



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-4309/1
EAW:skw

2021 ASSEMBLY BILL 633

October 21, 2021 - Introduced by Representatives J. RODRIGUEZ, KERKMAN, DOYLE, BILLINGS, DITTRICH, TUSLER, SINICKI, SNYDER and THIESFELDT, cosponsored by Senators BALLWEG and JOHNSON. Referred to Committee on Family Law.

1 **AN ACT to renumber and amend 767.54; to amend 767.553 (1) (c); and to**
2 **create 767.54 (1) (a) to (d) and 767.54 (2) of the statutes; relating to:** the
3 required annual exchange of financial information in an order for family
4 support, child support, or maintenance.

Analysis by the Legislative Reference Bureau

Under current law, in an order for family support, child support, or maintenance, the court must require the parties to annually exchange financial information. This bill specifies the types of financial information that must be included in this exchange and also allows the parties to redact certain personally identifying information from the documents that are exchanged. The bill also specifies that the information must be exchanged no later than May 1st of each year, unless a different date is agreed upon in writing by both of the parties.

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

5 **SECTION 1.** 767.54 of the statutes, as affected by 2021 Wisconsin Act 35, is
6 renumbered 767.54 (1) (intro.) and amended to read:

ASSEMBLY BILL 633**SECTION 1**

1 767.54 (1) (intro.) In an action in which the court has ordered a party to pay
2 family support under s. 767.225, 2019 stats., or s. 767.531, 2019 stats., or child
3 support or maintenance under this chapter, including an action to revise a judgment
4 or order under s. 767.59, the court shall require the parties annually to exchange
5 financial information. Information required under this section shall be exchanged
6 no later than May 1 of each calendar year, unless otherwise agreed upon in writing
7 by the parties. The information required to be exchanged shall include all of the
8 following:

9 **(3)** Information disclosed under this section is subject to s. 767.127 (3). A party
10 who fails to furnish information required by the court under this section may be
11 proceeded against for contempt of court under ch. 785. If the court finds that a party
12 has failed to furnish information required under this section, the court may award
13 to the party bringing the action costs and, notwithstanding s. 814.04 (1), reasonable
14 attorney fees.

15 **SECTION 2.** 767.54 (1) (a) to (d) of the statutes are created to read:

16 767.54 (1) (a) A complete copy of the party's federal and state income tax return
17 for the prior calendar year, including all W-2 forms and 1099 forms.

18 (b) A year-end paycheck stub from all sources of employment for the prior
19 calendar year.

20 (c) The party's most recent paycheck stub from all sources of employment
21 showing year-to-date gross and net income.

22 (d) Any other documentation of the party's income from all sources for the
23 12-month period preceding the exchange of information.

24 **SECTION 3.** 767.54 (2) of the statutes is created to read:

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1 767.54 (2) A party may redact or remove the following personally identifying
2 information from documents provided under sub. (1) unless otherwise ordered by the
3 court:

4 (a) The party's home or work address, if the party is participating in the
5 program under s. 165.68, or if the party's address is otherwise protected or sealed.

6 (b) The name, date of birth, and address of the party's spouse.

7 (c) The name, date of birth, and other personally identifying information of a
8 minor child not related to the other party.

9 (d) Any social security number.

10 (e) An identification number assigned by an employer.

11 (f) A taxpayer identification number assigned by the department of revenue or
12 federal internal revenue service.

13 (g) Any depository account number, investment account number, or other
14 personally identifying number related to any investment tool.

15 (h) A military identification number.

16 (i) Any other personally identifying information that is intended to be used to
17 access services, funds, or benefits of any kind to which an individual is entitled.

18 (j) Any other personally identifying information that is not required to
19 determine the income or financial status of the party.

20 **SECTION 4.** 767.553 (1) (c) of the statutes is amended to read:

21 767.553 (1) (c) In the order the court shall specify what information the parties
22 must exchange to determine whether the payer's income has changed, ~~and shall~~
23 ~~specify the manner and timing of the information exchange~~ in accordance with s.
24 767.54.

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(END)