a license,
9 certificate of registration or permit, or no assessment of forfeiture, shall be made
10 until after a hearing conducted by the examining board. This subsection does not
11 apply to a license, certificate of registration or permit that is limited or suspended
12 under s. 440.13 (2) (c) or that is revoked under s. 440.12 or 440.14.

13 **SECTION 40.** 446.05 (2) of the statutes is amended to read:

14 446.05 (2) Upon application and satisfactory proof that the cause of such
15 revocation or suspension no longer exists, the examining board may reinstate any
16 license or registration suspended or revoked by it. This subsection does not apply to
17 a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked
18 under s. 440.12 or 440.14.

19 **SECTION 41.** 449.07 (3) of the statutes is amended to read:

20 449.07 (3) Upon application and satisfactory proof that the cause of such
21 revocation or suspension no longer exists, the examining board may reinstate any
22 license or registration by it suspended or revoked. This subsection does not apply to
23 a license or registration that is suspended under s. 440.13 (2) (c) or that is revoked
24 under s. 440.12 or 440.14.

25 **SECTION 42.** 551.34 (1m) (d) of the statutes is created to read:

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1 551.34 (1m) (d) The division shall deny an application for the issuance or
2 renewal of a license under this subchapter or restrict or suspend a license under this
3 subchapter if the individual is in default on a student loan. If the individual is more
4 than 120 days past due on a payment of a student loan, the individual shall be
5 considered in default on the student loan. The division shall mail the individual
6 written notice that he or she is in default and that his or her request for a license will
7 be refused until he or she is not in default or that his or her license will be restricted,
8 suspended or not renewed if the default continues for more than 90 days after the
9 division mails the notice.

10 **SECTION 43.** 562.05 (5) (a) 11. of the statutes is created to read:

11 562.05 (5) (a) 11. If an individual, the individual is in default on a student loan.
12 If the individual is more than 120 days past due on a payment of a student loan, the
13 individual shall be considered in default on the student loan. The department shall
14 mail the individual written notice that he or she is in default and that his or her
15 request for a license will be refused until he or she is not in default.

16 **SECTION 44.** 562.05 (8) (f) of the statutes is created to read:

17 562.05 (8) (f) The department shall restrict, suspend or not renew the license
18 of any individual who is in default on a student loan. If the individual is more than
19 120 days past due on a payment of a student loan, the individual shall be considered
20 in default on the student loan. The department shall mail the individual written
21 notice that he or she is in default and that his or her license will be restricted,
22 suspended or not renewed if the default continues for more than 90 days after the
23 department mails the notice.

24 **SECTION 45.** 628.097 (1) (c) of the statutes is created to read:

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1 628.097 (1) (c) The commissioner shall refuse to issue to an individual a license,
2 including a temporary license, under this subchapter if the individual is in default
3 on a student loan. If the individual is more than 120 days past due on a payment of
4 a student loan, the individual shall be considered in default on the student loan. The
5 department shall mail the individual written notice that he or she is in default and
6 that his or her license or temporary license will be will be refused until he or she is
7 not in default.

8 **SECTION 46.** 628.10 (2) (cs) of the statutes is created to read:

9 628.10 (2) (cs) *For failure to pay a student loan.* The commissioner shall
10 suspend or limit the license of an intermediary who is an individual, or a temporary
11 license of an individual under s. 628.09, if the individual is in default on a student
12 loan. If the individual is more than 120 days past due on a payment of a student loan,
13 the individual shall be considered in default on the student loan. The department
14 shall mail the individual written notice that he or she is in default and that his or
15 her license will be suspended or limited if the default continues for more than 90 days
16 after the department mails the notice.

17 **SECTION 47.** 632.68 (2) (bm) 3. of the statutes is created to read:

18 632.68 (2) (bm) 3. Notwithstanding par. (b), the commissioner may not issue
19 a license under this subsection to an individual if the individual is in default on a
20 student loan, as defined in s. 440.01 (1) (gs). If the individual is more than 120 days
21 past due on a payment of a student loan, the individual shall be considered in default
22 on the student loan. The commissioner shall mail the individual written notice that
23 he or she is in default and that his or her application will be refused until he or she
24 is not in default.

25 **SECTION 48.** 632.68 (3) (b) 3. of the statutes is created to read:

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1 632.68 (3) (b) 3. The commissioner shall suspend, limit or refuse to renew a
2 viatical settlement provider license issued to an individual if the individual is in
3 default on a student loan, as defined in s. 440.01 (1) (gs). If the individual is more
4 than 120 days past due on a payment of a student loan, the individual shall be
5 considered in default on the student loan. The commissioner shall mail the
6 individual written notice that he or she is in default and that his or her license will
7 be suspended, limited or not renewed if the default continues for more than 90 days
8 after the commissioner mails the notice.

9 **SECTION 49.** 751.15 (4) of the statutes is created to read:

10 751.15 (4) The supreme court is requested to promulgate rules that deny,
11 suspend, restrict or refuse to renew a license to practice law if the applicant or
12 licensee is in default on a student loan. If the individual is more than 120 days past
13 due on a payment of a student loan, the individual shall be considered in default on
14 the student loan. The rule should provide that written notice of the default be mailed
15 to the individual stating that his or her request for a license will be refused until he
16 or she is not in default or that his or her license will be restricted, suspended or not
17 renewed if the default continues for more than 90 days after the notice is mailed.

18 **SECTION 50. Nonstatutory provisions.**

19 (1) The supreme court is requested to promulgate rules under section 751.15
20 (4) of the statutes, as created by this act, so that those rules are effective beginning
21 on the effective date of this subsection.

22 **SECTION 51. Initial applicability.**

23 (1) This act first applies to applications for initial or renewal certificates,
24 certifications, licenses, training permits, registrations and approvals that are
25 received on the effective date of this subsection.

