



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBb0770/1
ALL:all

**ASSEMBLY AMENDMENT 7,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 64**

September 13, 2017 - Offered by Representatives BERCEAU, BILLINGS, HEBL, SHANKLAND, ANDERSON, BARCA, BOWEN, BROSTOFF, CONSIDINE, CROWLEY, DOYLE, FIELDS, GENRICH, GOYKE, HESSELBEIN, HINTZ, KESSLER, KOLSTE, MASON, MEYERS, MILROY, OHNSTAD, POPE, RIEMER, SARGENT, SINICKI, SPREITZER, STUCK, SUBECK, C. TAYLOR, VRUWINK, WACHS, YOUNG, ZAMARRIPA and ZEPNICK.

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

2 **1.** Page 12, line 7: delete lines 7 to 9.

3 **2.** Page 18, line 12: delete the material beginning with that line and ending
4 with page 19, line 2.

5 **3.** Page 40, line 16: after that line insert:

6 **"SECTION 157mb.** 16.72 (2) (c) of the statutes is amended to read:

7 16.72 (2) (c) To the extent possible, the department shall write specifications
8 so as to permit the purchase of materials manufactured in the United States, as
9 defined in s. 16.754 (1) (b), or the purchase of local products or services, as defined
10 in s. 66.0145 (1) (b).

11 **SECTION 157me.** 16.754 (title) of the statutes is amended to read:

1 **16.754** (title) **Preference for local products and services and**
2 **American-made materials.**

3 **SECTION 157mf.** 16.754 (1) (a) of the statutes is renumbered 16.754 (1) (ar).

4 **SECTION 157mg.** 16.754 (1) (am) of the statutes is created to read:

5 16.754 (1) (am) “Local product or service” has the meaning given in s. 66.0145
6 (1) (b).

7 **SECTION 157mh.** 16.754 (2) (title) of the statutes is amended to read:

8 16.754 (2) (title) PURCHASE PREFERENCE PREFERENCES.

9 **SECTION 157mi.** 16.754 (2) of the statutes is renumbered 16.754 (2) (b).

10 **SECTION 157mj.** 16.754 (2) (a) of the statutes is created to read:

11 16.754 (2) (a) The department, a designated purchasing agent under s. 16.71
12 (1), and each agency making purchases under s. 16.74 shall attempt to ensure that
13 at least 20 percent of the total amount expended under this subchapter in each fiscal
14 year is for local products or services, and it shall be a further goal that the percentage
15 of the total amount expended in any fiscal year for local products or services will not
16 be lower than the percentage of the total amount expended in the previous fiscal year
17 for local products or services.

18 **SECTION 157mk.** 16.754 (2m) of the statutes is created to read:

19 16.754 (2m) DATA. For purposes of measuring compliance with sub. (2) (a), the
20 department shall collect from a person who responds to a proposal or submits a bid
21 for a contract information regarding the person’s principal place of business. The
22 department shall make available to the public on its Internet site the data it collects
23 under this subsection as well as an annual evaluation of how well the department,
24 its designated purchasing agents, and any agency making purchases under s. 16.74
25 are meeting the goal under sub. (2) (a).

1 **SECTION 157mL.** 16.754 (3) (intro.) of the statutes is amended to read:

2 16.754 **(3)** EXEMPTIONS. (intro.) Subsection (2) (b) does not apply if the
3 materials are purchased for the purpose of commercial resale or for the purpose of
4 use in the production of goods for commercial sale. Subsection (2) (b) does not apply
5 to the purchase of stationery and printing materials. Subsection (2) (b) does not
6 apply if the department determines, under s. 16.75 (1) (a) 2., that the foreign nation
7 or subdivision thereof in which the vendor is domiciled does not give preference to
8 vendors domiciled in that nation or subdivision in making governmental purchases.
9 Subsection (2) (b) does not apply if the department or other person having
10 contracting authority in respect to the purchase determines that:”.

11 **4.** Page 40, line 16: after that line insert:

12 “**SECTION 157m.** 16.754 (2) of the statutes is renumbered 16.754 (2) (a) and
13 amended to read:

14 16.754 **(2)** (a) Notwithstanding s. 16.75 (1) (a) 2., (2), (2m) and (6), when ~~all~~
15 ~~other factors are substantially equal~~ making purchases, the state shall purchase
16 materials ~~which~~ that are manufactured to the greatest extent in the United States.

17 **SECTION 157me.** 16.754 (2) (b) of the statutes is created to read:

18 16.754 **(2)** (b) Each contract entered into by the state for the construction,
19 repair, or modification of a public works or public improvement project shall contain
20 a provision requiring the contractor to use materials that are manufactured in the
21 United States in the performance of the contract.

22 **SECTION 157mg.** 16.754 (3) (intro.) and (a) of the statutes are amended to read:

23 16.754 **(3)** EXEMPTIONS. (intro.) Subsection (2) (a) does not apply if the
24 materials are purchased for the purpose of commercial resale or for the purpose of

1 use in the production of goods for commercial sale. Subsection (2) does not apply to
2 the purchase of stationery and printing materials. ~~Subsection (2) does not apply if~~
3 ~~the department determines, under s. 16.75 (1) (a) 2., that the foreign nation or~~
4 ~~subdivision thereof in which the vendor is domiciled does not give preference to~~
5 ~~vendors domiciled in that nation or subdivision in making governmental purchases.~~

6 Subsection (2) does not apply if the department or other person having contracting
7 authority in respect to the purchase determines that any of the following:

8 (a) The materials are not manufactured in the United States in sufficient or
9 reasonably available quantities; or.”

10 **5.** Page 69, line 11: increase the dollar amount for fiscal year 2017-18 by
11 \$75,500 and increase the dollar amount for fiscal year 2018-19 by \$75,500 for the
12 purpose of increasing the authorized FTE positions for the department by 1.5 GPR
13 positions to serve as an agricultural program specialist and an economic
14 development consultant.

15 **6.** Page 79, line 7: after that line insert:

16 “(a) Broadband expansion grants;

17 general purpose revenue funding GPR C 89,000,000 -0-”.

18 **7.** Page 87, line 16: increase the dollar amount for fiscal year 2018-19 by
19 \$19,786,600 for the purpose for which the appropriation is made.

20 **8.** Page 87, line 18: increase the dollar amount for fiscal year 2017-18 by
21 \$17,291,500 and increase the dollar amount for fiscal year 2018-19 by \$16,826,200
22 for the purpose for which the appropriation is made.

23 **9.** Page 87, line 18: delete “B” and substitute “S”.

1 **10.** Page 88, line 18: increase the dollar amount for fiscal year 2017-18 by
2 \$256,600 and increase the dollar amount for fiscal year 2018-19 by \$245,700 for the
3 purpose for which the appropriation is made.

4 **11.** Page 102, line 13: increase the dollar amount for fiscal year 2017-18 by
5 \$41,250,000 and increase the dollar amount for fiscal year 2018-19 by \$41,250,000
6 for the purpose for which the appropriation is made.

7 **12.** Page 105, line 3: after that line insert:

8 “(aj) Workforce growth program GPR A 20,000,000 20,000,000”.

9 **13.** Page 105, line 10: after that line insert:

10 “(fd) Dual enrollment opportunity

11 grants GPR A -0- 3,000,000

12 (fh) Innovation grants GPR A 500,000 500,000

13 (fj) Veterans success grants GPR A 2,500,000 2,500,000”.

14 **14.** Page 193, line 19: increase the dollar amount for fiscal year 2017-18 by
15 \$250,000 and increase the dollar amount for fiscal year 2018-19 by \$250,000 for the
16 purpose of the skills enhancement program under s. 49.265 (3) (b) 11.

17 **15.** Page 198, line 18: increase the dollar amount for fiscal year 2017-18 by
18 \$299,400 and increase the dollar amount for fiscal year 2018-19 by \$299,400 for the
19 purposes for which the appropriation is made.

20 **16.** Page 204, line 1: increase the dollar amount for fiscal year 2017-18 by
21 \$150,000 and increase the dollar amount for fiscal year 2018-19 by \$150,000 for the
22 purpose for which the appropriation is made.

1 **17.** Page 204, line 5: increase the dollar amount for fiscal year 2017-18 by
2 \$2,000,000 and increase the dollar amount for fiscal year 2018-19 by \$2,000,000 for
3 the purpose for which the appropriation is made.

4 **18.** Page 254, line 14: after that line insert:

5 “(ba) Early stage seed and angel
6 investment credits GPR S -0- -0-”.

7 **19.** Page 278, line 2: after that line insert:

8 “**SECTION 198g.** 20.155 (3) (a) of the statutes is created to read:
9 20.155 (3) (a) *Broadband expansion grants; general purpose revenue funding.*
10 As a continuing appropriation, the amounts in the schedule for broadband expansion
11 grants under s. 196.504.”.

12 **20.** Page 280, line 2: delete lines 2 to 9 and substitute:

13 “20.235 (1) (fe) *Wisconsin grants; University of Wisconsin System students.* A
14 sum sufficient equal to \$0 in the 2013-14 fiscal year, equal to \$58,345,400 in the
15 2014-15 fiscal year, and equal to the amount calculated under s. 39.435 (7) for the
16 Wisconsin grant program under s. 39.435 for University of Wisconsin System
17 students, except for grants awarded under s. 39.435 (2) or (5), in the 2015-16 fiscal
18 year and the 2016-17 fiscal year, equal to \$77,779,000 in the 2017-18 fiscal year and
19 78,720,300 in the 2018-19 fiscal year, and equal to the amount calculated under s.
20 39.435 (7) for the Wisconsin grant program under s. 39.435 for University of
21 Wisconsin System students, except for grants awarded under s. 39.435 (2) or (5),
22 thereafter. Notwithstanding s. 20.002 (1), the higher educational aids board may
23 transfer moneys under this paragraph between fiscal years.”.

24 **21.** Page 286, line 8: delete lines 8 to 11.

1 **22.** Page 286, line 21: after that line insert:

2 “**SECTION 224d.** 20.292 (1) (aj) of the statutes is created to read:

3 20.292 (1) (aj) *Workforce growth program.* The amounts in the schedule for
4 grants to technical college district boards under s. 38.39.

5 **SECTION 224h.** 20.292 (1) (fd) of the statutes is created to read:

6 20.292 (1) (fd) *Dual enrollment opportunity grants.* The amounts in the
7 schedule for grants to technical college district boards under s. 38.04 (33). No moneys
8 may be encumbered under this paragraph after June 30, 2019.

9 **SECTION 224p.** 20.292 (1) (fh) of the statutes is created to read:

10 20.292 (1) (fh) *Innovation grants.* The amounts in the schedule for grants to
11 technical college faculty, staff, and students under s. 38.04 (34).

12 **SECTION 224t.** 20.292 (1) (fj) of the statutes is created to read:

13 20.292 (1) (fj) *Veterans success grants.* The amounts in the schedule for grants
14 to technical college district boards under s. 38.04 (35). No moneys may be
15 encumbered under this paragraph after June 30, 2021.”.

16 **23.** Page 328, line 12: after that line insert:

17 “**SECTION 401f.** 20.445 (1) (w) of the statutes is created to read:

18 20.445 (1) (w) *Family and medical leave insurance trust fund.* From the family
19 and medical leave insurance trust fund, all moneys deposited in that fund under s.
20 103.105 (7) for the payments of family or medical leave insurance benefits under s.
21 103.105 (2) (c) and for the administration of the family or medical leave insurance
22 program under s. 103.105.”.

23 **24.** Page 347, line 11: after that line insert:

24 “**SECTION 480n.** 20.835 (2) (ba) of the statutes is created to read:

1 20.835 (2) (ba) *Early stage seed and angel investment credits*. A sum sufficient
2 to make the payments under ss. 71.07 (5b) (d) 4. and (5d) (d) 5., 71.28 (5b) (d) 4., and
3 71.47 (5b) (d) 4.”.

4 **25.** Page 370, line 11: after that line insert:

5 “**SECTION 527j.** 25.17 (1) (er) of the statutes is created to read:

6 25.17 (1) (er) Family and medical leave insurance trust fund (s. 25.52);”.

7 **26.** Page 374, line 19: after that line insert:

8 “**SECTION 542o.** 25.52 of the statutes is created to read:

9 **25.52 Family and medical leave insurance trust fund.** There is created
10 a separate nonlapsible trust fund designated as the family and medical leave
11 insurance trust fund, to consist of all moneys deposited in that fund under s. 103.105
12 (7).”.

13 **27.** Page 405, line 18: delete the material beginning with that line and ending
14 with page 407, line 8.

15 **28.** Page 410, line 11: delete lines 11 to 21.

16 **29.** Page 410, line 22: delete the material beginning with that line and ending
17 with page 412, line 9.

18 **30.** Page 413, line 11: after that line insert:

19 “**SECTION 631e.** 38.04 (33) of the statutes is created to read:

20 38.04 (33) DUAL ENROLLMENT OPPORTUNITY GRANTS. (a) In this subsection, “dual
21 enrollment programs” has the meaning given in s. 38.28 (1m) (am).

22 (b) From the appropriation under s. 20.292 (1) (fd), the board shall award
23 grants to district boards to expand dual enrollment programs or create new dual

1 enrollment programs. No grant may be awarded under this paragraph after June
2 30, 2019.

3 **SECTION 631m.** 38.04 (34) of the statutes is created to read:

4 38.04 (34) INNOVATION GRANTS. From the appropriation under s. 20.292 (1) (fh),
5 the board shall award grants to technical college faculty, staff, and students to assist
6 such persons in commercializing and bringing to market innovative technology,
7 products, and processes developed at technical colleges.

8 **SECTION 631s.** 38.04 (35) of the statutes is created to read:

9 38.04 (35) VETERANS SUCCESS GRANTS. (a) In this subsection, “veteran” has the
10 meaning given in s. 38.24 (8) (a) 1r.

11 (b) From the appropriation under s. 20.292 (1) (fj), the board shall award grants
12 to district boards to expand existing efforts and implement additional strategies to
13 assist veterans in a successful transition to college and careers. No grants may be
14 awarded under this subsection after June 30, 2021.”.

15 **31.** Page 415, line 24: delete “38.12 (9) and (14), 38.14 (3) and (9),” and
16 substitute “38.04 (33), (34), and (35), 38.12 (9) and (14), 38.14 (3) and (9), 38.39”.

17 **32.** Page 416, line 10: after that line insert:

18 “**SECTION 650q.** 38.39 of the statutes is created to read:

19 **38.39 Workforce growth program.** (1) A district board may obtain grants
20 under sub. (2) for the purpose of partnering with a business, consortium of
21 businesses, local workforce development board established under 29 USC 3122, or
22 economic development organization that is located or provides service in the district,
23 in a project to help meet local needs for supporting sectors of the economy with a
24 documented skills gap or high workforce shortage, which could include

1 manufacturing, energy, information technology, skilled trades, and health care. A
2 project may provide for activities that address development of individuals prior to
3 entering the workforce and workforce training, which could include one or more of
4 the following:

5 (a) Job training scholarships based on local labor market needs.

6 (b) Building or infrastructure construction.

7 (c) Equipment and material purchases.

8 (d) Faculty hiring.

9 (e) Development in partnership with industry of curricula, based on industry
10 standards, that lead to certificates or degrees.

11 (f) Student career support services, including job placement and business
12 recruitment.

13 **(2)** From the appropriation under s. 20.292 (1) (aj), the board shall award
14 grants to district boards that apply to the board to fund the costs of projects under
15 sub. (1). The board shall consider the speed by which the activities specified in
16 applications could meet training and employment needs and give a preference in
17 awarding the grants to projects that seek to eliminate waiting lists for courses
18 pertaining to jobs with high employment demand.”.

19 **33.** Page 422, line 4: delete that line.

20 **34.** Page 513, line 21: after that line insert:

21 **“SECTION 923ar.** 49.265 (3) (b) 11. of the statutes is amended to read:

22 49.265 **(3)** (b) 11. Provide, to individuals who work at least 20 hours per week
23 and whose earned income is at or below 150 percent of the poverty line would make
24 the individual eligible for any other program operated by the community action

1 agency, a program of skills enhancement that shall include access to transportation,
2 child care, career counseling, job placement assistance, and financial support for
3 education and training.”.

4 **35.** Page 563, line 14: after that line insert:

5 “SECTION 983h. 66.0145 of the statutes is created to read:

6 **66.0145 Purchases of Wisconsin goods and services. (1) DEFINITIONS.** In
7 this section:

8 (a) “Local governmental unit” has the meaning given in s. 66.0135 (1) (c).

9 (b) “Local product or service” means a product or service that is purchased from
10 a person whose principal place of business is located in this state.

11 **(2) PURCHASING GOALS.** (a) It shall be a goal of a local governmental unit that,
12 annually, at least 20 percent of the aggregate value of purchases of products and
13 services by that local governmental unit shall be local products or services, and it
14 shall be a further goal of the local governmental unit that the percentage of the
15 aggregate value of routine purchases of products and services in any year that are
16 local products and services will not be lower than the aggregate value of such routine
17 purchases in the previous year.

18 (b) A local governmental unit shall evaluate its performance in reaching the
19 goals specified in par. (a) and shall annually make this evaluation available to the
20 public, except that these requirements do not apply to any local governmental unit
21 whose governing body enacts an ordinance, adopts a resolution, or takes other official
22 action stating that it chooses not to conduct an evaluation of its performance in
23 reaching the goals.”.

24 **36.** Page 591, line 16: after that line insert:

1 **“SECTION 991s.** 66.0901 (1m) (b) of the statutes is amended to read:

2 66.0901 **(1m)** (b) Except when necessary to secure federal aid and except as
3 provided in sub. (10), a political subdivision may not use a bidding method that gives
4 preference based on the geographic location of the bidder or that uses criteria other
5 than the lowest responsible bidder in awarding a contract.

6 **SECTION 991u.** 66.0901 (10) of the statutes is created to read:

7 66.0901 **(10)** MATERIALS MANUFACTURED IN THE UNITED STATES. Each public
8 contract entered into by a municipality shall contain a provision that the contractor
9 will use materials that are manufactured in the United States in the performance
10 of the contract.”.

11 **37.** Page 609, line 7: after that line insert:

12 **“SECTION 1023u.** 71.05 (6) (b) 54. of the statutes is created to read:

13 71.05 **(6)** (b) 54. For taxable years beginning after December 31, 2021, any
14 amount of family or medical leave insurance benefits received by a covered
15 individual, as defined in s. 103.105 (1) (d), in the taxable year to which the
16 subtraction relates.”.

17 **38.** Page 622, line 9: after that line insert:

18 **“SECTION 1040eb.** 71.07 (5b) (d) 1. of the statutes is amended to read:

19 71.07 **(5b)** (d) 1. ~~Section~~ For taxable years beginning before January 1, 2017,
20 s. 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit
21 under this subsection.

22 **SECTION 1040ed.** 71.07 (5b) (d) 1m. of the statutes is created to read:

1 71.07 **(5b)** (d) 1m. For taxable years beginning after December 31, 2016, s.
2 71.28 (4) (e), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the
3 credit under this subsection.”.

4 **39.** Page 622, line 15: after that line insert:

5 **“SECTION 1040gb.** 71.07 (5b) (d) 4. of the statutes is created to read:

6 71.07 **(5b)** (d) 4. For taxable years beginning after December 31, 2016, if the
7 allowable amount of the claim under par. (b) exceeds the tax otherwise due under s.
8 71.02 or 71.08, the amount of the claim not used to offset the tax due shall be certified
9 by the department of revenue to the department of administration for payment by
10 check, share draft, or other draft drawn from the appropriation account under s.
11 20.835 (2) (ba).”.

12 **40.** Page 622, line 20: after that line insert:

13 **“SECTION 1040hd.** 71.07 (5d) (b) 2. of the statutes is amended to read:

14 71.07 **(5d)** (b) 2. For taxable years beginning after December 31, 2007, and
15 before January 1, 2017, for the taxable year certified by the department of commerce
16 or the Wisconsin Economic Development Corporation, an amount equal to 25 percent
17 of the claimant’s bona fide angel investment made directly in a qualified new
18 business venture.

19 **SECTION 1040he.** 71.07 (5d) (b) 3. of the statutes is created to read:

20 71.07 **(5d)** (b) 3. For taxable years beginning after December 31, 2016, for the
21 taxable year certified by the Wisconsin Economic Development Corporation, an
22 amount equal to 25 percent of the claimant’s bona fide angel investment made
23 directly in a qualified new business venture.”.

24 **41.** Page 623, line 2: after that line insert:

1 **“SECTION 1040pa.** 71.07 (5d) (d) 2. of the statutes is amended to read:

2 71.07 **(5d)** (d) 2. ~~Section~~ For taxable years beginning before January 1, 2017,
3 s. 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit
4 under this subsection.

5 **SECTION 1040pb.** 71.07 (5d) (d) 2m. of the statutes is created to read:

6 71.07 **(5d)** (d) 2m. For taxable years beginning after December 31, 2016, s.
7 71.28 (4) (e), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the
8 credit under this subsection.

9 **SECTION 1040pc.** 71.07 (5d) (d) 5. of the statutes is created to read:

10 71.07 **(5d)** (d) 5. For taxable years beginning after December 31, 2016, if the
11 allowable amount of the claim under par. (b) exceeds the tax otherwise due under s.
12 71.02 or 71.08, the amount of the claim not used to offset the tax due shall be certified
13 by the department of revenue to the department of administration for payment by
14 check, share draft, or other draft drawn from the appropriation account under s.
15 20.835 (2) (ba).”.

16 **42.** Page 625, line 7: after that line insert:

17 **“SECTION 1045c.** 71.07 (8m) of the statutes is created to read:

18 71.07 **(8m)** ADDITIONAL HOUSEHOLD AND DEPENDENT CARE EXPENSES TAX CREDIT.
19 (a) *Definitions.* In this subsection:

20 1. “Claimant” means an individual who is eligible for and claims the household
21 and dependent care expenses tax credit for the taxable year to which the claim under
22 this subsection relates.

23 2. “Household and dependent care expenses tax credit” means the tax credit
24 under section 21 of the Internal Revenue Code.

1 (b) *Filing claims.* Subject to the limitations provided in this subsection, a
2 claimant may claim as a credit against the tax imposed under s. 71.02, up to the
3 amount of those taxes, an amount equal to the amount of the household and
4 dependent care expenses tax credit that the taxpayer claimed on his or her federal
5 income tax return for the taxable year to which the claim under this subsection
6 relates.

7 (c) *Limitations.* 1. No credit may be allowed under this subsection unless it
8 is claimed within the time period under s. 71.75 (2).

9 2. No credit may be allowed under this subsection for a taxable year covering
10 a period of less than 12 months, except for a taxable year closed by reason of the death
11 of the taxpayer.

12 3. The credit under this subsection may not be claimed by either a part-year
13 resident or nonresident of this state.

14 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
15 under that subsection, applies to the credit under this subsection.”.

16 **43.** Page 628, line 10: after that line insert:

17 “**SECTION 1052t.** 71.10 (4) (cs) of the statutes is created to read:

18 71.10 (4) (cs) Additional household and dependent care expenses tax credit
19 under s. 71.07 (8m).”.

20 **44.** Page 628, line 17: after that line insert:

21 “**SECTION 1052wa.** 71.10 (4) (gwb) of the statutes is amended to read:

22 71.10 (4) (gwb) Early stage seed investment credit under s. 71.07 (5b), except
23 as provided under par. (i).

24 **SECTION 1052wb.** 71.10 (4) (gx) of the statutes is amended to read:

1 71.10 (4) (gx) Angel investment credit under s. 71.07 (5d), except as provided
2 under par. (i).”.

3 **45.** Page 629, line 2: after “2. a.,” insert “early stage seed investment credit
4 under s. 71.07 (5b) (d) 4., angel investment credit under s. 71.07 (5d) (d) 5.”.

5 **46.** Page 647, line 23: after that line insert:

6 “**SECTION 1086ib.** 71.28 (5b) (d) 1. of the statutes is amended to read:

7 71.28 (5b) (d) 1. ~~Subsection~~ For taxable years beginning before January 1,
8 2017, sub. (4) (e) to (h), as it applies to the credit under sub. (4), applies to the credit
9 under this subsection.

10 **SECTION 1086ic.** 71.28 (5b) (d) 1m. of the statutes is created to read:

11 71.28 (5b) (d) 1m. For taxable years beginning after December 31, 2016, sub.
12 (4) (e), (g), and (h), as it applies to the credit under sub. (4), applies to the credit under
13 this subsection.”.

14 **47.** Page 648, line 5: after that line insert:

15 “**SECTION 1086n.** 71.28 (5b) (d) 4. of the statutes is created to read:

16 71.28 (5b) (d) 4. For taxable years beginning after December 31, 2016, if the
17 allowable amount of the claim under par. (b) exceeds the tax otherwise due under s.
18 71.23, the amount of the claim not used to offset the tax due shall be certified by the
19 department of revenue to the department of administration for payment by check,
20 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
21 (ba).”.

22 **48.** Page 649, line 2: after that line insert:

23 “**SECTION 1090jb.** 71.30 (3) (eop) of the statutes is amended to read:

1 71.30 (3) (eop) Early stage seed investment credit under s. 71.28 (5b), except
2 as provided under par. (f).”

3 **49.** Page 649, line 11: after “(k) 1.,” insert “early stage seed investment credit
4 under s. 71.28 (5b) (d) 4.”.

5 **50.** Page 660, line 11: after that line insert:

6 “**SECTION 1111ka.** 71.47 (5b) (d) 1. of the statutes is amended to read:

7 71.47 (5b) (d) 1. ~~Section~~ For taxable years beginning before January 1, 2017,
8 s. 71.28 (4) (e) to (h), as it applies to the credit under s. 71.28 (4), applies to the credit
9 under this subsection.

10 **SECTION 1111kb.** 71.47 (5b) (d) 1m. of the statutes is created to read:

11 71.47 (5b) (d) 1m. For taxable years beginning after December 31, 2016, s.
12 71.28 (4) (e), (g), and (h), as it applies to the credit under s. 71.28 (4), applies to the
13 credit under this subsection.”.

14 **51.** Page 660, line 17: after that line insert:

15 “**SECTION 1111ma.** 71.47 (5b) (d) 4. of the statutes is created to read:

16 71.47 (5b) (d) 4. For taxable years beginning after December 31, 2016, if the
17 allowable amount of the claim under par. (b) exceeds the tax otherwise due under s.
18 71.43, the amount of the claim not used to offset the tax due shall be certified by the
19 department of revenue to the department of administration for payment by check,
20 share draft, or other draft drawn from the appropriation account under s. 20.835 (2)
21 (ba).”.

22 **52.** Page 661, line 15: after that line insert:

23 “**SECTION 1114jb.** 71.49 (1) (eop) of the statutes is amended to read:

1 71.49 (1) (eop) Early stage seed investment credit under s. 71.47 (5b), except
2 as provided under par. (f).”.

3 **53.** Page 661, line 24: after “(k) 1.” insert “early stage seed investment credit
4 under s. 71.47 (5b) (d) 4.”.

5 **54.** Page 727, line 11: after that line insert:

6 “**SECTION 1332b.** 103.10 (1) (a) (intro.) of the statutes is renumbered 103.10 (1)
7 (a) and amended to read:

8 103.10 (1) (a) “Child” means a natural, adopted, or foster child, a stepchild, or
9 a legal ward ~~to whom any of the following applies:~~.

10 **SECTION 1332c.** 103.10 (1) (a) 1. of the statutes is repealed.

11 **SECTION 1332d.** 103.10 (1) (a) 2. of the statutes is repealed.

12 **SECTION 1332e.** 103.10 (1) (ap) of the statutes is created to read:

13 103.10 (1) (ap) “Covered active duty” means any of the following:

14 1. In the case of a member of a regular component of the U.S. armed forces, duty
15 during the deployment of the member with the U.S. armed forces to a foreign country.

16 2. In the case of a member of a reserve component of the U.S. armed forces, duty
17 during the deployment of the member with the U.S. armed forces to a foreign country
18 under a call or order to active duty under a provision of law specified in 10 USC 101
19 (a) (13) (B).

20 **SECTION 1332f.** 103.10 (1) (b) of the statutes is amended to read:

21 103.10 (1) (b) Except as provided in sub. (1m) (b) 2. and s. 452.38, “employee”
22 means an individual employed in this state by an employer, except the employer’s
23 parent, child, spouse, domestic partner, or child parent, grandparent, grandchild, or
24 sibling.

1 **SECTION 1332g.** 103.10 (1) (c) of the statutes is amended to read:

2 103.10 (1) (c) Except as provided in sub. (1m) (b) 3., “employer” means a person
3 engaging in any activity, enterprise, or business in this state employing at least 50
4 25 individuals on a permanent basis. “Employer” includes the state and any office,
5 department, independent agency, authority, institution, association, society, or other
6 body in state government created or authorized to be created by the constitution or
7 any law, including the legislature and the courts.

8 **SECTION 1332h.** 103.10 (1) (dm) of the statutes is created to read:

9 103.10 (1) (dm) “Grandchild” means the child of a child.

10 **SECTION 1332i.** 103.10 (1) (dp) of the statutes is created to read:

11 103.10 (1) (dp) “Grandparent” means the parent of a parent.

12 **SECTION 1332j.** 103.10 (1) (gm) of the statutes is created to read:

13 103.10 (1) (gm) “Sibling” means a brother, sister, half brother, half sister,
14 stepbrother, or stepsister, whether by blood, marriage, or adoption.

15 **SECTION 1332k.** 103.10 (1m) (b) 4. of the statutes is amended to read:

16 103.10 (1m) (b) 4. “Family member” means a spouse or domestic partner of an
17 employee; a parent, child, sibling, including a foster sibling, brother-in-law,
18 sister-in-law, grandparent, ~~stepgrandparent~~, or grandchild of an employee or of an
19 employee’s spouse or domestic partner; or any other person who is related by blood,
20 marriage, or adoption to an employee or to an employee’s spouse or domestic partner
21 and whose close association with the employee, spouse, or domestic partner makes
22 the person the equivalent of a family member of the employee, spouse, or domestic
23 partner.

24 **SECTION 1332L.** 103.10 (3) (a) 1. of the statutes is amended to read:

1 103.10 (3) (a) 1. In a 12-month period no employee may take more than 6 weeks
2 of family leave under par. (b) 1. ~~and, 2., and 4.~~

3 **SECTION 1332m.** 103.10 (3) (b) 3. of the statutes is amended to read:

4 103.10 (3) (b) 3. To care for the employee's child, spouse, domestic partner, ~~or~~
5 parent, grandparent, grandchild, or sibling, if the child, spouse, domestic partner, ~~or~~
6 parent, grandparent, grandchild, or sibling has a serious health condition.

7 **SECTION 1332n.** 103.10 (3) (b) 4. of the statutes is created to read:

8 103.10 (3) (b) 4. Because of any qualifying exigency, as determined by the
9 department by rule, arising out of the fact that the spouse, child, domestic partner,
10 parent, grandparent, grandchild, or sibling of the employee is on covered active duty
11 or has been notified of an impending call or order to covered active duty.

12 **SECTION 1332o.** 103.10 (6) (b) (intro.) of the statutes is amended to read:

13 103.10 (6) (b) (intro.) If an employee intends to take family leave because of the
14 planned medical treatment or supervision of a child, spouse, domestic partner, ~~or~~
15 parent, grandparent, grandchild, or sibling or intends to take medical leave because
16 of the planned medical treatment or supervision of the employee, the employee shall
17 do all of the following:

18 **SECTION 1332p.** 103.10 (6) (b) 1. of the statutes is amended to read:

19 103.10 (6) (b) 1. Make a reasonable effort to schedule the medical treatment
20 or supervision so that it does not unduly disrupt the employer's operations, subject
21 to the approval of the health care provider of the child, spouse, domestic partner,
22 parent, grandparent, grandchild, sibling, or employee.

23 **SECTION 1332q.** 103.10 (6) (c) of the statutes is created to read:

24 103.10 (6) (c) If the employee intends to take leave under sub. (3) (b) 4. that is
25 foreseeable because the spouse, child, domestic partner, parent, grandparent,

1 grandchild, or sibling of the employee is on covered active duty or has been notified
2 of an impending call or order to covered active duty, the employee shall provide notice
3 of that intention to the employer in a reasonable and practicable manner.

4 **SECTION 1332r.** 103.10 (7) (a) of the statutes is amended to read:

5 103.10 (7) (a) If an employee requests family leave for a reason described in sub.
6 (3) (b) 3. or requests medical leave, the employer may require the employee to provide
7 certification, as described in par. (b), issued by the health care provider or Christian
8 Science practitioner of the child, spouse, domestic partner, parent, grandparent,
9 grandchild, sibling, or employee, whichever is appropriate.

10 **SECTION 1332s.** 103.10 (7) (b) (intro.) of the statutes is amended to read:

11 103.10 (7) (b) (intro.) No employer may require certification under par. (a)
12 stating more than the following:

13 **SECTION 1332t.** 103.10 (7) (b) 1. of the statutes is amended to read:

14 103.10 (7) (b) 1. That the child, spouse, domestic partner, parent, grandparent,
15 grandchild, sibling, or employee has a serious health condition.

16 **SECTION 1332u.** 103.10 (7) (d) of the statutes is created to read:

17 103.10 (7) (d) If an employee requests leave under sub. (3) (b) 4., the employer
18 may require the employee to provide certification that the spouse, child, domestic
19 partner, parent, grandparent, grandchild, or sibling of the employee is on covered
20 active duty or has been notified of an impending call or order to covered active duty
21 issued at such time and in such manner as the department may prescribe by rule,
22 and the employee shall provide a copy of that certification to the employer in a timely
23 manner.

24 **SECTION 1332v.** 103.10 (12) (c) of the statutes is amended to read:

1 103.10 (12) (c) If 2 or more health care providers disagree about any of the
2 information required to be certified under sub. (7) (b), the department may appoint
3 another health care provider to examine the child, spouse, domestic partner, parent,
4 grandparent, grandchild, sibling, or employee and render an opinion as soon as
5 possible. The department shall promptly notify the employee and the employer of
6 the appointment. The employer and the employee shall each pay 50 percent of the
7 cost of the examination and opinion.

8 **SECTION 1332w.** 103.10 (14) (a) of the statutes is renumbered 103.10 (14).

9 **SECTION 1332x.** 103.10 (14) (b) of the statutes is repealed.

10 **SECTION 1332y.** 103.105 of the statutes is created to read:

11 **103.105 Family and medical leave insurance program. (1) DEFINITIONS.**

12 In this section:

13 (a) “Application year” means the 12-month period beginning on the first day
14 of the first calendar week for which family or medical leave insurance benefits are
15 claimed by a covered individual.

16 (b) “Average weekly earnings” means the average weekly earnings of a covered
17 individual as calculated under s. 102.11 (1) (a) to (e).

18 (c) “Child” means a natural, adopted, or foster child, a stepchild, or a legal ward.

19 (d) “Covered individual” means an individual who worked for an employer for
20 at least 680 hours in the calendar year prior to the individual’s application year or
21 a self-employed individual who elects coverage under sub. (2) (b), regardless of
22 whether the individual is employed or unemployed at the time the individual files
23 an application for family or medical leave insurance benefits.

24 (e) “Domestic partner” has the meaning given in s. 40.02 (21c) or 770.01 (1).

1 (f) "Employee" means an individual employed in this state by an employer,
2 except the employer's child, spouse, domestic partner, parent, grandparent,
3 grandchild, or sibling.

4 (g) "Employer" means a person engaging in any activity, enterprise, or business
5 in this state. "Employer" includes the state and any office, department, independent
6 agency, authority, institution, association, society, or other body in state government
7 created or authorized to be created by the constitution or any law, including the
8 legislature and the courts.

9 (h) "Family leave" means leave from employment, self-employment, or
10 availability for employment for a reason specified in s. 103.10 (3) (b) 1., 2., 3., or 4.

11 (i) "Family or medical leave insurance benefits" means family or medical leave
12 insurance benefits payable under this section from the family and medical leave
13 insurance trust fund.

14 (j) "Grandchild" means the child of a child.

15 (k) "Grandparent" means the parent of a parent.

16 (L) "Medical leave" means leave from employment when a covered individual
17 has a serious health condition that makes the individual unable to perform his or her
18 employment duties, leave from self-employment when a covered individual has a
19 serious health condition that makes the individual unable to perform the duties of
20 his or her self-employment, or leave from availability for employment when a
21 covered individual has a serious health condition that makes the individual unable
22 to perform the duties of any suitable employment.

23 (m) "Parent" means a natural parent, foster parent, adoptive parent,
24 stepparent, or legal guardian of an employee or of an employee's spouse or domestic
25 partner.

1 (n) "Serious health condition" has the meaning given in s. 103.10 (1) (g).

2 (o) "Sibling" means a brother, sister, half brother, half sister, stepbrother, or
3 stepsister, whether by blood, marriage, or adoption.

4 (p) "Spouse" means an employee's legal husband or wife.

5 (q) "State annual median wage" means the median hourly wage for all
6 occupations in this state, as determined by the bureau of labor statistics of the U.S.
7 department of labor, multiplied by 2,080.

8 (r) "Waiting period" means the period under sub. (4) (b) 1. for which no family
9 or medical leave insurance benefits are payable.

10 **(2) ELIGIBILITY FOR BENEFITS.** (a) A covered individual who is on family or
11 medical leave is eligible to receive family or medical leave insurance benefits in the
12 amount specified in sub. (3) and for the duration specified in sub. (4). No family or
13 medical leave insurance benefits are payable for any period of family or medical leave
14 for which a covered individual is substituting paid leave of any other type provided
15 by his or her employer or for which a covered individual is receiving unemployment
16 insurance benefits under ch. 108 or worker's compensation benefits under ch. 102.

17 (b) Any sole proprietor, partner of a partnership, member of a limited liability
18 company, or other self-employed individual engaged in a vocation, profession, or
19 business in this state on a substantially full-time basis may elect to be covered under
20 this section by filing a written notice of election with the department in a form and
21 manner prescribed by the department by rule. An initial election under this
22 paragraph becomes effective on the date on which the notice of election is filed, shall
23 be for a period of not less than 3 years, and may be renewed for subsequent one-year
24 periods by the filing of a written notice with the department that the self-employed
25 individual intends to continue his or her coverage under this section. A

1 self-employed individual who elects coverage under this section may withdraw that
2 election no earlier than 3 years after the date of the initial election or at such other
3 times as the department may prescribe by rule by providing notice of that
4 withdrawal to the department not less than 30 days before the expiration date of the
5 election.

6 (c) To receive family or medical leave insurance benefits, a covered individual
7 shall file a claim for those benefits within such time and in such manner as the
8 department may prescribe by rule. On receipt of a claim for family or medical leave
9 insurance benefits, the department may request from the claimant's employer such
10 information as may be necessary for the department to determine the claimant's
11 eligibility for those benefits and the amount and duration of those benefits, and the
12 employer shall provide that information to the department within such time and in
13 such manner as the department may prescribe by rule. If the department determines
14 that a claimant is eligible to receive family or medical leave insurance benefits, the
15 department shall provide those benefits to the claimant as provided in subs. (3) to
16 (5).

17 **(3) AMOUNT OF BENEFITS.** (a) Subject to par. (b), the amount of family or medical
18 leave insurance benefits for a week of leave for which those benefits are payable is
19 as follows:

20 1. For a covered individual who earned less than 30 percent of the state annual
21 median wage in the calendar year before the individual's application year, 95 percent
22 of that individual's average weekly earnings.

23 2. For a covered individual who earned at least 30 percent, but less than 50
24 percent, of the state annual median wage in the calendar year before the individual's
25 application year, 90 percent of that individual's average weekly earnings.

1 3. For a covered individual who earned at least 50 percent, but less than 80
2 percent, of the state annual median wage in the calendar year before the individual's
3 application year, 85 percent of that individual's average weekly earnings.

4 4. For a covered individual who earned at least 80 percent of the state annual
5 median wage in the calendar year before the individual's application year, 66 percent
6 of that individual's average weekly earnings.

7 (b) The amount of family or medical leave insurance benefits for a fractional
8 week of leave for which those benefits are payable is one-seventh of the covered
9 individual's weekly benefit amount under par. (a) multiplied by the number of days
10 of leave taken that week. Family or medical leave insurance benefits are not payable
11 for a period of leave of less than one day in duration.

12 **(4) DURATION OF BENEFITS.** (a) The maximum number of weeks for which family
13 or medical leave insurance benefits are payable in an application year is 12 weeks.
14 A covered individual may take family or medical leave continuously or, at the option
15 of the covered individual, intermittently or on a reduced leave schedule, except that
16 a covered individual may not take family or medical leave intermittently or on a
17 reduced leave schedule for more than 24 consecutive weeks unless the leave is for a
18 reason specified in sub. (1) (L) or s. 103.10 (3) (b) 3. and the covered individual shows
19 that the leave is medically necessary. If a covered individual who is employed intends
20 to take family or medical leave intermittently or on a reduced leave schedule, the
21 covered individual shall make a reasonable effort to schedule that leave so as not to
22 unduly disrupt the operations of his or her employer and shall provide the employer
23 with prior notice of that leave in a reasonable and practicable manner.

24 (b) 1. Except as provided in subd. 2., no family or medical leave insurance
25 benefits are payable for the first 5 calendar days in an application year for which a

1 covered individual is eligible for those benefits. Except as provided in subd. 2., family
2 or medical leave insurance benefits are payable beginning on the 6th calendar day
3 in an application year for which a covered individual is eligible for those benefits.
4 The first payment of family or medical leave insurance benefits shall be made no
5 later than 2 weeks after a covered individual files a claim for those benefits and
6 subsequent payments shall be made no less often than semimonthly.

7 2. If a covered individual uses 10 or more days of family or medical leave
8 insurance benefits in an application year, those benefits shall also be payable with
9 respect to the covered individual's waiting period. An employer may not require a
10 covered individual to use paid or unpaid leave of any other type provided by the
11 employer during the covered individual's waiting period.

12 (5) COORDINATION OF BENEFITS. (a) If family or medical leave for which benefits
13 are payable under this section also qualifies as family or medical leave under s.
14 103.10 (3) (b) or (4) (a) or 29 USC 2612 (a) (1), the family or medical leave for which
15 those benefits are payable shall run concurrently with the family or medical leave
16 under s. 103.10 (3) (b) or (4) (a) or 29 USC 2612 (a) (1).

17 (b) No collective bargaining agreement or employer policy may diminish or
18 abridge an employee's rights under this section. Any agreement purporting to waive
19 or modify an employee's rights under this section is void as against public policy and
20 unenforceable.

21 (c) Nothing in this section prohibits an employer from providing employees
22 with rights to family or medical leave insurance benefits that are more generous to
23 the employee than the rights provided under this section.

1 **(6) TAX TREATMENT OF BENEFITS.** (a) *State income tax.* Family or medical leave
2 insurance benefits received under this section are exempt from state income taxation
3 under s. 71.05 (6) (b) 54.

4 (b) *Federal income tax.* With respect to the federal income taxation of family
5 or medical leave insurance benefits, the department shall do all of the following:

6 1. At the time an individual files a claim for those benefits, advise the
7 individual that those benefits are subject to federal income taxation, that
8 requirements exist under federal law pertaining to estimated tax payments, and
9 that the individual may elect to have federal income taxes withheld from the
10 individual's benefit payments and may change that election not more than one time
11 in an application year.

12 2. Permit the individual to elect to have federal income tax deducted and
13 withheld from the individual's benefit payments, permit the individual to change
14 that election not more than one time in an application year, and deduct and withhold
15 that tax in accordance with the individual's election as provided under 26 USC 3402.

16 3. Upon making a deduction under subd. 2., transfer the amount deducted from
17 the family and medical leave insurance trust fund to the federal internal revenue
18 service.

19 4. In deducting and withholding federal income taxes from an individual's
20 benefit payments, follow all procedures specified by the federal internal revenue
21 service pertaining to the deducting and withholding of federal income tax.

22 **(7) FAMILY AND MEDICAL LEAVE INSURANCE TRUST FUND.** Each employee and each
23 self-employed individual who elects coverage under sub. (2) (b) shall contribute to
24 the family and medical leave insurance trust fund a percentage of his or her wages
25 from employment or income from self-employment determined by the department

1 under this subsection. In determining that percentage, the department shall consult
2 with the commissioner of insurance, who shall recommend a percentage that is
3 sufficient to finance the payment of benefits under sub. (2) (c) and the administration
4 of the family and medical leave insurance program under this section. The
5 department shall collect those contributions from employers and self-employed
6 individuals who elect coverage under sub. (2) (b) in the same manner as the
7 department collects contributions to the unemployment reserve fund under ss.
8 108.17 and 108.18. Section 108.10 applies to issues regarding liability of employers
9 for contributions under this subsection. Contributions received under this
10 subsection shall be deposited in the family and medical leave insurance trust fund
11 and credited to the appropriation account under s. 20.445 (1) (w).

12 **(8) DENIAL OF CLAIMS; OVERPAYMENTS.** (a) An individual whose claim for family
13 or medical leave insurance benefits is denied by the department may request a
14 hearing on the denial, and the department shall process the request for a hearing in
15 the same manner that requests for hearings on unemployment insurance claims are
16 processed under s. 108.09.

17 (b) If the department pays family or medical leave insurance benefits
18 erroneously or as a result of willful misrepresentation, the department may seek
19 repayment of those benefits in the same manner that the department recovers
20 erroneous payments of unemployment insurance benefits under ss. 108.095, 108.22
21 (8), and 108.225. The department may waive recovery of an erroneous payment of
22 family or medical leave insurance benefits if the erroneous payment was not the fault
23 of the person who received it and if requiring repayment would be contrary to equity
24 and good conscience. If an individual willfully makes a false statement or
25 representation, or willfully fails to disclose a material fact, to obtain family or

1 medical leave insurance benefits under this section, the individual is disqualified
2 from receiving those benefits for one year after the date of the disqualification.

3 **(9) PROHIBITED ACTS.** (a) No person may interfere with, restrain, or deny the
4 exercise of any right provided under this section.

5 (b) No person may discharge or otherwise discriminate against any person for
6 exercising any right provided under this section, opposing a practice prohibited
7 under this section, filing a complaint or attempting to enforce any right provided
8 under this section, or testifying or assisting in any action or proceeding to enforce any
9 right provided under this section.

10 **(10) ENFORCEMENT.** (a) Any person who believes that his or her rights under
11 this section have been interfered with, restrained, or denied in violation of sub. (9)
12 (a) or that he or she has been discharged or otherwise discriminated against in
13 violation of sub. (9) (b) may, within 30 days after the violation occurs or the person
14 should reasonably have known that the violation occurred, whichever is later, file a
15 complaint with the department alleging the violation, and the department shall
16 process the complaint in the same manner as complaints filed under s. 103.10 (12)
17 (b) are processed. If the department finds that an employer has violated sub. (9) (a)
18 or (b), the department may order the employer to take action to remedy the violation,
19 including providing the requested family or medical leave, reinstating an employee,
20 providing back pay accrued not more than 2 years before the complaint was filed, and
21 paying reasonable actual attorney fees to the complainant. Section 111.322 (2m)
22 applies to a discharge or other discriminatory act arising in connection with any
23 proceeding under this paragraph.

24 (b) After the completion of an administrative proceeding under par. (a),
25 including judicial review, an employee or the department may bring an action in

1 circuit court against an employer to recover damages caused by a violation of sub. (9)
2 (a) or (b). Section 103.10 (13) (b) applies to the commencement of an action under this
3 paragraph.

4 (11) ADMINISTRATION. The department shall administer the family and medical
5 leave insurance program under this section. In administering that program, the
6 department shall do all of the following:

7 (a) Establish procedures and forms for the filing of claims for benefits under
8 this section.

9 (b) Promulgate rules to implement this section. Those rules shall maintain
10 consistency with the regulations specified in 29 CFR Part 825 and the rules
11 promulgated by the department to implement s. 103.10 to the extent that those
12 regulations and rules do not conflict with this section.

13 (c) Use information sharing and integration technology to facilitate the
14 exchange of information as necessary for the department to perform its duties under
15 this section. Notwithstanding s. 19.35 (1), individual personal information
16 maintained by the department under this section is confidential and not open to
17 public inspection and copying and may be disclosed only as follows:

18 1. On the request of the individual who is the subject of the information or the
19 individual's authorized representative, to the individual or representative.

20 2. With the written permission of the individual who is the subject of the
21 information or the individual's authorized representative, to a person named in the
22 permission.

23 3. To a public employee for use in the performance of the public employee's
24 official duties.

1 4. Under a court order or an order of a hearing examiner that is obtained upon
2 prior notice to the department and a showing to the court or hearing examiner that
3 the information is relevant to a pending court or administrative action.

4 (d) Conduct a public outreach campaign to inform employers, employees,
5 self-employed individuals, and other covered individuals regarding the family and
6 medical leave insurance program under this section. Information provided under
7 this paragraph shall be provided in English and in any other language customarily
8 spoken by more than 20 percent of the population of this state.

9 (e) By September 1 of each year, submit a report to the governor, the joint
10 committee on finance, and the appropriate standing committees of the legislature
11 under s. 13.172 (3) on the family and medical leave insurance program under this
12 section. The report shall include the projected and actual rates of participation in
13 the program, the premium rates for coverage under the program, the balance in the
14 family and medical leave insurance trust fund under s. 25.52, and a description of
15 the department's outreach efforts under par. (d).

16 **(12) NOTICE POSTED.** Each employer shall post, on its Internet site and in one
17 or more conspicuous places where notices to employees are customarily posted, a
18 notice in a form approved by the department setting forth employees' rights under
19 this section. Any employer that violates this subsection shall forfeit not more than
20 \$100 for each violation.”.

21 **55.** Page 740, line 15: after that line insert:

22 “**SECTION 1448y.** 111.322 (2m) (a) of the statutes is amended to read:

23 111.322 **(2m)** (a) The individual files a complaint or attempts to enforce any
24 right under s. 103.02, 103.10, 103.105, 103.11, 103.13, 103.28, 103.32, 103.34,

1 103.455, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55, or ss. 101.58 to 101.599
2 or 103.64 to 103.82.

3 **SECTION 1448z.** 111.322 (2m) (b) of the statutes is amended to read:

4 111.322 **(2m)** (b) The individual testifies or assists in any action or proceeding
5 held under or to enforce any right under s. 103.02, 103.10, 103.105, 103.11, 103.13,
6 103.28, 103.32, 103.34, 103.455, 104.12, 109.03, 109.07, 109.075, 146.997, or 995.55,
7 or ss. 101.58 to 101.599 or 103.64 to 103.82.”.

8 **56.** Page 851, line 9: after that line insert:

9 “**SECTION 1673y.** 165.955 (3) of the statutes is created to read:

10 165.955 **(3)** A county shall be eligible for a grant under sub. (2) if all of the
11 following apply:

12 (a) The county’s program is designed to meet the needs of a person who abuses
13 alcohol or other drugs and who may be or has been charged with or who has been
14 convicted of a crime in that county related to the person’s use or abuse of alcohol or
15 other drugs.

16 (b) The program is designed to promote public safety, reduce prison and jail
17 populations, reduce prosecution and incarceration costs, reduce recidivism, and
18 improve the welfare of participants’ families by meeting the comprehensive needs of
19 participants.

20 (c) The program establishes eligibility criteria for a person’s participation. The
21 criteria shall specify that a violent offender is not eligible to participate in the
22 program.

23 (d) Subject to par. (e), the program does not prohibit a person from beginning
24 or continuing participation in the program because he or she uses a medication that

1 is approved by the federal food and drug administration for the treatment of his or
2 her substance use disorder.

3 (e) The program allows a participant to use a medication that is approved by
4 the federal food and drug administration if all of the following are true:

5 1. A licensed health care provider, acting in the scope of his or her practice, has
6 examined the person and determined that the person's use of the medication is an
7 appropriate treatment for the person's substance use disorder.

8 2. The medication was appropriately prescribed by a person authorized to
9 prescribe medication in the state.

10 3. The person is using the medication as prescribed as part of treatment for a
11 diagnosed substance use disorder.

12 (f) Services provided under the program are consistent with evidence-based
13 practices in substance abuse and mental health treatment, as determined by the
14 department of health services, and the program provides intensive case
15 management.

16 (g) The program uses graduated sanctions and incentives to promote successful
17 substance abuse treatment.

18 (h) The program provides holistic treatment to its participants and provides
19 them services that may be needed, as determined under the program, to eliminate
20 or reduce their use of alcohol or other drugs, improve their mental health, facilitate
21 their gainful employment or enhanced education or training, provide them stable
22 housing, facilitate family reunification, ensure payment of child support, and
23 increase the payment of other court-ordered obligations.

24 (i) The program is designed to integrate all mental health services provided to
25 program participants by state and local government agencies and other

1 organizations. The program shall require regular communication among a
2 participant's substance abuse treatment providers, other service providers, the case
3 manager, and any person designated under the program to monitor the person's
4 compliance with his or her obligations under the program and any probation,
5 extended supervision, and parole agent assigned to the participant.

6 (j) The program provides substance abuse and mental health treatment
7 services through providers that are certified by the department of health services.

8 (k) The program requires participants to pay a reasonable amount for their
9 treatment, based on their income and available assets, and pursues and uses all
10 possible resources available through insurance and federal, state, and local aid
11 programs, including cash, vouchers, and direct services.

12 (L) The program is developed with input from, and implemented in
13 collaboration with, one or more circuit court judges, the district attorney, the state
14 public defender, local law enforcement officials, county agencies responsible for
15 providing social services, including services relating to alcohol and other drug
16 addiction, child welfare, mental health, and the Wisconsin Works program, the
17 departments of corrections, children and families, and health services, private social
18 services agencies, and substance abuse treatment providers.

19 (m) The county complies with other eligibility requirements established by the
20 department of justice to promote the objectives listed in pars. (a) and (b).”.

21 **57.** Page 860, line 10: delete “20.155 (3) (r)” and substitute “20.155 (3) (a), (r)”.

22 **58.** Page 860, line 11: delete “and (rm)” and substitute “, and (rm)”.

23 **59.** Page 868, line 20: after that line insert:

24 “**SECTION 1771d.** 238.126 of the statutes is created to read:

1 **238.126 Program targeting.** Beginning with the 2017-19 fiscal biennium,
2 the corporation shall target new funding it receives in the appropriations under s.
3 20.192 (1) (a) and (r) toward economic development programs that benefit small
4 businesses, start-ups, businesses located in rural areas, and businesses certified
5 under ss. 16.283, 16.285, and 16.287.”.

6 **60.** Page 868, line 20: after that line insert:

7 “**SECTION 1771m.** 238.137 of the statutes is created to read:

8 **238.137 Entrepreneurial assistance grants. (1)** In this section:

9 (a) “Institution of higher education” means an institution within the University
10 of Wisconsin System, a technical college, or a private, nonprofit institution of higher
11 education located in this state.

12 (b) “New business” means a business organized in this state on a date not more
13 than 60 months before the date on which the business applies for a grant under sub.
14 (2).

15 **(2)** The corporation may award to a new business a grant of up to \$3,000 for
16 expenses related to hiring a paid intern who will assist with research, marketing,
17 business plan development, or other functions relating to the creation of a new
18 business. A recipient may use the grant under this subsection only for hiring a
19 student who is enrolled in an institution of higher education in the field of business,
20 engineering, or information technology or in a similar field as determined by the
21 corporation.

22 **(3)** If the corporation awards grants under sub. (2) to 3 or more businesses to
23 fund internships for students enrolled in a single institution of higher education, and
24 the institution of higher education develops a program to facilitate internships

1 funded with grants under sub. (2), the corporation may award a grant of up to
2 \$25,000 to the institution of higher education for costs associated with hiring interns
3 under sub. (2), including faculty or staff time and curriculum development. If the
4 corporation lacks sufficient funds to award grants to all qualified applicants, the
5 corporation shall allocate available funds to applicants that have the greatest
6 potential to create jobs in this state.

7 (4) From the appropriations under s. 20.192 (1) (k) and (r), the corporation shall
8 allocate at least \$125,000 in each fiscal year to provide the grants under subs. (2) and
9 (3).

10 (5) The corporation shall actively pursue gifts and grants from private sources
11 for funding grants under subs. (2) and (3).

12 (6) Not later than February 1, 2021, the corporation shall submit to the
13 legislature under s. 13.172 (2) a report evaluating the effectiveness of grants under
14 subs. (2) and (3).”.

15 **61.** Page 869, line 21: after that line insert:

16 “**SECTION 1774o.** 238.165 of the statutes is created to read:

17 **238.165 Entrepreneurial tax credit access grants.** (1) The corporation
18 shall establish and administer a program to make grants under this section. The
19 corporation may award a grant under the program to a person who intends to use the
20 grant to secure financing for making expenditures that would qualify for a credit
21 under s. 71.07 (2dy) or (3g) (a) 2., 71.28 (1dy) or (3g) (a) 2., or 71.47 (1dy) or (3g) (a)
22 2., if the expenditures are made for a business located in this state that has fewer
23 than 25 employees in this state or less than \$5,000,000 in gross receipts for the
24 taxable year in which the person applies for a grant under this section.

1 **(2)** Any person who wishes to receive a grant under this section shall complete
2 and submit an application to the corporation and enter into an agreement with the
3 corporation to use the grant to secure financing for making expenditures described
4 under sub. (1) and to repay any or all of the grant proceeds to the corporation if the
5 person fails to comply with the agreement. An agreement under this subsection may
6 provide that repayment shall be obtained through full or partial repayment of the
7 principal amount of the grant plus interest, through receipt of a share of future
8 profits from or an interest in a product or process, or through any other appropriate
9 means.

10 **(3)** (a) No person may receive a grant under this section unless the person has
11 submitted business and financing plans to a commercial lending institution and
12 submitted copies of the plans to the corporation. Before awarding a grant, the
13 corporation shall verify that the lender has approved the person's plans and will
14 underwrite a loan for expenditures described under sub. (1), contingent on the
15 person receiving a grant under this section.

16 (b) The amount of any grant awarded under this section is the amount equal
17 to 95 percent of the tax credit that the recipient could otherwise receive for making
18 expenditures described under sub. (1), except that the amount of the grant may not
19 exceed an amount equal to 20 percent of the cost of the project that is being financed.

20 (c) The corporation shall require, as a condition of the grant, that the recipient
21 contribute to a project an amount that is not less than the amount the recipient
22 receives as a grant under this section for the project.

23 **(4)** A person who receives a grant under this section to secure financing for
24 making an expenditure described under sub. (1) may not claim a credit under s. 71.07

1 (2dy) or (3g) (a) 2., 71.28 (1dy) or (3g) (a) 2., or 71.47 (1dy) or (3g) (a) 2. for that
2 expenditure.

3 (5) (a) The corporation shall pay grants under this section from the
4 appropriation under s. 20.192 (1) (r). The total amount that the corporation may
5 award under this section in a fiscal year is \$8,000,000.

6 (b) The corporation shall establish policies and procedures to administer this
7 section.

8 (c) The corporation may not award grants under this section after January 1,
9 2019.”.

10 **62.** Page 870, line 5: delete lines 5 to 8.

11 **63.** Page 1022, line 19: after that line insert:

12 “(3c) TECHNICAL ASSISTANCE TO EXAMINE CRIMINAL JUSTICE SYSTEM ISSUES. The
13 governor, supreme court, and the legislature, by December 31, 2017, are requested
14 to jointly request that the Council of State Governments Justice Center provide
15 technical assistance in conjunction with the state’s existing justice system to
16 examine areas including crime, arrests, prison admissions, length of confinement
17 and supervision time, probation and postrelease supervision populations, recidivism
18 rates, behavioral health, unemployment, incarceration resulting from revocation of
19 community supervision, and modifying sentences based on risk. The technical
20 assistance received shall be coordinated by the legislative council staff.”.

21 **64.** Page 1052, line 20: after that line insert:

22 “(6p) FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM; PROPOSED PERMANENT
23 RULES. The department of workforce development shall submit in proposed form the
24 rules required under section 103.105 (11) (b) of the statutes to the legislative council

1 staff under section 227.15 (1) of the statutes no later than the first day of the 4th
2 month beginning after the effective date of this subsection.

3 (6q) FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM; RULE-MAKING EXCEPTIONS
4 FOR PERMANENT RULES.

5 (a) Notwithstanding section 227.135 (2) of the statutes, the department of
6 workforce development is not required to present the statement of the scope of the
7 rules required under section 103.105 (11) (b) of the statutes to the governor for
8 approval.

9 (b) Notwithstanding section 227.185 of the statutes, the department of
10 workforce development is not required to present the rules required under section
11 103.105 (11) (b) of the statutes in final draft form to the governor for approval.

12 (c) Notwithstanding section 227.137 (2) of the statutes, the department of
13 workforce development is not required to prepare an economic impact analysis for
14 the rules required under section 103.105 (11) (b) of the statutes.

15 (d) Notwithstanding sections 227.14 (2g) and 227.19 (3) (e) of the statutes, the
16 department of workforce development is not required to submit the proposed rules
17 required under section 103.105 (11) (b) of the statutes to the small business
18 regulatory review board and is not required to prepare a final regulatory flexibility
19 analysis for those rules.

20 (6r) FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM; EMERGENCY RULES. Using the
21 procedure under section 227.24 of the statutes, the department of workforce
22 development shall promulgate the rules required under section 103.105 (11) (b) of the
23 statutes for the period before the effective date of the permanent rules promulgated
24 under section 103.105 (11) (b) of the statutes but not to exceed the period authorized
25 under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24

1 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the
2 statutes, the department is not required to provide evidence that promulgating a rule
3 under this subsection as an emergency rule is necessary for the preservation of public
4 peace, health, safety, or welfare and is not required to provide a finding of an
5 emergency for a rule promulgated under this subsection. Notwithstanding section
6 227.24 (1) (e) 1d. and 1g. of the statutes, the department is not required to prepare
7 a statement of the scope of the rules promulgated under this subsection or present
8 the rules to the governor for approval.”.

9 **65.** Page 1067, line 6: after that line insert:

10 “(5f) PROCUREMENT FROM WISCONSIN BUSINESSES.

11 (a) The treatment of section 66.0145 of the statutes and the creation of section
12 16.754 (2) (a) of the statutes first apply to purchases made in the fiscal year that
13 begins in the year after this paragraph takes effect.

14 (b) The treatment of section 16.754 (2m) of the statutes first applies to
15 responses made and bids submitted in the fiscal year that begins in the year after
16 this paragraph takes effect.”.

17 **66.** Page 1067, line 9: after that line insert:

18 “(5w) PREFERENCE TO BUY ITEMS MADE IN THE UNITED STATES. The treatment of
19 sections 16.754 (3) (intro.) and (a) and 66.0901 (1m) (b) and (10) of the statutes, the
20 renumbering and amendment of section 16.754 (2) of the statutes, and the creation
21 of section 16.754 (2) (b) of the statutes first apply to contracts entered into in the fiscal
22 year that begins in the year after this subsection takes effect.”.

23 **67.** Page 1070, line 8: after that line insert:

1 “(5c) ADDITIONAL HOUSEHOLD AND DEPENDENT CARE EXPENSES TAX CREDIT. The
2 treatment of sections 71.07 (8m) and 71.10 (4) (cs) of the statutes first applies to
3 taxable years beginning on January 1 of the year in which this subsection takes
4 effect, except that if this subsection takes effect after July 31 the treatment of
5 sections 71.07 (8m) and 71.10 (4) (cs) of the statutes first applies to taxable years
6 beginning on January 1 of the year following the year in which this subsection takes
7 effect.”.

8 **68.** Page 1074, line 21: after that line insert:

9 “(1p) FAMILY AND MEDICAL LEAVE INSURANCE TRUST FUND CONTRIBUTIONS. Except
10 as provided in subsection (1r), the treatment of section 103.105 (7) of the statutes
11 first applies to wages earned on January 1, 2021.

12 (1q) FAMILY OR MEDICAL LEAVE INSURANCE BENEFITS ELIGIBILITY. Except as
13 provided in subsection (1r), the treatment of section 103.105 (2) (a) and (c) of the
14 statutes first applies to a period of family leave, as defined in section 103.105 (1) (h)
15 of the statutes, or a period of medical leave, as defined in section 103.105 (1) (L) of
16 the statutes, commencing on January 1, 2022.

17 (1r) FAMILY AND MEDICAL LEAVE; COLLECTIVE BARGAINING AGREEMENTS. The
18 treatment of sections 20.445 (1) (w), 25.17 (1) (er), 25.52, 71.05 (6) (b) 54., 103.10 (1)
19 (ap), (b), (c), (dm), (dp), and (gm), (1m) (b) 4., (3) (a) 1. and (b) 3. and 4., (6) (b) (intro.)
20 and 1. and (c), (7) (a), (b) (intro.) and 1., and (d), (12) (c), and (14) (a) and (b), 103.105,
21 and 111.322 (2m) (a) and (b) of the statutes, the repeal of section 103.10 (1) (a) 1. and
22 2. of the statutes, the renumbering and amendment of section 103.10 (1) (a) (intro.)
23 of the statutes, and SECTION 9151 (6p), (6q), and (6r) of this act first apply to an
24 employee who is affected by a collective bargaining agreement that contains

1 provisions inconsistent with those provisions on the day on which the collective
2 bargaining agreement expires or is extended, modified, or renewed.”.

3 **69.** At the appropriate places, insert all of the following:

4 **“SECTION 2.** 13.172 (1) of the statutes is amended to read:

5 13.172 (1) In this section, “agency” means an office, department, agency,
6 institution of higher education, association, society, or other body in state
7 government created or authorized to be created by the constitution or any law, that
8 is entitled to expend moneys appropriated by law, including the legislature and the
9 courts, and any authority created in subch. II of ch. 114 or in ch. 231, 233, 234, 238,
10 239, or 279.

11 **SECTION 3.** 13.48 (13) (a) of the statutes is amended to read:

12 13.48 (13) (a) Except as provided in par. (b) or (c), every building, structure or
13 facility that is constructed for the benefit of or use of the state, any state agency,
14 board, commission or department, the University of Wisconsin Hospitals and Clinics
15 Authority, the Fox River Navigational System Authority, the Wisconsin Student
16 Loan Refinancing Authority, the Wisconsin Economic Development Corporation, or
17 any local professional baseball park district created under subch. III of ch. 229 if the
18 construction is undertaken by the department of administration on behalf of the
19 district, shall be in compliance with all applicable state laws, rules, codes and
20 regulations but the construction is not subject to the ordinances or regulations of the
21 municipality in which the construction takes place except zoning, including without
22 limitation because of enumeration ordinances or regulations relating to materials
23 used, permits, supervision of construction or installation, payment of permit fees, or
24 other restrictions.

1 **SECTION 4.** 13.62 (2) of the statutes is amended to read:

2 13.62 (2) “Agency” means any board, commission, department, office, society,
3 institution of higher education, council, or committee in the state government, or any
4 authority created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237, 238, 239,
5 or 279, except that the term does not include a council or committee of the legislature.

6 **SECTION 5.** 13.94 (1) (dt) of the statutes is created to read:

7 13.94 (1) (dt) Biennially, beginning in 2019, conduct a financial audit of the
8 Wisconsin Student Loan Refinancing Authority and a program evaluation audit of
9 the programs administered by the Wisconsin Student Loan Refinancing Authority
10 under ch. 239. The legislative audit bureau shall file a copy of each audit report
11 under this paragraph with the distributees specified in par. (b).

12 **SECTION 6.** 13.94 (1s) (c) 9. of the statutes is created to read:

13 13.94 (1s) (c) 9. The Wisconsin Student Loan Refinancing Authority for the cost
14 of the audit required to be performed under sub. (1) (dt).

15 **SECTION 7.** 13.94 (4) (a) 1. of the statutes is amended to read:

16 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
17 credentialing board, commission, independent agency, council or office in the
18 executive branch of state government; all bodies created by the legislature in the
19 legislative or judicial branch of state government; any public body corporate and
20 politic created by the legislature including specifically the Fox River Navigational
21 System Authority, the Lower Fox River Remediation Authority, the Wisconsin
22 Aerospace Authority, the Wisconsin Student Loan Refinancing Authority, the
23 Wisconsin Economic Development Corporation, a professional baseball park district,
24 a local professional football stadium district, a local cultural arts district, and a
25 long-term care district under s. 46.2895; every Wisconsin works agency under subch.

1 III of ch. 49; every provider of medical assistance under subch. IV of ch. 49; technical
2 college district boards; every county department under s. 51.42 or 51.437; every
3 nonprofit corporation or cooperative or unincorporated cooperative association to
4 which moneys are specifically appropriated by state law; and every corporation,
5 institution, association or other organization which receives more than 50 percent
6 of its annual budget from appropriations made by state law, including subgrantee or
7 subcontractor recipients of such funds.

8 **SECTION 8.** 13.95 (intro.) of the statutes is amended to read:

9 **13.95 Legislative fiscal bureau.** (intro.) There is created a bureau to be
10 known as the “Legislative Fiscal Bureau” headed by a director. The fiscal bureau
11 shall be strictly nonpartisan and shall at all times observe the confidential nature
12 of the research requests received by it; however, with the prior approval of the
13 requester in each instance, the bureau may duplicate the results of its research for
14 distribution. Subject to s. 230.35 (4) (a) and (f), the director or the director’s
15 designated employees shall at all times, with or without notice, have access to all
16 state agencies, the University of Wisconsin Hospitals and Clinics Authority, the
17 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
18 Wisconsin Student Loan Refinancing Authority, the Wisconsin Economic
19 Development Corporation, and the Fox River Navigational System Authority, and to
20 any books, records, or other documents maintained by such agencies or authorities
21 and relating to their expenditures, revenues, operations, and structure.

22 **SECTION 9.** 16.002 (2) of the statutes is amended to read:

23 16.002 (2) “Departments” means constitutional offices, departments, and
24 independent agencies and includes all societies, associations, and other agencies of
25 state government for which appropriations are made by law, but not including

1 authorities created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237, 238, 239,
2 or 279.

3 **SECTION 10.** 16.004 (4) of the statutes is amended to read:

4 16.004 (4) FREEDOM OF ACCESS. The secretary and such employees of the
5 department as the secretary designates may enter into the offices of state agencies
6 and authorities created under subch. II of ch. 114 and under chs. 231, 233, 234, 237,
7 238, 239, and 279, and may examine their books and accounts and any other matter
8 that in the secretary's judgment should be examined and may interrogate the
9 agency's employees publicly or privately relative thereto.

10 **SECTION 11.** 16.004 (5) of the statutes is amended to read:

11 16.004 (5) AGENCIES AND EMPLOYEES TO COOPERATE. All state agencies and
12 authorities created under subch. II of ch. 114 and under chs. 231, 233, 234, 237, 238,
13 239, and 279, and their officers and employees, shall cooperate with the secretary
14 and shall comply with every request of the secretary relating to his or her functions.

15 **SECTION 12.** 16.004 (12) (a) of the statutes is amended to read:

16 16.004 (12) (a) In this subsection, "state agency" means an association,
17 authority, board, department, commission, independent agency, institution, office,
18 society, or other body in state government created or authorized to be created by the
19 constitution or any law, including the legislature, the office of the governor, and the
20 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,
21 the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
22 Wisconsin Economic Development Corporation, the Wisconsin Student Loan
23 Refinancing Authority, and the Fox River Navigational System Authority.

24 **SECTION 13.** 16.045 (1) (a) of the statutes is amended to read:

1 16.045 (1) (a) “Agency” means an office, department, independent agency,
2 institution of higher education, association, society, or other body in state
3 government created or authorized to be created by the constitution or any law, that
4 is entitled to expend moneys appropriated by law, including the legislature and the
5 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 232,
6 233, 234, 237, 238, 239, or 279.

7 **SECTION 14.** 16.15 (1) (ab) of the statutes is amended to read:

8 16.15 (1) (ab) “Authority” has the meaning given under s. 16.70 (2), but
9 excludes the University of Wisconsin Hospitals and Clinics Authority, the Lower Fox
10 River Remediation Authority, the Wisconsin Student Loan Refinancing Authority,
11 and the Wisconsin Economic Development Corporation.

12 **SECTION 15.** 16.41 (4) of the statutes is amended to read:

13 16.41 (4) In this section, “authority” means a body created under subch. II of
14 ch. 114 or under ch. 231, 233, 234, 237, 238, 239, or 279.

15 **SECTION 16.** 16.417 (1) (b) of the statutes is amended to read:

16 16.417 (1) (b) “Authority” means a body created under subch. II of ch. 114 or
17 ch. 231, 232, 233, 234, 237, 238, 239, or 279.

18 **SECTION 17.** 16.52 (7) of the statutes is amended to read:

19 16.52 (7) **PETTY CASH ACCOUNT.** With the approval of the secretary, each agency
20 that is authorized to maintain a contingent fund under s. 20.920 may establish a
21 petty cash account from its contingent fund. The procedure for operation and
22 maintenance of petty cash accounts and the character of expenditures therefrom
23 shall be prescribed by the secretary. In this subsection, “agency” means an office,
24 department, independent agency, institution of higher education, association,
25 society, or other body in state government created or authorized to be created by the

1 constitution or any law, that is entitled to expend moneys appropriated by law,
2 including the legislature and the courts, but not including an authority created in
3 subch. II of ch. 114 or in ch. 231, 233, 234, 237, 238, 239, or 279.

4 **SECTION 18.** 16.528 (1) (a) of the statutes is amended to read:

5 16.528 (1) (a) “Agency” means an office, department, independent agency,
6 institution of higher education, association, society, or other body in state
7 government created or authorized to be created by the constitution or any law, that
8 is entitled to expend moneys appropriated by law, including the legislature and the
9 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233,
10 234, 237, 238, 239, or 279.

11 **SECTION 19.** 16.53 (2) of the statutes is amended to read:

12 16.53 (2) IMPROPER INVOICES. If an agency receives an improperly completed
13 invoice, the agency shall notify the sender of the invoice within 10 working days after
14 it receives the invoice of the reason it is improperly completed. In this subsection,
15 “agency” means an office, department, independent agency, institution of higher
16 education, association, society, or other body in state government created or
17 authorized to be created by the constitution or any law, that is entitled to expend
18 moneys appropriated by law, including the legislature and the courts, but not
19 including an authority created in subch. II of ch. 114 or in ch. 231, 233, 234, 237, 238,
20 239, or 279.

21 **SECTION 20.** 16.54 (9) (a) 1. of the statutes is amended to read:

22 16.54 (9) (a) 1. “Agency” means an office, department, independent agency,
23 institution of higher education, association, society or other body in state
24 government created or authorized to be created by the constitution or any law, which
25 is entitled to expend moneys appropriated by law, including the legislature and the

1 courts, but not including an authority created in subch. II of ch. 114 or in ch. 231, 233,
2 234, 237, 238, 239, or 279.

3 **SECTION 21.** 16.765 (1) of the statutes is amended to read:

4 16.765 (1) Contracting agencies, the University of Wisconsin Hospitals and
5 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
6 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
7 Student Loan Refinancing Authority, the Wisconsin Economic Development
8 Corporation, and the Bradley Center Sports and Entertainment Corporation shall
9 include in all contracts executed by them a provision obligating the contractor not
10 to discriminate against any employee or applicant for employment because of age,
11 race, religion, color, handicap, sex, physical condition, developmental disability as
12 defined in s. 51.01 (5), sexual orientation as defined in s. 111.32 (13m), or national
13 origin and, except with respect to sexual orientation, obligating the contractor to take
14 affirmative action to ensure equal employment opportunities.

15 **SECTION 22.** 16.765 (2) of the statutes is amended to read:

16 16.765 (2) Contracting agencies, the University of Wisconsin Hospitals and
17 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
18 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
19 Student Loan Refinancing Authority, the Wisconsin Economic Development
20 Corporation, and the Bradley Center Sports and Entertainment Corporation shall
21 include the following provision in every contract executed by them: "In connection
22 with the performance of work under this contract, the contractor agrees not to
23 discriminate against any employee or applicant for employment because of age, race,
24 religion, color, handicap, sex, physical condition, developmental disability as defined
25 in s. 51.01 (5), sexual orientation or national origin. This provision shall include, but

1 not be limited to, the following: employment, upgrading, demotion or transfer;
2 recruitment or recruitment advertising; layoff or termination; rates of pay or other
3 forms of compensation; and selection for training, including apprenticeship. Except
4 with respect to sexual orientation, the contractor further agrees to take affirmative
5 action to ensure equal employment opportunities. The contractor agrees to post in
6 conspicuous places, available for employees and applicants for employment, notices
7 to be provided by the contracting officer setting forth the provisions of the
8 nondiscrimination clause”.

9 **SECTION 23.** 16.765 (5) of the statutes is amended to read:

10 16.765 (5) The head of each contracting agency and the boards of directors of
11 the University of Wisconsin Hospitals and Clinics Authority, the Fox River
12 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox
13 River Remediation Authority, the Wisconsin Student Loan Refinancing Authority,
14 the Wisconsin Economic Development Corporation, and the Bradley Center Sports
15 and Entertainment Corporation shall be primarily responsible for obtaining
16 compliance by any contractor with the nondiscrimination and affirmative action
17 provisions prescribed by this section, according to procedures recommended by the
18 department. The department shall make recommendations to the contracting
19 agencies and the boards of directors of the University of Wisconsin Hospitals and
20 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
21 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
22 Student Loan Refinancing Authority, the Wisconsin Economic Development
23 Corporation, and the Bradley Center Sports and Entertainment Corporation for
24 improving and making more effective the nondiscrimination and affirmative action

1 provisions of contracts. The department shall promulgate such rules as may be
2 necessary for the performance of its functions under this section.

3 **SECTION 24.** 16.765 (6) of the statutes is amended to read:

4 16.765 (6) The department may receive complaints of alleged violations of the
5 nondiscrimination provisions of such contracts. The department shall investigate
6 and determine whether a violation of this section has occurred. The department may
7 delegate this authority to the contracting agency, the University of Wisconsin
8 Hospitals and Clinics Authority, the Fox River Navigational System Authority, the
9 Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
10 Wisconsin Student Loan Refinancing Authority, the Wisconsin Economic
11 Development Corporation, or the Bradley Center Sports and Entertainment
12 Corporation for processing in accordance with the department's procedures.

13 **SECTION 25.** 16.765 (7) (intro.) of the statutes is amended to read:

14 16.765 (7) (intro.) When a violation of this section has been determined by the
15 department, the contracting agency, the University of Wisconsin Hospitals and
16 Clinics Authority, the Fox River Navigational System Authority, the Wisconsin
17 Aerospace Authority, the Lower Fox River Remediation Authority, the Wisconsin
18 Student Loan Refinancing Authority, the Wisconsin Economic Development
19 Corporation, or the Bradley Center Sports and Entertainment Corporation, the
20 contracting agency, the University of Wisconsin Hospitals and Clinics Authority, the
21 Fox River Navigational System Authority, the Wisconsin Aerospace Authority, the
22 Lower Fox River Remediation Authority, the Wisconsin Student Loan Refinancing
23 Authority, the Wisconsin Economic Development Corporation, or the Bradley Center
24 Sports and Entertainment Corporation shall:

25 **SECTION 26.** 16.765 (7) (d) of the statutes is amended to read:

1 16.765 (7) (d) Direct the violating party to take immediate steps to prevent
2 further violations of this section and to report its corrective action to the contracting
3 agency, the University of Wisconsin Hospitals and Clinics Authority, the Fox River
4 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox
5 River Remediation Authority, the Wisconsin Student Loan Refinancing Authority,
6 the Wisconsin Economic Development Corporation, or the Bradley Center Sports
7 and Entertainment Corporation.

8 **SECTION 27.** 16.765 (8) of the statutes is amended to read:

9 16.765 (8) If further violations of this section are committed during the term
10 of the contract, the contracting agency, the Fox River Navigational System Authority,
11 the Wisconsin Aerospace Authority, the Lower Fox River Remediation Authority, the
12 Wisconsin Student Loan Refinancing Authority, the Wisconsin Economic
13 Development Corporation, or the Bradley Center Sports and Entertainment
14 Corporation may permit the violating party to complete the contract, after complying
15 with this section, but thereafter the contracting agency, the Fox River Navigational
16 System Authority, the Wisconsin Aerospace Authority, the Lower Fox River
17 Remediation Authority, the Wisconsin Student Loan Refinancing Authority, the
18 Wisconsin Economic Development Corporation, or the Bradley Center Sports and
19 Entertainment Corporation shall request the department to place the name of the
20 party on the ineligible list for state contracts, or the contracting agency, the Fox River
21 Navigational System Authority, the Wisconsin Aerospace Authority, the Lower Fox
22 River Remediation Authority, the Wisconsin Student Loan Refinancing Authority,
23 the Wisconsin Economic Development Corporation, or the Bradley Center Sports
24 and Entertainment Corporation may terminate the contract without liability for the

1 uncompleted portion or any materials or services purchased or paid for by the
2 contracting party for use in completing the contract.

3 **SECTION 28.** 16.85 (2) of the statutes is amended to read:

4 16.85 (2) To furnish engineering, architectural, project management, and other
5 building construction services whenever requisitions therefor are presented to the
6 department by any agency. The department may deposit moneys received from the
7 provision of these services in the account under s. 20.505 (1) (kc) or in the general
8 fund as general purpose revenue — earned. In this subsection, “agency” means an
9 office, department, independent agency, institution of higher education, association,
10 society, or other body in state government created or authorized to be created by the
11 constitution or any law, which is entitled to expend moneys appropriated by law,
12 including the legislature and the courts, but not including an authority created in
13 subch. II of ch. 114 or in ch. 231, 233, 234, 237, 238, 239, or 279.

14 **SECTION 29.** 16.865 (8) of the statutes is amended to read:

15 16.865 (8) Annually in each fiscal year, allocate as a charge to each agency a
16 proportionate share of the estimated costs attributable to programs administered by
17 the agency to be paid from the appropriation under s. 20.505 (2) (k). The department
18 may charge premiums to agencies to finance costs under this subsection and pay the
19 costs from the appropriation on an actual basis. The department shall deposit all
20 collections under this subsection in the appropriation account under s. 20.505 (2) (k).
21 Costs assessed under this subsection may include judgments, investigative and
22 adjustment fees, data processing and staff support costs, program administration
23 costs, litigation costs, and the cost of insurance contracts under sub. (5). In this
24 subsection, “agency” means an office, department, independent agency, institution
25 of higher education, association, society, or other body in state government created

1 or authorized to be created by the constitution or any law, that is entitled to expend
 2 moneys appropriated by law, including the legislature and the courts, but not
 3 including an authority created in subch. II of ch. 114 or in ch. 231, 232, 233, 234, 237,
 4 238, 239, or 279.

5 **SECTION 30.** 19.42 (10) (t) of the statutes is created to read:

6 19.42 **(10)** (t) The chief executive officer and members of the board of directors
 7 of the Wisconsin Student Loan Refinancing Authority.

8 **SECTION 31.** 19.42 (13) (q) of the statutes is created to read:

9 19.42 **(13)** (q) The chief executive officer and members of the board of directors
 10 of the Wisconsin Student Loan Refinancing Authority.

11 **SECTION 32.** 20.005 (3) (schedule) of the statutes: at the appropriate place,
 12 insert the following amounts for the purposes indicated:

	2017-18	2018-19
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13 **20.195 Wisconsin Student Loan Refinancing**
 14 **Authority**

15 (1) STUDENT LOAN REFINANCING PROGRAM

16 (a) Initial funding	GPR	B	-0-	-0-
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17 **SECTION 33.** 20.195 of the statutes is created to read:

18 **20.195 Wisconsin Student Loan Refinancing Authority.** There is
 19 appropriated to the Wisconsin Student Loan Refinancing Authority for the following
 20 programs:

21 **(1)** STUDENT LOAN REFINANCING PROGRAM. (a) *Initial funding.* Biennially, the
 22 amounts in the schedule to fund the initial costs of operating the Wisconsin Student

1 Loan Refinancing Authority and to start the student loan refinancing program under
2 ch. 239.

3 **SECTION 34.** 39.28 (7) of the statutes is created to read:

4 39.28 (7) The board shall create on its Internet site a link to that portion of the
5 department of financial institutions' Internet site created under s. 224.30 (6) (c) and
6 (d).

7 **SECTION 35.** 39.52 of the statutes is created to read:

8 **39.52 Student loan debt reports. (1)** By January 1 of each year, the Board
9 of Regents of the University of Wisconsin System shall provide to the board the
10 average amount of student loan incurred in the previous year by resident
11 undergraduate students enrolled in each institution within that system, the
12 technical college system board shall provide to the board the average amount of
13 student loan debt incurred in the previous year by resident undergraduate students
14 enrolled in each technical college within that system, each tribally controlled college
15 in this state shall provide to the board the average amount of student loan debt
16 incurred in the previous year by resident undergraduate students enrolled in that
17 tribally controlled college, and the Wisconsin Association of Independent Colleges
18 and Universities or a successor organization shall provide to the board the average
19 amount of student loan debt incurred in the previous year by resident undergraduate
20 students enrolled in each of the private, nonprofit accredited institutions of higher
21 education in this state.

22 **(2)** By March 1 of each year, the board shall do all of the following:

23 (a) Compile the information provided to the board under sub. (1) and, from that
24 information, compute the statewide average amount of student loan debt incurred

1 in the previous year by resident undergraduate students enrolled in the institutions
2 specified in sub. (1).

3 (b) Compare the amount computed under par. (a) to the national average
4 amount of student loan debt incurred in the previous year by undergraduate
5 students enrolled in institutions of higher education in the United States.

6 (c) Compare the amount computed under par. (a) to the statewide average
7 amount of student loan debt incurred in the previous year by undergraduate
8 students in the state with the lowest ratio of statewide average student loan debt to
9 the lowest quintile of state per capita income.

10 (d) Submit to the joint committee on finance a report regarding student loan
11 debt incurred in the previous year by resident undergraduate students at the
12 institutions specified in sub. (1). The report shall include the information provided
13 to the board under sub. (1), the statewide average amount of student loan debt
14 computed under par. (a), and the comparisons described in pars. (b) and (c).

15 **SECTION 36.** 39.54 of the statutes is created to read:

16 **39.54 Student lending transparency. (1)** In this section, “institution of
17 higher education” means an institution or college campus within the University of
18 Wisconsin System, a technical college within the technical college system, a tribally
19 controlled college, or a private, nonprofit institution of higher education located in
20 this state that provides an educational program for which the institution awards an
21 associate degree or higher or provides a program that is acceptable toward such a
22 degree.

23 **(2)** Each institution of higher education shall provide to a prospective or newly
24 accepted student and to the student’s parents clearly outlined and
25 easy-to-understand information pertaining to all of the following:

1 (a) The total cost of attendance at the institution of higher education.

2 (b) The approximate or, if known, the actual total amount of financial aid that
3 the student would receive from the institution of higher education, and the
4 approximate or, if known, the actual total amount of student loan debt that the
5 student would accumulate, over the course of 4 years if the student were to attend
6 the institution of higher education for 4 years.

7 (c) Student loan rates, repayment plans, default rates, and the actual monthly
8 payment that would be required to pay the student loan debt described in par. (b)
9 when the loan becomes due.

10 (3) Each institution of higher education shall create on its Internet site a link
11 to that portion of the department of financial institutions' Internet site created under
12 s. 224.30 (6) (c) and (d).

13 **SECTION 37.** 39.56 of the statutes is created to read:

14 **39.56 Loan counseling. (1) DEFINITION.** In this section, "institution of higher
15 education" means an institution or college campus within the University of
16 Wisconsin System, a technical college under ch. 38, or any private, nonprofit,
17 educational institution located in this state that provides an educational program for
18 which it awards an associate degree or higher.

19 (2) **APPLICABILITY.** This section applies to any student loan offered by an
20 institution of higher education or a private lender or recommended to a student by
21 an institution of higher education, other than a federally funded, federally insured,
22 or federally guaranteed loan for which counseling is required by 20 USC 1092.

23 (3) **ENTRANCE COUNSELING.** (a) Before a student enters into a student loan
24 agreement, an institution of higher education shall provide the student with
25 comprehensive information on the terms and conditions of a loan and the

1 responsibilities the student has with respect to the loan. The institution shall
2 provide the information during a counseling session conducted in person, on a
3 written form provided to the student that the student signs and returns, or online,
4 with the student acknowledging receipt of the information. The information
5 provided shall include all of the following:

6 1. To the extent practicable, the effect of accepting the loan to be disbursed on
7 the eligibility of the borrower for other forms of student financial assistance.

8 2. How interest accrues and is capitalized during periods when the interest is
9 not paid by the borrower.

10 3. The definitions of full-time and half-time enrollment at the institution of
11 higher education, during regular terms and intersession terms, if applicable, and the
12 consequences of not maintaining full-time or half-time enrollment.

13 4. The importance of contacting the appropriate office at the institution of
14 higher education if the borrower withdraws before completing his or her program of
15 study so that the institution can provide counseling under sub. (4).

16 5. Sample monthly repayment amounts, based on a range of levels of
17 indebtedness.

18 6. The obligation of the borrower to repay the full amount of the loan,
19 irrespective of whether the borrower completes his or her program of study at the
20 institution.

21 7. The likely consequences of default on the loan, including adverse credit
22 reports, delinquent debt collection procedures, and litigation.

23 8. Whether the student has reached the limit on his or her federal student loan
24 opportunities.

1 9. The name of, and contact information for, an individual the borrower may
2 contact if he or she has any questions about the borrower's rights and responsibilities
3 or the terms and conditions of the loan.

4 10. How a student or any member of the public may file a complaint about a
5 lender with the federal Consumer Financial Protection Bureau by calling a toll-free
6 telephone number, or by completing a complaint form, which may be obtained on the
7 bureau's Internet site. The institution of higher education shall also include the
8 toll-free telephone number and Internet site address of the bureau.

9 (b) In conjunction with providing information under par. (a), the institution of
10 higher education shall also do all of the following:

11 1. Clearly distinguish private loans from federal loans in individual financial
12 aid awards by stating, for any private loans included by the institution as part of the
13 institution's award package, all of the following:

14 a. Whether the rate is fixed or variable.

15 b. An explanation that private student loan lenders can offer variable interest
16 rates that can increase or decrease over time, depending on market conditions.

17 c. An explanation that private student loans have a range of interest rates and
18 fees and students should determine the interest rate of, and any fees associated with,
19 the private student loan included in their financial aid award package before
20 accepting the loan.

21 d. An explanation that students should contact the lender of the private
22 student loan or their institution's financial aid office if they have any questions about
23 a private student loan.

24 e. An explanation that the interest rate on a private student loan may depend
25 on the borrower's credit rating.

1 2. If the institution of higher education provides a private loan lender list,
2 provide general information about the loans available through the lender and
3 disclose the basis for each lender's inclusion on the list. The institution shall also
4 disclose with the list that the student may choose any lender.

5 (c) 1. A lender may not accept a final and complete application for a private
6 student loan from an applicant, or assess any fees upon an applicant, without first
7 receiving certification from the applicant's institution of higher education that the
8 applicant has received counseling from the institution under pars. (a) and (b) and
9 that the counseling was conducted in person, unless the certification specified that
10 the applicant elected to receive the counseling in a manner other than in person.

11 2. The certification required by subd. 1. shall be signed by the applicant and
12 the institutional counselor, and shall include the date of the counseling and the
13 name, address, and telephone number of both the counselor and the applicant. An
14 electronic facsimile copy of the counseling certification satisfies the requirement
15 under this subdivision. The lender shall maintain the certification in an accurate,
16 reproducible, and accessible format for the term of the student loan.

17 **(4) EXIT COUNSELING.** (a) As close as practicable to the date that a student
18 graduates from, transfers from, withdraws from, or otherwise completes his or her
19 program of study at the institution of higher education, the institution shall provide
20 the student with information relating to all of the following:

21 1. Repayment plans that are available, including a description of the different
22 features of each plan and sample information showing the average anticipated
23 monthly payments, and the difference in interest paid and total payments, under
24 each plan.

1 2. Debt management strategies designed to facilitate the repayment of
2 indebtedness.

3 3. The options to prepay each loan, pay each loan on a shorter schedule, or
4 change repayment plans.

5 4. The likely consequences of default on the loan, including adverse credit
6 reports, delinquent debt collection procedures, and litigation.

7 5. The effects of consolidation on a borrower's underlying loan benefits.

8 6. Grace periods, loan forgiveness, cancellation, and deferment opportunities.

9 7. The borrower benefit programs of different lenders.

10 8. The tax benefits that may be available to borrowers.

11 9. How to enroll in income-based repayment.

12 (b) With respect to a student who leaves an institution of higher education
13 without the knowledge of the institution, the institution shall attempt to provide the
14 information described in par. (a) to the student in writing.

15 **(5) FEE.** An institution of higher education may assess a reasonable fee to the
16 lender to defray the cost of counseling under this section in an amount not exceeding
17 \$50. The higher educational aids board and the department of financial institutions
18 shall jointly promulgate rules to implement and administer this subsection.

19 **SECTION 38.** 40.02 (54) (n) of the statutes is created to read:

20 40.02 **(54)** (n) The Wisconsin Student Loan Refinancing Authority.

21 **SECTION 39.** 70.11 (38v) of the statutes is created to read:

22 70.11 **(38v)** WISCONSIN STUDENT LOAN REFINANCING AUTHORITY. All property
23 owned by the Wisconsin Student Loan Refinancing Authority, provided that use of
24 the property is primarily related to the purposes of the Wisconsin Student Loan
25 Refinancing Authority.

1 **SECTION 40.** 71.05 (6) (b) 28. am. of the statutes is amended to read:

2 71.05 **(6)** (b) 28. am. Notwithstanding subd. 28. a., for taxable years beginning
3 after December 31, 2008, the department of revenue and the Board of Regents of the
4 University of Wisconsin System shall continue making the calculation described
5 under subd. 28. a. Notwithstanding subd. 28. a., once this calculation exceeds
6 \$6,000, the deduction for tuition expenses, including any amount paid by a claimant
7 in the year to which the claim relates on a loan, the proceeds of which were used by
8 the claimant to pay the claimant's expenses for tuition, fees, books, room and board,
9 and educational supplies that were directly related to the claimant's attendance at
10 an eligible educational institution, as defined in s. 18.81 (2), and mandatory student
11 fees, as described in subd. 28. (intro.), shall be based on an amount equal to not more
12 than twice the average amount charged by the Board of Regents of the University
13 of Wisconsin System at 4-year institutions for resident undergraduate academic fees
14 for the most recent fall semester, as determined by the Board of Regents by
15 September 1 of that semester, per student for each year to which the claim relates,
16 and the deduction that may be claimed under this subd. 28. am. first applies to
17 taxable years beginning on the January 1 after the calculation of the Board of
18 Regents, that must occur by September 1, exceeds \$6,000.

19 **SECTION 41.** 71.05 (6) (b) 28. j. of the statutes is created to read:

20 71.05 **(6)** (b) 28. j. The provisions of subd. 28. b., c., d., and g. do not apply to
21 a taxable year that begins after December 31, 2017.

22 **SECTION 42.** 77.54 (9a) (a) of the statutes is amended to read:

23 77.54 **(9a)** (a) This state or any agency thereof, the University of Wisconsin
24 Hospitals and Clinics Authority, the Wisconsin Aerospace Authority, the Wisconsin

1 Economic Development Corporation, the Wisconsin Student Loan Refinancing
2 Authority, and the Fox River Navigational System Authority.

3 **SECTION 43.** 100.45 (1) (dm) of the statutes is amended to read:

4 100.45 (1) (dm) "State agency" means any office, department, agency,
5 institution of higher education, association, society, or other body in state
6 government created or authorized to be created by the constitution or any law which
7 is entitled to expend moneys appropriated by law, including the legislature and the
8 courts, the Wisconsin Housing and Economic Development Authority, the Bradley
9 Center Sports and Entertainment Corporation, the University of Wisconsin
10 Hospitals and Clinics Authority, the Wisconsin Health and Educational Facilities
11 Authority, the Wisconsin Aerospace Authority, the Wisconsin Economic
12 Development Corporation, the Wisconsin Student Loan Refinancing Authority, and
13 the Fox River Navigational System Authority.

14 **SECTION 44.** 224.30 (6) of the statutes is created to read:

15 224.30 (6) STUDENT LENDING TRANSPARENCY. (a) In this subsection:

16 1. "Higher education expenses" includes all of the following:

17 a. Tuition and fees.

18 b. Books and supplies

19 c. Room and board.

20 2. "Private student loan" means a loan issued by a private lending institution
21 for the purpose of paying for or financing higher education expenses.

22 3. "Private lending institution" means any private entity that itself or through
23 an affiliate makes available student loans to pay for or finance higher education
24 expenses.

1 4. “Student borrower” means any individual who borrows money from a private
2 lending institution to finance higher education expenses.

3 (b) The department shall compile data related to private student loans for the
4 purpose of comparing private lending institutions’ student loan interest rates and
5 repayment plans, including all of the following:

6 1. Policies relating to deferment and forbearance.

7 2. Loan default policies and penalties.

8 3. Any other information that the department deems relevant for the purpose
9 of creating a list of private lending institutions that provide the lowest rates and best
10 repayment options on student loans.

11 (c) 1. Using the data compiled under par. (b), the department shall create and
12 maintain a list of private lending institutions that provide the lowest rates and best
13 repayment options on student loans.

14 2. In addition to the list under subd. 1., the department shall compile a list of
15 the 10 best private lending institutions based on rates and policies that are most
16 favorable to the student borrower. The department may also consider the private
17 lending institutions’ policies for allowing a student borrower to borrow more than 10
18 percent over the student borrower’s total cost of higher education expenses when
19 determining if a private lending institution should be placed on this list.

20 (d) The department shall place the lists created and compiled under par. (c) at
21 an easily accessible location on the department’s Internet site. The department shall
22 update its Internet site on a monthly basis to ensure that the student loan
23 information in these lists is current and accurate. Information pertaining to lending
24 institutions that do not make the list compiled under par. (c) 2. shall also be posted

1 on the department's Internet site and those lending institutions that provide the
2 worst rates and strictest repayment options shall be clearly indicated.

3 (e) The department shall make any list or other data under this subsection that
4 appears on the department's Internet site available to be linked as provided in ss.
5 39.28 (7) and 39.54 (3).

6 (f) The department may satisfy its duties under this subsection through a
7 designee or 3rd-party contractor.

8 **SECTION 45.** 230.03 (3) of the statutes is amended to read:

9 230.03 (3) "Agency" means any board, commission, committee, council, or
10 department in state government or a unit thereof created by the constitution or
11 statutes if such board, commission, committee, council, department, unit, or the
12 head thereof, is authorized to appoint subordinate staff by the constitution or
13 statute, except the Board of Regents of the University of Wisconsin System, a
14 legislative or judicial board, commission, committee, council, department, or unit
15 thereof or an authority created under subch. II of ch. 114 or under ch. 231, 232, 233,
16 234, 237, 238, 239, or 279. "Agency" does not mean any local unit of government or
17 body within one or more local units of government that is created by law or by action
18 of one or more local units of government.

19 **SECTION 46.** Chapter 239 of the statutes is created to read:

20 **CHAPTER 239**

21 **WISCONSIN STUDENT LOAN**

22 **REFINANCING AUTHORITY**

23 **239.01 Definitions.** In this chapter:

24 (1) "Authority" means the Wisconsin Student Loan Refinancing Authority.

25 (2) "Board" means the governing board of the authority.

1 **(3)** “Qualified education loan” has the meaning given in 26 USC 221 (d).

2 **239.02 Creation and organization of authority.** **(1)** (a) There is created an
3 authority, which is a public body corporate and politic, to be known as the “Wisconsin
4 Student Loan Refinancing Authority.” The members of the board shall consist of all
5 of the following:

6 1. One member of the majority party in each house of the legislature.

7 2. One member of the minority party in each house of the legislature.

8 3. One undergraduate student enrolled at least half-time and in good academic
9 standing at an institution within the University of Wisconsin System who is at least
10 18 years old and a resident of this state.

11 4. One student enrolled at least half-time and in good academic standing at a
12 technical college who is at least 18 years old and a resident of this state.

13 5. One undergraduate student enrolled at least half-time and in good academic
14 standing at a private, nonprofit institution of higher education located in this state
15 who is at least 18 years old and a resident of this state.

16 6. Two members who have at least 10 years experience in making qualified
17 education loans or loan refinancing, but any person having a financial interest in or
18 whose employer is primarily engaged in the business of making qualified education
19 loans is not eligible for appointment under this subdivision, and any member
20 appointed under this subdivision who acquires such an interest while serving as a
21 member shall resign from the board.

22 (b) 1. The members specified in par. (a) 1. and 2. shall be appointed as are the
23 members of standing committees in their respective houses.

24 2. The members specified in par. (a) 3. to 5. shall be nominated by the governor,
25 and with the advice and consent of the senate appointed, for 2-year terms.

1 3. The members specified in par. (a) 6. shall be nominated by the governor, and
2 with the advice and consent of the senate appointed, for 3-year terms.

3 **(2)** If a student member of the board appointed under sub. (1) (a) 3. to 5. loses
4 his or her student status upon which the appointment was based, he or she ceases
5 to be a member of the board upon the appointment of a qualified successor to the
6 board. A student member who loses his or her student status solely because he or
7 she graduates from an institution of higher education may complete his or her
8 current term on the board.

9 **(3)** The members of the board shall annually elect a chairperson and may elect
10 other officers as they consider appropriate. A majority of the members of the board
11 constitutes a quorum for the purpose of conducting its business and exercising its
12 powers and for all other purposes, notwithstanding the existence of any vacancies.
13 Action may be taken by the board upon a vote of a majority of the voting members
14 present.

15 **(4)** A member of the board may not be compensated for his or her services but
16 shall be reimbursed for actual and necessary expenses, including travel expenses,
17 incurred in the performance of his or her duties.

18 **(5)** No cause of action of any nature may arise against and no civil liability may
19 be imposed upon a member of the board for any act or omission in the performance
20 of his or her powers and duties under this chapter, unless the person asserting
21 liability proves that the act or omission constitutes willful misconduct.

22 **(6)** The board shall appoint a chief executive officer who shall not be a member
23 of the board and who shall serve at the pleasure of the board. The chief executive
24 officer shall receive such compensation as the board fixes. The chief executive officer
25 or other person designated by resolution of the board shall keep a record of the

1 proceedings of the authority and shall be custodian of all books, documents, and
2 papers filed with the authority, the minute book or journal of the authority, and its
3 official seal. The chief executive officer or other person may cause copies to be made
4 of all minutes and other records and documents of the authority and may give
5 certificates under the official seal of the authority to the effect that such copies are
6 true copies, and all persons dealing with the authority may rely upon such
7 certificates.

8 **239.03 Powers of board.** The board shall have all the powers necessary or
9 convenient to carry out the purposes and provisions of this chapter. In addition to
10 all other powers granted the board under this chapter, the board may specifically:

11 (1) Adopt, amend, and repeal any bylaws, policies, and procedures for the
12 regulation of its affairs and the conduct of its business.

13 (2) Have a seal and alter the seal at pleasure.

14 (3) Maintain an office.

15 (4) Sue and be sued.

16 (5) Accept gifts, grants, loans, or other contributions from private or public
17 sources.

18 (6) Establish the authority's annual budget and monitor the fiscal
19 management of the authority.

20 (7) Execute contracts and other instruments required for the operation of the
21 authority.

22 (8) Employ any officers, agents, and employees that it may require and
23 determine their qualifications, duties, and compensation.

24 (9) Issue notes, bonds, and any other obligations.

25 (10) Make loans and provide grants.

1 **(11)** Incur debt.

2 **(12)** Procure liability insurance.

3 **239.04 Duties of board.** The board shall develop and implement a program
4 under which state residents may refinance qualified education loans. The board
5 shall develop the program to include all of the following:

6 **(1)** The authority shall provide a loan to an eligible individual to pay all or part
7 of the individual's qualified education loans.

8 **(2)** The authority may only issue loans under the program that satisfy the
9 exception to discharge under 11 USC 523 (a) (8).

10 **(3)** The authority shall establish eligibility criteria to participate in the
11 program.

12 **(4)** The board shall set the interest rate on loans made under the program to
13 be as low as possible but still sufficient to fully pay all expenses of the program and
14 to provide necessary reserves, as determined by the board.

15 **(5)** The authority shall establish policies governing the ability of borrowers to
16 defer loan payments or to enter into forbearances.

17 **239.05 Issuance of bonds.** **(1)** The authority may issue bonds for any
18 corporate purpose. All bonds are negotiable for all purposes, notwithstanding their
19 payment from a limited source.

20 **(2)** Except as otherwise expressly provided by the authority, every issue of its
21 notes or bonds shall be general obligations of the authority payable out of any
22 revenues or moneys of the authority, subject only to any agreements with the holders
23 of particular notes or bonds pledging any particular receipts or revenues.

24 **(3)** All bonds issued by the authority are negotiable investment securities
25 under ch. 408.

1 (4) The authority may not issue bonds unless the issuance is first authorized
2 by a bond resolution. Bonds shall bear the dates, mature at the times not exceeding
3 50 years from their dates of issue, bear interest at the rates, be payable at the times,
4 be in the denominations, be in the form, carry the registration and conversion
5 privileges, be executed in the manner, be payable in lawful money of the United
6 States at the places, and be subject to the terms of redemption, that the bond
7 resolution provides. The bonds shall be executed by the manual or facsimile
8 signatures of the officers of the authority designated by the board. The bonds may
9 be sold at public or private sale at the price, in the manner, and at the time
10 determined by the board. Pending preparation of definitive bonds, the authority may
11 issue interim receipts or certificates that shall be exchanged for the definitive bonds.

12 (5) The board may include in bond resolution provisions, which shall be a part
13 of the contract with the holders of the bonds that are authorized by the bond
14 resolution, regarding any of the following:

15 (a) Pledging or assigning specified assets or revenues of the authority.

16 (b) Setting aside reserves or sinking funds, and the regulation, investment, and
17 disposition of these funds.

18 (c) Limitations on the purpose to which or the investments in which the
19 proceeds of the sale of any issue of bonds may be applied.

20 (d) Limitations on the issuance of additional bonds, the terms upon which
21 additional bonds may be issued and secured, and the terms upon which additional
22 bonds may rank on a parity with, or be subordinate or superior to, other bonds.

23 (e) Funding, refunding, advance refunding, or purchasing outstanding bonds.

1 (f) Procedures, if any, by which the terms of any contract with bondholders may
2 be amended, the amount of bonds the holders of which must consent to the
3 amendment, and the manner in which this consent may be given.

4 (g) Defining the acts or omissions to act that constitute a default in the duties
5 of the authority to the bondholders, and providing the rights and remedies of the
6 bondholders in the event of a default.

7 (h) Other matters relating to the bonds that the board considers desirable.

8 **(6)** Neither the members of the board nor any person executing the bonds is
9 liable personally on the bonds or subject to any personal liability or accountability
10 by reason of the issuance of the bonds, unless the personal liability or accountability
11 is the result of willful misconduct.

12 **239.06 Bond security.** The authority may secure bonds by a trust agreement,
13 trust indenture, indenture of mortgage, or deed of trust by and between the authority
14 and one or more corporate trustees. A bond resolution providing for the issuance of
15 bonds so secured shall mortgage, pledge, assign, or grant security interests in some
16 or all of the revenues to be received by, and property of, the authority and may contain
17 those provisions for protecting and enforcing the rights and remedies of the
18 bondholders that are reasonable and proper and not in violation of law. A bond
19 resolution may contain other provisions determined by the board to be reasonable
20 and proper for the security of the bondholders.

21 **239.07 Bonds not public debt. (1)** The state is not liable on bonds, and the
22 bonds are not a debt of the state. All bonds shall contain a statement to this effect
23 on the face of the bond. A bond issue does not, directly, indirectly, or contingently,
24 obligate the state or a political subdivision of the state to levy any tax or make any

1 appropriation for payment of the bonds. Nothing in this section prevents the
2 authority from pledging its full faith and credit to the payment of bonds.

3 (2) Nothing in this chapter authorizes the authority to create a debt of the state,
4 and all bonds issued by the authority are payable, and shall state that they are
5 payable, solely from the funds pledged for their payment in accordance with the bond
6 resolution authorizing their issuance or in any trust indenture or mortgage or deed
7 of trust executed as security for the bonds. The state is not liable for the payment
8 of the principal of or interest on a bond or for the performance of any pledge,
9 mortgage, obligation, or agreement that may be undertaken by the authority. The
10 breach of any pledge, mortgage, obligation, or agreement undertaken by the
11 authority does not impose pecuniary liability upon the state or a charge upon its
12 general credit or against its taxing power.

13 **239.08 State pledge.** The state pledges to and agrees with the bondholders,
14 and persons that enter into contracts with the authority under this chapter, that the
15 state will not limit or alter the rights vested in the authority by this chapter before
16 the authority has fully met and discharged the bonds, and any interest due on the
17 bonds, and has fully performed its contracts, unless adequate provision is made by
18 law for the protection of the bondholders or those entering into contracts with the
19 authority.

20 **239.09 Liability limited.** Neither the state nor any political subdivision of
21 the state, nor any officer, employee, or agent of the state or a political subdivision of
22 the state who is acting within the scope of employment or agency, is liable for any
23 debt, obligation, act, or omission of the authority.

1 **239.10 Annual report. (1)** Annually, the board shall submit to the chief clerk
2 of each house of the legislature, for distribution to the legislature under s. 13.172 (2),
3 a report on the activities of the authority, including all of the following:

4 (a) Its operations, accomplishments, goals, and objectives.

5 (b) A statement of income and expenses for the fiscal year.

6 (c) Its assets and liabilities at the end of its fiscal year.

7 (d) A schedule of its bonds and notes outstanding at the end of its fiscal year,
8 together with a statement of the amounts redeemed and incurred during such fiscal
9 year.

10 **(2)** The authority, annually on January 15, shall file with the department of
11 administration and the joint legislative council a complete and current listing of all
12 forms, reports, and papers required by the authority to be completed by any person,
13 other than a governmental body, as a condition of obtaining the approval of the
14 authority or for any other reason. The authority shall attach a blank copy of each
15 such form, report, or paper to the listing.”.

16 **70.** Page 607, line 7: after “expenses” insert “, including any amount paid by
17 a claimant in the year to which the claim relates on a loan, the proceeds of which were
18 used by the claimant to pay the claimant’s expenses for tuition, fees, books, room and
19 board, and educational supplies that were directly related to the claimant’s
20 attendance at an eligible educational institution, as defined in s. 18.81 (2).”.

21 **71.** Page 607, line 16: after “expenses” insert “, including any amount paid by
22 a claimant in the year to which the claim relates on a loan, the proceeds of which were
23 used by the claimant to pay the claimant’s expenses for tuition, fees, books, room and

1 board, and educational supplies that were directly related to the claimant's
2 attendance at an eligible educational institution, as defined in s. 18.81 (2)."

3 **72.** Page 1053, line 7: after that line insert:

4 "(3w) WISCONSIN STUDENT LOAN REFINANCING AUTHORITY. Notwithstanding the
5 length of terms specified for the members of the board of the Wisconsin Student Loan
6 Refinancing Authority under section 239.02 of the statutes, of the 5 members
7 appointed under section 239.02 (1) (a) 3. to 6. of the statutes, one of the initial
8 members shall be appointed for a term expiring on July 1, 2019, 2 of the initial
9 members shall be appointed for terms expiring on July 1, 2020, and the remaining
10 2 initial members shall be appointed for terms expiring on July 1, 2021."

11 **73.** Page 1072, line 7: after that line insert:

12 "(19w) TUITION EXPENSES DEDUCTION. The treatment of section 71.05 (6) (b) 28.
13 (intro.) (as it relates to student loans) and j. of the statutes first applies to taxable
14 years beginning on January 1 of the year in which this subsection takes effect, except
15 that if this subsection takes effect after July 31 the treatment of section 71.05 (6) (b)
16 28. (intro.) (as it relates to student loans), am., h. (as it relates to student loans), and
17 j. of the statutes first applies to taxable years beginning on January 1 of the year
18 following the year in which this subsection takes effect."

19 **74.** Page 1079, line 5: after that line insert:

20 "(1w) FINANCIAL AID INFORMATION. The treatment of sections 39.28 (7), 39.54,
21 and 224.30 (6) of the statutes takes effect on the first day of the 7th month beginning
22 after publication."

23 (END)