



State of Wisconsin
1997 - 1998 LEGISLATURE

LRB-5068/1

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1997 SENATE BILL 494

March 10, 1998 - Introduced by Senators WIRCH, DARLING and ROESSLER, cosponsored by Representatives HUEBSCH, R. YOUNG and LA FAVE. Referred to Committee on Judiciary, Campaign Finance Reform and Consumer Affairs.

1 **AN ACT** *to repeal* 440.08 (2g) (title), (a) and (b) and 767.45 (6p); *to renumber*
2 46.251, 103.91 (4), 138.09 (1m), 138.09 (4), 170.12 (8), 217.05 (intro.), 217.05 (1)
3 to (4), 218.02 (6), 224.092, 224.093, subchapter II of chapter 224 [precedes
4 224.70], 343.64, 343.65, 767.263 and 767.29 (3); *to renumber and amend*
5 49.145 (2) (f) 1., 49.22 (2m), 103.91 (2), 103.92 (1), 105.13, 218.02 (2) (a), 218.04
6 (3) (a), 343.61 (2), 343.62 (2), 440.08 (2g) (c), 445.08 (4) (a), 632.68 (3), 632.68
7 (5) and 891.41; *to amend* 13.63 (1), 13.64 (1) (a), 13.64 (2), 19.36 (7) (b), 19.55
8 (2) (intro.), 20.445 (1) (L), 20.921 (2) (a), 29.1085 (3) (c) 1., 29.1085 (3) (c) 2.,
9 29.134 (3), 29.135 (3), 29.145 (1c) (intro.), 29.33 (2) (d), 29.521 (2) (a), 29.521 (2)
10 (c) 1., 29.544 (3), 29.573 (2), 29.574 (3), 29.575 (3), 29.575 (4), 29.578 (4), 29.578
11 (5), 29.578 (11), 29.578 (14) (am), 29.578 (14) (b) (intro.), 29.585 (1), 29.585 (3),
12 48.02 (13), 48.396 (2) (dm), 48.42 (4) (b) 2., 48.66 (1), 48.66 (2), 48.69, 48.72,
13 48.837 (4) (e), 48.91 (2), 49.145 (2) (f) 2., 49.22 (6), 49.25 (3) (a) 8., 49.45 (2) (a)
14 11., 49.45 (2) (a) 12., 59.40 (2) (h), 59.53 (5m) (a), 59.53 (5m) (am), 59.53 (5m)

SENATE BILL 494

1 (b) 1., 59.53 (5m) (b) 2., 66.184, 66.81, 69.14 (1) (cm), 69.17, 69.22 (5) (a) 3., 71.78
2 (4) (g), 73.03 (50), 85.24 (4) (b), 85.24 (4) (c), 93.06 (8), 93.11 (1), 93.35 (10), 94.65
3 (3) (c) 1., 94.66 (8), 95.72 (2) (c) 5., 99.02 (1), 100.06 (1g) (c), 102.17 (1) (c), 102.27
4 (2) (a), 103.005 (10), 103.275 (2) (b) (intro.), 103.275 (7) (b), 103.275 (7) (c),
5 103.92 (3), 104.07 (1), 104.07 (2), 108.14 (7) (a), 115.31 (6) (b), 118.19 (10) (f),
6 120.13 (2) (e), 120.13 (2) (g), 125.07 (4) (cm), 125.085 (3) (bp), 127.17 (2) (a),
7 127.17 (2) (b), 127.17 (2) (c) 1., 127.17 (2) (d), 127.17 (2) (e) 1., 138.09 (3) (a),
8 138.12 (4) (a), 146.50 (5) (a), 146.50 (5) (b), 146.50 (5) (g), 146.50 (6) (a) (intro.),
9 146.50 (6) (b) 1., 146.50 (6) (c) (intro.), 146.50 (6g) (a), 146.50 (7), 146.50 (8) (a),
10 146.50 (8) (b), 146.50 (8) (c), 146.50 (8) (f), 157.62 (2) (c), 165.85 (3) (c), 165.85
11 (3) (cm), 165.85 (4) (d), 165.85 (4) (f), 175.35 (2k) (i), 217.09 (4), 218.01 (2) (h) 3.,
12 218.02 (9) (a), 218.04 (4) (a), 218.04 (5) (b), 218.04 (9), 218.05 (4) (b), 218.05 (11),
13 218.05 (12) (title), 218.05 (13), 218.11 (2) (a), 218.11 (7) (a), 218.11 (7) (b), 218.12
14 (2) (a), 218.12 (5), 218.22 (4) (a), 218.22 (4) (b), 218.32 (4) (a), 218.32 (4) (b),
15 218.41 (2) (a), 218.41 (4), 218.51 (3) (a), 218.51 (5) (a), 218.51 (5) (b), chapter 224
16 (title), 224.72 (5) (a), 224.72 (5) (b) 1., 224.72 (5) (b) 2., 230.13 (1) (intro.), 230.13
17 (2), 250.05 (5), 250.05 (6), 250.05 (8), 252.23 (2), 252.23 (4) (a), 252.24 (2), 252.24
18 (4) (a), 254.176 (1), 254.176 (3) (intro.), 254.176 (3) (a), 254.178 (1) (b), 254.178
19 (2) (intro.), 254.178 (2) (a), 254.178 (4), 254.20 (2) (d), 254.20 (3) (a), 254.20 (3)
20 (b), 254.20 (4), 254.20 (6), 254.20 (7), 254.47 (1), 254.47 (2m), 254.47 (3), 254.64
21 (1) (c), 254.64 (1p), 254.71 (2), 254.71 (3), 254.71 (6) (c), 255.08 (2), 255.08 (13),
22 280.13 (4), 281.48 (3) (a), 281.48 (5) (b), 291.15 (2) (d), 301.45 (7) (a), 302.372 (2)
23 (b), 343.14 (3) (b), 343.24 (3), 343.30 (5), 343.50 (8) (b), 343.66 (6), 343.68,
24 343.69, 349.19, 440.03 (7), 440.08 (2) (c), 440.08 (4) (a), 440.43 (5), 440.44 (10),
25 440.92 (6) (d), 440.93 (2), 442.12 (7), 443.06 (1) (a), 443.10 (2) (a), 445.13 (2),

SENATE BILL 494

1 446.05 (2), 448.02 (3) (e), 448.05 (7), 449.07 (3), 452.12 (6) (e) (intro.), 454.08 (4),
2 459.10 (2) (a) (intro.), 459.34 (2m) (a) (intro.), 480.24 (3) (intro.), 560.15 (4),
3 560.15 (5), 565.30 (5m), 601.465 (intro.), 601.59 (6) (e), 628.04 (1) (intro.), 628.04
4 (2), 628.09 (1), 628.09 (4), 632.68 (2) (b) (intro.), 632.68 (2) (b) 2., 632.68 (2) (e),
5 632.68 (3) (title), 632.68 (4) (b), 632.68 (4) (c), 632.68 (5) (title), 632.68 (8),
6 632.897 (10) (a) 3., 633.15 (2) (a) (title), 633.15 (2) (a) 1., 633.15 (2) (a) 2., 633.15
7 (2) (a) 3., 633.15 (2) (b) 1. (intro.), 765.09 (2), 765.09 (3), 765.13, 767.027 (2),
8 767.045 (1) (c) (intro.), 767.078 (1) (a) 1., 767.078 (2), 767.085 (1) (b), 767.25 (4),
9 767.25 (4m) (d) 2., 767.25 (6) (intro.), 767.25 (6) (a), 767.253, 767.254 (2) (intro.),
10 767.261 (intro.), 767.261 (1), 767.263 (title), 767.263 (2), 767.265 (1), 767.265
11 (2h), 767.265 (2r), 767.265 (3h), 767.265 (3m), 767.265 (4), 767.265 (6) (a),
12 767.265 (6) (b), 767.265 (6) (c), 767.27 (2m), 767.29 (1m) (intro.), 767.295 (2) (a)
13 (intro.), 767.295 (2) (c), 767.30 (1), 767.303 (1), 767.305, 767.32 (1) (b) 4., 767.32
14 (2m), 767.32 (2s), 767.37 (1) (a), 767.45 (1) (intro.), 767.45 (1) (c), 767.45 (1) (k),
15 767.45 (5) (b), 767.45 (5m), 767.45 (6m), 767.455 (5g) (form) 2., 767.455 (5g)
16 (form) 3., 767.455 (5g) (form) 7., 767.455 (5r) (form) 2., 767.458 (1) (d), 767.458
17 (2), 767.458 (3), 767.465 (2) (a), 767.466 (intro.), 767.47 (1) (c), 767.47 (3), 767.47
18 (8), 767.475 (2), 767.48 (1) (a), 767.48 (1m), 767.48 (4), 767.48 (5) (a), 767.48 (5)
19 (b), 767.51 (1), 767.51 (2), 767.51 (2), 767.51 (3), 767.51 (3m) (d) 2., 767.51 (5p)
20 (intro.), 767.51 (5p) (a), 767.52 (2m), 802.12 (3) (d) 1., 802.12 (3) (d) 3., 808.075
21 (4) (d) 9., 808.075 (4) (d) 10., 808.075 (4) (d) 11., 815.19 (2), 815.20 (1), 852.05
22 (2), 891.39 (1) (a), 891.405, 895.48 (title), 938.02 (13), 938.363 (1), 938.396 (4),
23 948.22 (4) (b) and 977.06 (4) (c); **to repeal and recreate** 20.445 (3) (k), 20.445
24 (3) (r), 25.68, 767.25 (6) (intro.), 767.261 (intro.), 767.263 (1), 767.265 (1),
25 767.265 (2r), 767.265 (3h), 767.265 (6) (a), 767.265 (6) (b), 767.29 (1m) (intro.),

SENATE BILL 494

1 767.51 (5p) (intro.), 767.62, 767.62 (4) (b) 3. a. and 767.62 (4) (g) (intro.); **to**
2 **create** 19.55 (2) (d), 20.445 (3) (k), 20.445 (3) (r), 25.17 (1) (tm), 25.68, 29.09
3 (11m), 40.08 (1c), 40.08 (1g), 48.66 (2m), 48.715 (6), 49.22 (2m) (b), 49.22 (2m)
4 (bc), 49.22 (2m) (c), 49.22 (2m) (d), 49.22 (7g), 49.225, 49.48, 49.852, 49.853,
5 49.854, 49.856, 49.857, 69.15 (3) (d), 69.15 (3m), 71.78 (4) (q), 73.03 (50m), 77.61
6 (5) (b) 11., 93.135, 101.02 (21), 102.17 (1) (cg), 102.17 (1) (cm), 102.33 (2) (b) 5.,
7 103.275 (2) (bg), 103.275 (2) (bm), 103.91 (2) (b), 103.91 (4) (b), 103.92 (1) (b),
8 103.92 (6), 104.07 (4), 104.07 (5), 105.06 (1m), 105.13 (2), 115.31 (6) (bm),
9 115.315, 118.19 (1r), 118.19 (10) (g), 120.13 (2) (f), 134.43 (3m), 138.09 (1m) (b),
10 138.09 (3) (am), 138.09 (4) (b), 138.12 (3) (d), 138.12 (4) (b) 4., 138.12 (4) (b) 6.,
11 138.12 (5) (am), 146.51, 165.85 (3m), 170.12 (3) (em), 170.12 (8) (b), 175.35 (2k)
12 (bm), 217.05 (1m), 217.06 (4), 217.06 (6), 217.09 (1m), 218.01 (2) (ie), 218.01 (2)
13 (ig), 218.01 (3) (ag), 218.01 (3) (am), 218.02 (2) (a) 2., 218.02 (3) (e), 218.02 (6)
14 (b), 218.04 (3) (a) 2., 218.04 (4) (am), 218.04 (5) (am), 218.05 (3) (am), 218.05 (4)
15 (c), 218.05 (12) (am), 218.11 (2) (am), 218.11 (6m), 218.12 (2) (am), 218.12 (3m),
16 218.21 (2) (ag), 218.21 (2m), 218.22 (3m), 218.31 (1) (ag), 218.31 (1m), 218.32
17 (3m), 218.41 (2) (am), 218.41 (3m), 218.41 (5) (d), 218.51 (3) (am), 218.51 (4m),
18 220.01 (1e), subchapter II (title) of chapter 224 [precedes 224.25], 224.40,
19 224.72 (2) (c), 224.72 (7m), 224.77 (6), 227.03 (4m), 230.13 (3), 250.041, 299.08,
20 341.51 (4) (am), 341.51 (4g), 341.51 (4m), 343.14 (2j), 343.305 (6) (e), 343.345,
21 343.61 (2) (b), 343.62 (2) (b), 343.64 (2), 343.65 (2), 343.665, 343.675, 440.03
22 (11m), 440.035 (5), 440.13, 551.32 (1) (bm), 551.34 (1m), 562.05 (1c), 562.05 (5)
23 (a) 9., 562.05 (7) (am), 562.05 (8) (d), 562.05 (8m), 563.28, 628.095, 628.097,
24 628.10 (2) (c), 628.10 (2) (d), 632.68 (2) (bc), 632.68 (2) (bm), 632.68 (3) (b), 632.68
25 (4) (bc), 632.68 (4) (bm), 632.68 (5) (b), 633.14 (1) (d), 633.14 (2c), 633.14 (2m),

SENATE BILL 494

1 633.15 (1m), 633.15 (2) (c), 751.15, 757.69 (1) (n), 767.027, 767.25 (4m) (d) 2m.,
2 767.25 (4m) (f), 767.263 (2), 767.265 (6m), 767.29 (3) (b), 767.465 (1m), 767.47
3 (11), 767.477, 767.51 (3m) (d) 2m., 767.51 (3m) (f), 885.01 (5), 891.41 (2), 895.48
4 (3) and 977.06 (4) (bm) of the statutes; and **to affect** Laws of 1937, chapter 201,
5 section 11, Laws of 1937, chapter 201, section 21b, 1997 Wisconsin Act 27,
6 section 631, 1997 Wisconsin Act 27, section 639b, 1997 Wisconsin Act 27,
7 section 833, 1997 Wisconsin Act 27, section 909b and 1997 Wisconsin Act 27,
8 section 9426 (8); **relating to:** suspension of licenses, permits and other
9 credentials for failure to pay child support or to comply with a subpoena or
10 warrant related to paternity or child support proceedings and requiring social
11 security numbers on license, permit and other credential applications and on
12 certain documents concerning marriage and children; creating a record
13 matching program to match information about delinquent child support
14 obligors with financial account information of financial institutions; creating
15 a statutory lien for delinquent child support obligations; creating a mechanism
16 for enforcing child support liens; fees for the child and spousal support,
17 establishment of paternity and medical liability support program and
18 cooperation with child support efforts under Wisconsin works; income
19 withholding for support or maintenance, adjudicating paternity when the
20 mother fails to appear and other technical changes related to child support
21 enforcement; access to certain agency records, nonliability for providing
22 information from records, issuing subpoenas, ordering genetic tests; providing
23 notice to new employers of a parent's obligation to provide health care coverage
24 for a child; hospital-based voluntary establishment of paternity;
25 administratively changing interstate income-withholding orders to sum

SENATE BILL 494

1 certain amounts; presumption of paternity; access by county child support
2 employes to tax information; acknowledgment of paternity; procedure,
3 temporary orders and probable cause in paternity actions; payment for genetic
4 tests in paternity actions; changes in departmental responsibility for support
5 enforcement; intercepting delinquent support and certain other payments from
6 pension plan disbursements; intercepting delinquent support from court
7 judgments and settlements; granting rule-making authority; making
8 appropriations; and providing a penalty.

Analysis by the Legislative Reference Bureau

Licenses and social security numbers

Under current law, many state agencies and boards issue licenses, permits or other credentials for professional or occupational purposes. In addition, the department of natural resources (DNR) issues fish and game licenses for recreational purposes. This bill requires an applicant for the issuance or renewal of a professional or occupational license, if the applicant is a natural person, or an applicant for a recreational fish and game license to provide his or her social security number. The issuing agency or board must refuse to issue or renew the license if an applicant does not provide a required social security number. An agency or board that obtains an individual's social security number from a license application may release the social security number only to the department of workforce development (DWD) for purposes of DWD's administration of the child and spousal support and establishment of paternity and medical support liability program under current law.

Under current law, if an individual who has been ordered by a court to pay child or family support or spousal support (maintenance) fails to pay the amount ordered, the court may enforce the judgment or order by any appropriate remedy. Appropriate remedies include, but are not limited to, execution of the order or judgment, contempt of court, money judgment for past-due payments, satisfaction of attached property, garnishment of wages and suspension of the individual's operating privilege. Also under current law, if an individual fails to make any court-ordered payments of child or family support, maintenance or other support-related payments, DWD may certify the delinquency to the department of revenue (DOR) and DOR may withhold the delinquent amount from any income tax refund that is owed to the individual.

The bill requires DWD to establish a system under which operating privileges and occupational, professional and recreational licenses, permits or other credentials (licenses) are withheld, nonrenewed, restricted or suspended by the agency or other entity that issues the operating privilege or license for failure to pay court-ordered payments of child or family support, maintenance or other

SENATE BILL 494

support-related payments or for failure to comply with a subpoena or warrant issued by DWD or a county child support agency and related to paternity or child support proceedings. The bill requires DWD and each issuing agency or other entity to enter into a memorandum of understanding related to the requirements for withholding, nonrenewing, restricting or suspending operating privileges or licenses, the procedures to be used and safeguards for keeping information about individuals, including social security numbers, confidential. The procedures must include adequate notice to the individual who owes the delinquent payments or who failed to comply with a subpoena or warrant, an opportunity for an individual who owes delinquent support to pay the delinquent amount or make alternative payment arrangements before any action is taken with respect to the individual's operating privilege or license, an opportunity for an individual who failed to comply with a subpoena or warrant to fulfill the requirements under the subpoena or warrant before any action is taken with respect to the individual's operating privilege or license, an opportunity for a hearing for an individual who owes delinquent support before a court or family court commissioner and reinstatement of an individual's operating privilege or license. For an individual who owes delinquent support, the operating privilege or license must be reinstated upon payment of the delinquent amount or making satisfactory alternative payment arrangements, and, for an individual who failed to comply with a subpoena or warrant, the operating privilege or license must be reinstated upon fulfillment of the requirements under the subpoena or warrant. However, in no case may an operating privilege or a license be restricted, suspended, denied or refused renewal for more than 5 years.

Under current law, a petition in an action affecting the family, such as a divorce or child support action, must include the social security numbers of the parties. This bill requires that all written judgments in actions affecting the family include the social security numbers of the parties and of any child of the parties.

Under current law, clerks of court must forward to the state registrar on a biweekly basis a report of every divorce or annulment that was granted in the clerk's court during that period. Clerks of court are also required to submit to the state registrar a report of paternity determination within 30 days after entry of a paternity judgment. The report must include the name and date and place of birth of the adjudicated father. Under the bill, the divorce and annulment report must include the social security numbers of the parties to the divorce or annulment and of any child of the parties. The paternity report must include the social security numbers of the adjudicated father, the mother and the child. The bill also requires that the social security numbers of persons signing a statement acknowledging paternity (the mother of the child and the man acknowledging paternity) be included on the statement form.

Under current law, an application for a marriage license and a marriage document (which consists of the marriage license, the marriage certificate and confidential information collected for statistical purposes) must contain any information that the department of health and family services directs. The bill requires that the social security numbers of the parties be required on the application and included on the marriage document.

SENATE BILL 494***Financial records matching; liens and seizures***

The bill provides that, if a person fails to pay any amount of court-ordered child support, family support, maintenance or medical or birth expenses, the amount becomes a lien in favor of DWD upon all property of the person when it is included in a statewide support lien docket maintained by DWD. For each entry in the statewide support lien docket, DWD is required to include the obligor's name and social security number. For each county in the state, DWD is required to provide a copy of the statewide support lien docket to either the register of deeds or the county child support agency in that county or both. DWD must update the statewide support lien docket in response to orders issued by a court or family court commissioner. Upon payment of the delinquent amount to the county child support agency, the payer may require the county child support agency to provide a satisfaction of lien showing that the delinquent amount has been paid in full.

When a delinquent obligation is included in the statewide support lien docket, DWD is required to provide notice to the obligor that a lien on the obligor's property is in effect and that the obligor may, within a 20-day period, request a court hearing on the issue. If the obligor makes a timely request for hearing, the court or family court commissioner shall schedule a hearing within 10 business days. If it is established at the hearing that the lien is not proper because of a mistake of fact, the court or family court commissioner shall direct DWD to remove the lien from the statewide support lien docket.

DWD is granted general power to levy against property of the obligor to enforce the lien. The procedures for levying against this property vary depending upon whether the property is an account at a financial institution, other personal property or real property. The procedures are as follows:

1. **Financial accounts.** The bill requires financial institutions doing business in this state to participate in a financial record matching program. Under this program, a financial institution may opt to participate in either the financial institution matching option or the state matching option. Under the financial institution matching option, DWD is required to periodically provide the financial institution with information regarding delinquent obligors. The financial institution is then required to match this information against its account records to determine whether any of these obligors have an account at the institution. If the financial institution finds a match, the financial institution is required to provide information regarding the account to DWD. The financial institution is prohibited from using the information that it receives from DWD for purposes other than the matching program and is prohibited from disclosing or retaining information regarding obligors who do not maintain an account at the financial institution. Under the state matching option, the financial institution is required to provide information on all of its accounts to DWD. DWD is then required to determine whether a delinquent obligor has an account at the financial institution. DWD is prohibited from using the account information for purposes other than the matching program and is prohibited from disclosing or retaining information regarding account holders who are not delinquent obligors.

SENATE BILL 494

Both the financial institution matching option and the state matching option provide that the information shall be exchanged between DWD and the financial institution in the manner specified by rule or by agreement. To the extent feasible, the information is to be exchanged by an automated data exchange. The bill provides that a financial institution is not liable to any person for disclosing financial records to a child support agency attempting to establish, modify or enforce a support obligation, or for disclosures of account information, seizures of assets or other actions taken in good faith in participating in the financial record matching program.

To enforce a lien against an account at a financial institution, DWD shall send a notice of levy to the financial institution instructing the financial institution to “freeze” the obligor’s accounts at the institution in an amount equal to the amount of the delinquency, plus estimated levy fees and costs and financial institution fees. No later than the next day after the notice of levy is sent to the financial institution, DWD is required to send a copy of the notice of levy to the obligor, stating the amount of owed support and that one or more of the obligor’s accounts at the financial institution named in the notice have been frozen, and that the obligor may request a hearing within 20 days after the date of the notice of levy. Unless DWD or a court instructs the financial institution to release the funds within 20 days after the date of the notice of levy, the financial institution is required to pay the amount specified in the notice of levy to DWD. If a hearing is requested and the court or family court commissioner determines that the account holder does not owe the amount of support claimed by DWD, DWD is required to return the funds to the account holder.

2. Other personal property. DWD may levy against other personal property by seizing personal property. DWD must immediately notify the obligor, and any person known to have a lien on the property, that the property has been seized. If the property is titled, the notice must also be provided to the state agency that titles the property together with instructions not to transfer title to the property without instructions from DWD or a court. The notice must inform the obligor that he or she may, within 20 days, request a hearing on whether the support was owed and whether the property was wrongfully seized. The hearing is with the court or family court commissioner issuing the order to pay the support. If a hearing is not requested or is not decided in favor of the person whose property was seized, DWD must send a notice to the obligor of the time and place where the property will be sold. The property may be redeemed prior to the sale by paying the amount owed. DWD shall give the purchaser of the property a certificate of sale and, if the property is titled, instruct the state agency to transfer title to the purchaser of the property.

3. Real property. To levy against real property, DWD must provide the obligor, and any persons known to have liens on the property, with a notice of intent to levy. The notice must include information on requesting a hearing on whether the support is owed. The hearing is with the court or family court commissioner issuing the order to pay support. Unless the support is paid or unless the hearing determines that the support is not owed, DWD may send a final notice of seizure, stating the date by which the obligor must vacate the premises and stating the date of sale. DWD must allow at least 60 days for the obligor to vacate the property and 90 days before the sale. The register of deeds is sent a copy of the final notice and is instructed not to

SENATE BILL 494

record a deed for the property, except on the instructions of a court or DWD. Notice of the sale must be publicly advertised and the obligor is entitled to redeem the property prior to the date of sale by paying the full amount owed, together with any levy fees and costs.

The bill also contains provisions requiring 3rd parties possessing property or rights to property that is subject to a levy to surrender them to DWD. A 3rd party is entitled to a levy fee of \$5 for each levy in any case where property is secured through the levy and DWD is authorized to recover its costs of levy. These costs can be deducted from the proceeds of the levy after first paying any liens on the property prior to the delinquent support lien and then paying the amount of the delinquent support. The bill contains provisions for bringing actions against the state in cases of wrongful levy. DWD may delegate its powers and responsibilities with respect to support liens and levies to county child support agencies, but DWD is required to approve the initiation of levies against real property. DWD may contract with a county sheriff to perform the sale of real or personal property.

Confidential records

DWD administers a child and spousal support and establishment of paternity and medical liability support program. The main purposes of the program are to establish, modify and enforce support obligations and to establish paternity for the purpose of establishing a support obligation. County child support agencies administer the program at the local level. Current law provides that DWD may request from any person any information that it determines is appropriate and necessary for the administration of the program. A person who is the subject of a request for information must provide the information within 7 days after receiving a request. DWD and county child support agencies may disclose the information only in the administration of the program. This bill provides that DWD and county child support agencies may issue subpoenas to compel the production of financial information and other documentary evidence in the administration of the program. The bill also requires that a person in this state must comply with an administrative subpoena issued from another state to compel production of the same types of evidence for comparable purposes. A person who provides access to records or who discloses information as requested is not liable to any person for providing the access or for disclosing the information. A person who does not comply with a request for information or access to records, however, may be required to pay a forfeiture to be determined by DWD by rule.

Under current law, all persons (including state agencies) are required to provide to DWD all information requested by DWD if DWD determines that the information is appropriate and necessary for the administration of the child and spousal support and establishment of paternity and medical liability program and certain other state and federal public assistance and medical programs. This law conflicts with certain other laws that authorize or require state agencies to maintain the confidentiality of certain information contained in records of the agencies.

This bill reconciles those conflicts by giving precedence to DWD's right of access to certain records and information notwithstanding existing confidentiality provisions. Among the records and information affected by the bill are certain

SENATE BILL 494

driving records and accident reports kept by the department of transportation (DOT), information from income tax and sales tax returns, certain records under the unemployment compensation and worker's compensation programs, certain records of applicants for public positions, certain information collected by the department of public instruction for issuing, renewing or revoking certain licenses, records of background checks of prospective handgun purchasers, financial statements filed with the department of agriculture, trade and consumer protection by dairy plant applicants, records received by DNR from the owner or operator of a hazardous waste facility and information provided by persons to the state public defender that is used to determine whether the person qualifies for representation due to indigency.

Voluntary acknowledgment of paternity

Under current law, a judge or family court commissioner may order the parties to a paternity action to undergo genetic tests for the purpose of determining paternity. If a party in a paternity action requests genetic tests, the judge or family court commissioner must order them. The bill authorizes a county child support agency to administratively require a child, the child's mother and a male who is alleged, or who alleges himself, to be the father of the child to submit to genetic tests if there is probable cause to believe that the child's mother and the male had sexual intercourse during a possible time of the child's conception. A sufficient affidavit from either the mother or the alleged father may establish the necessary probable cause. Genetic tests ordered by the county child support agency will be paid for by the county. If a party requests subsequent tests, however, the requesting party must pay for the tests in advance unless he or she is indigent, in which case the county will pay for the tests but may seek reimbursement. The results of genetic test ordered by a county child support agency may be used in a paternity action.

Under current law, generally only after a man has been adjudicated to be the father of a nonmarital child in a paternity action may any orders related to the child, such as orders for the payment of child support or for custody or physical placement rights, be made with respect to the man. An exception is if the man has signed and filed with the state registrar a statement acknowledging paternity. In that case, a judge or family court commissioner may order the man to pay child support in any action affecting the family, such as an action for support. The action need not be a paternity action. Within one year after signing a statement acknowledging paternity or one year after attaining age 18, whichever is later, a person who signed the statement, which may be either the man or the mother of the child, may request that the judge or family court commissioner order genetic tests. If the results of the genetic tests exclude the man as the father of the child, the court must dismiss any action for support, or vacate any order for support, with respect to the man.

This bill changes the provisions related to statements acknowledging paternity and applies only to those statements that are signed and filed with the state registrar on or after the day after publication. Those statements must contain notice of the provisions of the statute, and the parties signing the statements must be given written and oral notice of the legal consequences of, the rights and responsibilities arising from and the alternatives to, signing the statement.

SENATE BILL 494

Under the bill, a statement acknowledging paternity may be rescinded by either party who signed the statement by filing a document prescribed by the state registrar for that purpose before the earlier of the day on which a court makes an order in an action affecting the family with respect to the man and child or 60 days after the statement was filed. If a party who signed the statement was a minor when the statement was filed, that party may rescind the statement before the earlier of the day on which a court makes an order in an action affecting the family with respect to the man and child or 60 days after the party attains age 18. If the statement is not timely rescinded, the filed statement becomes a conclusive determination of paternity with the same effect as a judgment of paternity. A determination of paternity on the basis of a filed statement may be voided by a court only upon a showing of fraud, duress or mistake of fact.

The bill provides that an action affecting the family that seeks to establish a support obligation for, or custody, physical placement or visitation rights to, a child may be brought with respect to parties who signed and filed a statement acknowledging paternity with regard to the child. If the statement has not been rescinded and the parties had notice of the hearing in the matter, the court or family court commissioner may make the same orders that may be made in paternity actions, which include orders concerning child support, legal custody, physical placement, pregnancy expenses and the child's health care expenses. Current law provides that in a paternity action, the mother of the child is to have sole legal custody unless the court orders otherwise. The bill provides that in both paternity actions and actions based on a statement acknowledging paternity, the mother of the child is to have sole legal custody if the father does not request legal custody. If the father does request legal custody, however, the court or family court commissioner must use the same factors in determining legal custody that are used in divorce actions.

Although the new provisions apply only to statements acknowledging paternity that are signed and filed on or after the day after publication, a party that signed and filed a statement before that date may sign and file a new one on or after that date. In that case, the previous statement is superseded, and the new statement becomes a conclusive determination of paternity upon the expiration of the time during which the new statement may be rescinded.

The bill also makes applicable to a paternity determination that arises by acknowledgment a number of statutory provisions that apply to a paternity determination that arises by adjudication. Some examples are: the definition of "parent" in a number of situations, whether the paternity of a child to be adopted has been established, when the attorney responsible for support enforcement does not commence a paternity action if no father is named on a child's birth certificate and when a father may inherit from a nonmarital child.

Levying against pension plans and judgments

Under current law, all pension plan benefits provided by the department of employe trust funds (DETF), any retirement system of any 1st class city (currently, only the city of Milwaukee) and any retirement system established by a county government (currently, only Milwaukee County) are generally not assignable or

SENATE BILL 494

subject to execution, levy, attachment, garnishment or other legal process. This bill makes any monthly annuity payment by DETF, any retirement system of a 1st class city or any retirement system established by a county government assignable and subject to execution, levy, attachment, garnishment and other legal processes that relate to child support and family or other maintenance support. In addition, the bill authorizes DWD to direct DETF, any retirement system of a 1st class city, any retirement system established by a county government or any private pension plan to withhold from any lump sum payment that may be paid a person an amount owed by the person for delinquent support.

Under this bill, DWD may place a lien on any judgment in favor of a person who is delinquent in, or has a balance outstanding related to, the payment of support, maintenance or other expenses for the support of a child or spouse. Under the bill, DWD or the county child support agency notifies the person who owes the money or who holds the money in trust under the judgment or settlement of the delinquency or balance outstanding and that the person must pay to DWD or the county child support agency that amount before paying any money to the person who has the judgment (up to the amount of the judgment). Under the bill, the person who is owed the money under the judgment is notified of the lien and is given an opportunity to contest the withholding of the amount of the delinquency or outstanding balance before the court that set the support obligation.

Cooperation of W-2 participants

Under current law, DWD must establish a uniform system of fees for services provided to individuals under the child and spousal support and establishment of paternity and medical liability support program. Individuals who receive foster care aid, aid to families with dependent children, medical assistance, Wisconsin works (W-2) benefits or kinship care payments are exempt from the fee. This bill expands the fee exemptions to include recipients of food stamps and federal foster care maintenance payments.

Currently, to fulfill an eligibility requirement under the W-2 program, an individual applying for the W-2 program must cooperate in efforts directed at establishing the paternity of the individual's dependent children and obtaining support payments or any other payments or property to which the individual or his or her dependent children may have rights. An individual who fails 3 times to cooperate remains ineligible for W-2 until the individual cooperates or for a period of 6 months, whichever is later.

This bill requires, as a condition of eligibility, that every parent in the individual's W-2 group cooperate with paternity establishment and child and spousal support efforts for any minor child of that parent regardless of whether the child resides with that parent and regardless of whether that parent is applying for W-2. An individual who is a member of a W-2 group that fails 3 times to cooperate with the paternity establishment or support efforts is ineligible for W-2 until the W-2 group cooperates or for a period of 6 months, whichever is later.

Health care coverage notice

Under current law, if a court orders child support in an action affecting the family, the court is required to assign responsibility for payment of the child's health

SENATE BILL 494

care expenses. The court may order a parent to initiate or continue health insurance coverage for the child. If the court orders a parent who is eligible for family coverage under an employer-provided plan to provide coverage of the child's health care expenses, the employer is required to provide family coverage for the parent and child, without regard to any enrollment or waiting period restrictions that may apply, upon the application of the parent who is the employee, the child's other parent, DWD or the county child support agency.

This bill provides that, if a parent who provides health care coverage for a child under a court order changes employers and the parent has a court-ordered child support obligation with respect to the child, the county child support agency must notify both the parent and the parent's new employer of the health care coverage order. If the employer provides health care coverage for its employees and the parent is eligible for family coverage under the health benefit plan, the employer must enroll the child in the health benefit plan upon receiving notice of the order. The notice to the parent must inform the parent that coverage for the child will be in effect upon receipt of the notice by the employer. Within 10 days after receiving the notice, the parent may request a hearing before the court or family court commissioner on the issue of whether the order to provide coverage of the child's health care expenses should remain in effect. The bill also requires the employer to notify the county child support agency when the child is covered under the health benefit plan and to provide necessary plan identification to the child's other parent upon request.

Voluntary paternity acknowledgment information

Under current law, if a child's birth occurs in or en route to a hospital and if the child's parents are unmarried, the hospital administrator or his or her designee must provide the child's mother with a voluntary paternity acknowledgment form and with a pamphlet that has information about birth certificates, including how to add to a birth certificate the name of the father of a child whose parents were not married. The hospital must submit any completed forms to the state registrar. (Beginning on January 1, 1998, DWD must pay the filing party a financial incentive for correctly filing a form within 60 days after the child's birth.) The fee for making an alteration in a birth certificate is \$10. Upon receipt of the voluntary acknowledgement form and the fee, the state registrar must insert the name of the father on the birth certificate.

This bill requires that trained, designated hospital staff provide to the child's available unmarried parents oral information or an audio or video presentation and written information about the voluntary paternity acknowledgment form and about the significance and benefits of, and alternatives to, establishing paternity, before the parents sign the form. The bill provides immunity from civil liability for trained, designated hospital staff who provide this information in good faith. The staff must also provide an opportunity to complete the form and to have the form notarized in the hospital. DWD must provide to hospitals the written information required to be provided to parents and must provide training to hospital staff concerning the voluntary acknowledgment form and the significance and benefits of, and alternatives to, establishing paternity.

SENATE BILL 494***Conversion of child support orders to sum certain amounts***

Under current law, a child support obligation may be expressed as a sum certain amount or as a percentage of a parent's income. Consequently, an income-withholding order that is sent to an employer for withholding child support from a parent's income may require a percentage of the parent's income or a sum certain amount to be withheld. Under the Uniform Interstate Family Support Act, an employer that receives an income-withholding order from another state must comply with the order if it satisfies certain requirements, one of which is that the amount of support to be withheld is expressed as a sum certain amount. This bill authorizes a county child support agency to convert a support amount in an income-withholding order that is expressed as a percentage of income to the equivalent sum certain amount for purposes of enforcing a support order in another state.

Paternity presumption

Under current law, a man is presumed to be the natural father of a child if he was married to the child's mother when the child was conceived or born or if he and the child's mother married after the child's birth but had a relationship during the period of time within which the child was conceived. In a paternity action, if genetic tests show that a man alleged to be the father is not excluded as the father and that the probability that he is the father is 99.0% or more, that man is presumed to be the father. This bill provides that a presumption of paternity that arises on the basis of marriage is rebutted in a legal action or proceeding by results of a genetic test that show that a man other than the one presumed to be the father is not excluded as the father and that the statistical probability that the man is the father is 99.0% or higher, even if the man who is presumed to be the father on the basis of marriage is unavailable to submit to genetic tests.

Miscellaneous paternity and support changes

Under current law, an order for child or family support or maintenance is an automatic assignment of wages or other earnings to the clerk of court. When a support or maintenance order is entered, the court must send notice of the assignment by regular mail to a payer's employer or other person who owes the payer money, requiring withholding of the amount provided in the support order. The support and withholding orders may be expressed as a fixed sum, as a percentage of income or as both in the alternative, requiring payment of the greater or lesser amount. If the payer is entitled to unemployment compensation, however, the order to withhold benefits must be for an amount certain.

This bill authorizes the court to send notice of assignment by facsimile machine or other electronic means in addition to regular mail. Orders for the withholding of unemployment compensation may be expressed as a fixed sum, as a percentage of benefits payable or as both in the alternative, requiring payment of the greater or lesser amount. Notices of assignment for withholding must include the information that the maximum amount withheld may not exceed the maximum amount that is subject to garnishment under federal law.

Under current law, if the petitioner in a paternity action fails to appear at a pretrial hearing or at the trial, the court may dismiss the action. If the respondent

SENATE BILL 494

in a paternity action is the alleged father and he fails to appear for a court-ordered genetic test or a hearing at which an appearance is required, the court must adjudicate the respondent to be the father. The bill provides that, if the mother of the child in a paternity action fails to appear for a court-ordered genetic test or a hearing at which an appearance is required, the court may adjudicate the alleged father, or the man who alleges that he is the father, to be the father of the child if there is sufficient evidence for such a finding.

Under current law, tax returns are open to examination by state employes for the purpose of administering the child and spousal support program. The purpose of that program, which is administered by DWD, is to establish paternity and to establish, revise if appropriate and enforce support obligations. This bill provides that employes of county child support agencies may also examine tax returns for the purpose of administering the child and spousal support program. The county child support agencies administer the program at the local level.

This bill makes 3 changes to the paternity statutes. Under current law, a court must order genetic tests in a paternity matter upon the request of a party if there is probable cause to believe that any of the males in the action had sexual intercourse with the child's mother at the possible time of conception. Probable cause may be shown by a sufficient petition or affidavit of the mother. This bill adds that probable cause may also be shown by a sufficient petition or affidavit of an alleged father or by sworn testimony of the mother or an alleged father. Under current law, a court may not make a temporary order for support, legal custody or physical placement in a paternity matter unless the alleged father has been adjudicated to be the father, or unless the alleged father is presumed to be the father because he and the child's mother married after the birth of the child but had a relationship during the time in which the child was conceived or because he and the child's mother were married when the child was conceived or born but have since divorced. This bill provides that the court must make a temporary order for child support and may make a temporary order assigning responsibility for and directing the manner of payment of the child's health care expenses, upon the motion of a party, if genetic tests do not exclude the alleged father and show that the statistical probability of his parentage is 99% or higher. The bill also provides that bills for articles or services related to the pregnancy, childbirth or genetic testing may be admitted into evidence and are sufficient evidence in themselves to show those expenses.

Under current law, interest of 1.5% per month accrues on child support that is not paid on time, beginning on the first day of the 2nd month after the month in which the payment was due. This bill changes the time at which the interest begins to accrue to the first day of the 4th month beginning after the month in which the payment was due.

Under current law, a person who requests a 2nd or subsequent series of genetic tests in a paternity action may be required to pay for the tests in advance. The bill provides that the judge or family court commissioner hearing the matter must require the person to pay for the tests in advance unless the judge or family court commissioner finds the person to be indigent.

SENATE BILL 494

The bill makes a few other minor changes to the child support statutes, including: requiring the addition of children's social security numbers to petitions filed in actions affecting the family (currently only the parties' social security numbers are required), requiring child support that is received to be credited first to the payment of support that is due within the calendar month during which it is received (currently support received is credited first to the payment of support that is due within the calendar month during which it is withheld from income), requiring persons (usually employers) who withhold child support from a payer's income to report to the clerk of court the gross amount of income from which the child support was withheld and providing that support under an existing order for a child who is later placed in a state institution is assigned to the state (currently the statutes provide that a court may order that support be paid to the institution if the child is in an institution when the support is first ordered).

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

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

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

2 13.63 (1) LICENSES. An application for a license to act as a lobbyist may be
3 obtained from and filed with the board. An applicant shall include his or her social
4 security number on the application. The application shall be signed, under the
5 penalty for making false statements under s. 13.69 (6m), by the lobbyist. Upon
6 approval of the application and payment of the applicable license fee under s. 13.75
7 (1) or (1m) to the board, the board shall issue a license which entitles the licensee to
8 practice lobbying on behalf of each registered principal who or which has filed an
9 authorization under s. 13.65 for that lobbyist and paid the authorization fee under
10 s. 13.75 (4). The license shall expire on December 31 of each even-numbered year.
11 ~~No~~ The board shall not issue a license to an applicant who does not provide his or her
12 social security number. The board shall refuse to issue a license or shall suspend any
13 existing license for failure of an applicant or licensee to pay court-ordered payments
14 of child or family support, maintenance, birth expenses, medical expenses or other

SENATE BILL 494**SECTION 1**

1 expenses related to the support of a child or former spouse or failure of an applicant
2 or licensee to comply, after appropriate notice, with a subpoena or warrant issued by
3 the department of workforce development or a county child support agency under s.
4 59.53 (5) and related to paternity or child support proceedings, as provided in a
5 memorandum of understanding entered into under s. 49.857. No other application
6 may be disapproved by the board except an application for a license by a person who
7 is ineligible for licensure under s. 13.69 (4) or an application by a lobbyist whose
8 license has been revoked under s. 13.69 (7) and only for the period of such ineligibility
9 or revocation. Denial Except with respect to a license that is denied or suspended
10 pursuant to a memorandum of understanding entered into under s. 49.857, denial
11 or suspension of a license may be reviewed under ch. 227.

12 **SECTION 2.** 13.64 (1) (a) of the statutes is amended to read:

13 13.64 (1) (a) If the principal is an individual, the name and address of the
14 individual's employer, if any, or the individual's principal place of business if
15 self-employed, and a description of the business activity in which the individual or
16 the individual's employer is engaged and the individual's social security number.

17 **SECTION 3.** 13.64 (2) of the statutes is amended to read:

18 13.64 (2) The registration shall expire on December 31 of each even-numbered
19 year. The board shall refuse to accept a registration statement filed by an individual
20 who does not provide his or her social security number. The board shall refuse to
21 accept a registration statement filed by an individual or shall suspend any existing
22 registration of an individual for failure of the individual or registrant to pay
23 court-ordered payments of child or family support, maintenance, birth expenses,
24 medical expenses or other expenses related to the support of a child or former spouse
25 or failure of the individual or registrant to comply, after appropriate notice, with a

SENATE BILL 494

1 subpoena or warrant issued by the department of workforce development or a county
2 child support agency under s. 59.53 (5) and related to paternity or child support
3 proceeding, as provided in a memorandum of understanding entered into under s.
4 49.857. If all lobbying by or on behalf of the principal which is not exempt under s.
5 13.621 ceases, the board shall terminate the principal's registration and any
6 authorizations under s. 13.65 as of the day after the principal files a statement of
7 cessation and expense statements under s. 13.68 for the period covering all dates on
8 which the principal was registered. Refusal to accept a registration statement or
9 suspension of an existing registration pursuant to a memorandum of understanding
10 under s. 49.857 is not subject to review under ch. 227.

11 **SECTION 4.** 19.36 (7) (b) of the statutes is amended to read:

12 19.36 (7) (b) Every applicant for a position with any authority may indicate in
13 writing to the authority that the applicant does not wish the authority to reveal his
14 or her identity. Except with respect to an applicant whose name is certified for
15 appointment to a position in the state classified service or a final candidate, if an
16 applicant makes such an indication in writing, the authority shall not provide access
17 to any record related to the application that may reveal the identity of the applicant.
18 This paragraph does not apply to a request under s. 49.22 (2m) for access to a record
19 by the department of workforce development or a county child support agency under
20 s. 59.53 (5).

21 **SECTION 5.** 19.55 (2) (intro.) of the statutes is amended to read:

22 19.55 (2) (intro.) The Except as requested under s. 49.22 (2m) by the
23 department of workforce development or a county child support agency under s.
24 59.53 (5), the following records in the board's possession are not open for public
25 inspection:

SENATE BILL 494**SECTION 6**

1 **SECTION 6.** 19.55 (2) (d) of the statutes is created to read:

2 19.55 (2) (d) Records of the social security number of any individual who files
3 an application for licensure as a lobbyist under s. 13.63 or who registers as a principal
4 under s. 13.64, except to the department of workforce development for purposes of
5 administration of s. 49.22.

6 **SECTION 7.** 20.445 (1) (L) of the statutes, as affected by 1997 Wisconsin Act 27,
7 is amended to read:

8 20.445 (1) (L) (title) *Fees Child support-related fees*. All moneys received from
9 fees charged to counties under ss. 49.22 (8) and 108.13 (4) (f) and all moneys received
10 under s. 49.854 (11) (b) for administrative costs incurred in the enforcement of child
11 and spousal support obligations under 42 USC 654.

12 **SECTION 8.** 20.445 (3) (k) of the statutes is created to read:

13 20.445 (3) (k) *Child support transfers*. All moneys transferred from the
14 appropriation account under par. (r), to be distributed for the support of dependent
15 children in accordance with applicable federal and state statutes, federal regulations
16 and state rules.

17 **SECTION 9.** 20.445 (3) (k) of the statutes, as created by 1997 Wisconsin Act
18 (this act), is repealed and recreated to read:

19 20.445 (3) (k) *Child support transfers*. All moneys transferred from the
20 appropriation account under par. (r), to be expended under the Wisconsin works
21 program under subch. III of ch. 49 and to be distributed as provided in s. 49.24 and
22 for the support of dependent children in accordance with applicable federal and state
23 statutes, federal regulations and state rules.

24 **SECTION 10.** 20.445 (3) (r) of the statutes is created to read:

SENATE BILL 494

1 20.445 (3) (r) *Support receipt and disbursement program; payments.* All
2 moneys received under s. 49.854, except for moneys received under s. 49.854 (11) (b),
3 by the support collections trust fund for disbursement to the persons for whom the
4 payments are awarded, for returning seized funds under s. 49.854 (5) (f) and, if
5 assigned under s. 46.261, 48.57 (3m) (b) 2., 49.145 (2) (s) or 49.19 (4) (h) 1. b., for
6 transfer to the appropriation account under par. (k). Estimated disbursements
7 under this paragraph shall not be included in the schedule under s. 20.005.

8 **SECTION 11.** 20.445 (3) (r) of the statutes, as created by 1997 Wisconsin Act
9 (this act), is repealed and recreated to read:

10 20.445 (3) (r) *Support receipt and disbursement program; payments.* From the
11 support collections trust fund, all moneys received under s. 49.854, except for moneys
12 received under s. 49.854 (11) (b), all moneys received under ss. 767.265 and 767.29
13 for child or family support, maintenance, spousal support, health care expenses or
14 birth expenses, and all other moneys received under judgments or orders in actions
15 affecting the family, as defined in s. 767.02 (1), for disbursement to the persons for
16 whom the payments are awarded, for returning seized funds under s. 49.854 (5) (f)
17 and, if assigned under s. 46.261, 48.57 (3m) (b) 2., 49.145 (2) (s), 49.19 (4) (h) 1. b. or
18 49.775 (2) (bm), for transfer to the appropriation account under par. (k). Estimated
19 disbursements under this paragraph shall not be included in the schedule under s.
20 20.005.

21 **SECTION 12.** 20.921 (2) (a) of the statutes is amended to read:

22 20.921 (2) (a) Whenever it becomes necessary in pursuance of any federal or
23 state law or court-ordered assignment of income under s. 46.10 (14) (e), 767.23 (1)
24 (L), 767.25 (4m) (c), 767.265 ~~or~~, 767.51 (3m) (c) or 767.62 (4) (b) 3. to make deductions
25 from the salaries of state officers or employes or employes of the University of

SENATE BILL 494**SECTION 12**

1 Wisconsin Hospitals and Clinics Authority, the state agency or authority by which
2 the officers or employes are employed is responsible for making such deductions and
3 paying over the total thereof for the purposes provided by the laws or orders under
4 which they were made.

5 **SECTION 13.** 25.17 (1) (tm) of the statutes is created to read:

6 25.17 (1) (tm) Support collections trust fund (s. 25.68);

7 **SECTION 14.** 25.68 of the statutes is created to read:

8 **25.68 Support collections trust fund.** There is created a separate
9 nonlapsible trust fund designated as the support collections trust fund, to consist of
10 all moneys received by the department of workforce development under s. 49.854,
11 except for moneys received under s. 49.854 (11) (b).

12 **SECTION 15.** 25.68 of the statutes, as created by 1997 Wisconsin Act ... (this
13 act), is repealed and recreated to read:

14 **25.68 Support collections trust fund.** There is created a separate
15 nonlapsible trust fund designated as the support collections trust fund, to consist of
16 all of the following:

17 (1) All moneys received by the department of workforce development under s.
18 49.854, except for moneys received under s. 49.854 (11) (b).

19 (2) All moneys received under ss. 767.265 and 767.29 for child or family
20 support, maintenance or spousal support, health care expenses or birth expenses.

21 (3) All moneys not specified under sub. (2) that are received under a judgment
22 or order in an action affecting the family, as defined in s. 767.02 (1), by the
23 department of workforce development or its designee.

24 **SECTION 16.** 29.09 (11m) of the statutes is created to read:

SENATE BILL 494

1 **29.09 (11m) DENIAL AND REVOCATION OF APPROVALS BASED ON CHILD SUPPORT**
2 DELINQUENCY. (a) *Social security numbers required.* The department shall require
3 an applicant who is an individual to provide his or her social security number as a
4 condition of applying for, or applying to renew, any of the following approvals:

- 5 1. Any license issued under this chapter.
- 6 2. Any permit issued under s. 29.38, 29.521, 29.525, 29.53 or 29.578.
- 7 3. A wild rice identification card issued under s. 29.544.

8 (b) *Duplicates.* For purposes of this section, an application for a duplicate of
9 an approval specified in par. (a) shall be considered an application for the issuance
10 of the approval.

11 (c) *Disclosure of social security numbers.* The department of natural resources
12 may not disclose any social security numbers received under par. (a) to any person
13 except to the department of workforce development for the sole purpose of
14 administering s. 49.22.

15 (d) *Denial of approvals.* 1. As provided in the memorandum of understanding
16 required under s. 49.857 (2), the department shall deny an application to issue or
17 renew, suspend if already issued or otherwise withhold or restrict an approval
18 specified in par. (a) 1. to 3. if the applicant for or the holder of the approval is
19 delinquent in making court-ordered payments of child or family support,
20 maintenance, birth expenses, medical expenses or other expenses related to the
21 support of a child or former spouse or if the applicant or holder fails to comply with
22 a subpoena or warrant issued by the department of workforce development or a
23 county child support agency under s. 59.53 (5) and relating to paternity or child
24 support proceedings.

SENATE BILL 494**SECTION 16**

1 2. As provided in the memorandum of understanding required under s. 49.857
2 (2), the department shall deny an application to issue or renew an approval specified
3 in par. (a) 1. to 3. if the applicant for or the holder of the approval fails to provide his
4 or her social security number as required under par. (a).

5 **SECTION 17.** 29.1085 (3) (c) 1. of the statutes, as affected by 1997 Wisconsin Act
6 1, is amended to read:

7 29.1085 (3) (c) 1. The department shall issue a notice of approval to those
8 qualified applicants selected to receive a Class A bear license. A person who receives
9 a notice of approval and who pays the required fee shall be issued the license subject
10 to s. 29.09 (11m).

11 **SECTION 18.** 29.1085 (3) (c) 2. of the statutes, as affected by 1997 Wisconsin Act
12 1, is amended to read:

13 29.1085 (3) (c) 2. A Class B bear license shall be issued subject to s. 29.09 (11m)
14 by the department or by a county clerk to any resident who applies for this license
15 and who pays the required fee.

16 **SECTION 19.** 29.134 (3) of the statutes is amended to read:

17 29.134 (3) Licenses shall be issued, subject to s. 29.09 (11m), by the department
18 upon application. The form of application and license shall be prescribed by the
19 department.

20 **SECTION 20.** 29.135 (3) of the statutes is amended to read:

21 29.135 (3) ISSUANCE. The department shall issue a wholesale fish dealer license
22 to any person 18 years of age or older who applies for this license, if that person is
23 not otherwise prohibited from being issued a license under s. 29.09 (11m), 29.99 or
24 29.995.

25 **SECTION 21.** 29.145 (1c) (intro.) of the statutes is amended to read:

SENATE BILL 494

1 29.145 (1c) FISHING LICENSE FOR DISABLED PERSONS. (intro.) The department
2 shall issue, subject to s. 29.09 (11m), an annual disabled person fishing license to any
3 resident who applies for this license and who does one of the following:

4 **SECTION 22.** 29.33 (2) (d) of the statutes is amended to read:

5 29.33 (2) (d) *Transfer of license.* The department may, upon application, permit
6 the transfer of a license to any similar boat during the time a licensed boat is disabled
7 or undergoing repairs or upon the sale of a licensed boat. The department shall
8 promulgate rules governing the transfer of commercial fishing licenses between
9 individuals equally qualified to hold the licenses and to members of a licensee's
10 immediate family provided the rules assure the wise use and conservation of the fish
11 resources being harvested under the license. The rules shall relate only to those
12 waters in which the number of licenses is limited. The commercial fishing boards,
13 under sub. (7), shall approve or deny transfers of commercial fishing licenses in
14 accordance with the rules promulgated under this section. For purposes of s. 29.09
15 (11m), a transfer of a license under this section shall be considered an issuance of a
16 license to the transferee.

17 **SECTION 23.** 29.521 (2) (a) of the statutes, as created by 1997 Wisconsin Act 27,
18 is amended to read:

19 29.521 (2) (a) The department, subject to s. 29.09 (11m), shall issue a permit
20 under this subsection for a natural body of water specified under sub. (1) (c) 1. if the
21 department determines that no substantial public interest exists in the body of water
22 and that no public or private rights in the body of water will be damaged.

23 **SECTION 24.** 29.521 (2) (c) 1. of the statutes, as created by 1997 Wisconsin Act
24 27, is amended to read:

SENATE BILL 494**SECTION 24**

1 29.521 (2) (c) 1. The department, subject to s. 29.09 (11m), shall renew a permit
2 issued under this subsection unless the department determines that there has been
3 a substantial change in circumstances that is related to a determination made under
4 par. (a) for the natural body of water or that is related to the application of the criteria
5 promulgated under par. (f) to the body of water.

6 **SECTION 25.** 29.544 (3) of the statutes is amended to read:

7 29.544 (3) LICENSE REQUIRED EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every
8 person over the age of 16 and under the age of 65 shall obtain the appropriate wild
9 rice license to harvest or deal in wild rice but no license to harvest is required of the
10 members of the immediate family of a licensee or of a recipient of old-age assistance
11 or members of their immediate families. The department, subject to s. 29.09 (11m),
12 shall issue a wild rice identification card to each member of a licensee's immediate
13 family, to a recipient of old-age assistance and to each member of the recipient's
14 family. The term "immediate family" includes husband and wife and minor children
15 having their abode and domicile with the parent or legal guardian.

16 **SECTION 26.** 29.573 (2) of the statutes is amended to read:

17 29.573 (2) No license ~~shall be granted~~ may be issued unless the applicant owns
18 or has under lease the area for which the license is granted issued. Boundaries of
19 the area licensed shall be defined and posted as prescribed by the department.

20 **SECTION 27.** 29.574 (3) of the statutes is amended to read:

21 29.574 (3) Upon the filing of such declaration the department shall forthwith
22 investigate the same and may require the applicant to produce satisfactory evidence
23 of the facts therein stated. It will be necessary for the licensee to purchase all wild
24 game within the boundaries of the proposed farm of the species designated in the
25 license, and to effect this purpose the department thereupon shall appoint one

SENATE BILL 494

1 member, the applicant one member, and these 2 shall select a 3rd member, the 3 to
2 act as a board to go upon the lands embraced within the proposed license and
3 determine as near as possible the number of wild birds and animals of the desired
4 species thereon at the time of the ~~granting~~ issuing of the license. The necessary
5 expenses of all of the members of such board shall be paid by the licensee. Within
6 30 days after the date of such determination as accepted by the department the
7 licensee shall pay to the department a specified sum as may be determined by the
8 department for those species of wild birds or wild animals on the lands that are
9 desired for propagation purposes, the title of which rests in the state. If upon such
10 examination it appears that the applicant is the owner or lessee of said lands, and
11 the applicant intends in good faith to establish, operate and maintain a game bird
12 and animal farm, subject to s. 29.09 (11m), the department shall issue a license to
13 the applicant describing such lands, and certifying that the licensee is lawfully
14 entitled to use the same for the breeding, propagating, killing and selling of such
15 game birds and animals thereon according to this section. When such license has
16 been ~~granted~~ issued, the licensee shall become the owner of all such game birds or
17 animals thereon of the species licensed and of all of their offspring actually produced
18 thereon and remaining thereon, subject however to the jurisdiction of the
19 department over all game.

20 **SECTION 28.** 29.575 (3) of the statutes is amended to read:

21 29.575 (3) Upon the filing of such declaration the department shall investigate
22 and may require the applicant to produce satisfactory evidence of the facts stated in
23 the declaration. If it appears that the applicant is the owner or lessee of the lands,
24 and that the applicant intends in good faith to establish, operate and maintain a fur
25 animal farm, subject to s. 29.09 (11m), the department shall issue a license to the

SENATE BILL 494**SECTION 28**

1 applicant. The license shall describe the lands and shall certify that the licensee is
2 entitled to use the same for dealing, breeding, propagating and trapping fur animals
3 on the land described in the license.

4 **SECTION 29.** 29.575 (4) of the statutes is amended to read:

5 29.575 (4) Upon issuance of the license, the department shall appoint one
6 person, the applicant shall appoint one person, and these 2 shall select a 3rd person
7 to enter the lands and determine the number of fur animals thereon at the time of
8 the ~~granting~~ issuing of the license. The necessary expenses of these persons shall
9 be paid by the licensee. Within 10 days after the date of such determination, the
10 licensee shall pay to the department \$2.50 for each beaver, 50 cents for each muskrat,
11 \$2.50 for each mink, \$2.50 for each otter, \$1 for each raccoon, and 50 cents for each
12 skunk so found on such lands. Only those animals to be licensed under the fur animal
13 farm are to be paid for. When such payment has been made the licensee shall become
14 owner of such fur animals on said lands and of all of their offspring remaining
15 thereon. The licensee shall have the right to manage and control said lands and the
16 licensed fur animals thereon, to take the same at any time or in any manner, subject
17 to s. 29.245, which the licensee sees fit and deems to the best advantage of the
18 licensee's business, and to sell and transport at any time said fur animals or the pelts
19 taken from them.

20 **SECTION 30.** 29.578 (4) of the statutes is amended to read:

21 29.578 (4) The licensee shall pay to the department \$25 for each deer so found
22 on such lands. When such payment has been made and the license issued, the
23 licensee shall become the owner of all deer on said lands and of all their offspring.
24 The licensee shall have the right to manage and control said lands and the deer
25 thereon, to kill the deer, subject to s. 29.245, and to sell the deer as provided by this

SENATE BILL 494

1 section. If upon examination it shall appear that the applicant is the owner or lessee
2 of said lands, and that the applicant intends in good faith to establish, operate and
3 maintain a deer farm, the department may inform the applicant that as soon as the
4 applicant has built a suitable deer fence around the area to be included within the
5 license, it will issue the same. Said deer-tight fence shall be built in accordance with
6 specifications prescribed by the department; provided, the department may issue a
7 license for such deer farms heretofore established if the fence actually inclosing said
8 farm is in fact sufficient to hold deer therein. After the complete installation of such
9 fence and after the department has satisfied itself that it is satisfactory and complies
10 with the law, it may issue a license to the applicant describing such lands, and
11 certifying that the licensee is lawfully entitled to use the same for the breeding,
12 propagating, killing and selling of deer thereon according to this section. Section
13 29.09 (11m) applies to the issuance of licenses under this subsection.

14 **SECTION 31.** 29.578 (5) of the statutes is amended to read:

15 29.578 (5) The deer farm license shall be renewed each year, subject to s. 29.09
16 (11m), if the licensee has not violated any of the provisions under which it was
17 granted issued.

18 **SECTION 32.** 29.578 (11) of the statutes is amended to read:

19 29.578 (11) Each license shall be accepted by the licensee upon the condition
20 that the licensee will comply with this section and with all provisions of law and that
21 the licensee will honestly operate said deer farm for the purpose of propagating deer;
22 that the title to the deer in the inclosure for which a license has been granted issued
23 and for which the applicant has paid the state at the rate of \$25 per deer, shall be
24 conditional upon the applicant and licensee honestly and fairly complying with this
25 section and provisions of law relating to the operation of deer farms; and in the action

SENATE BILL 494**SECTION 32**

1 to revoke the license of said licensee, or to establish the licensee's unfitness to further
2 operate said deer farm, the court, in the judgment, in the event it is determined that
3 the applicant and licensee has violated this section and the provisions of law relating
4 to the operation of deer farms, shall provide that the title to all of the deer within said
5 inclosure together with all of the increase therefrom be forfeited to the state; that the
6 said tract of land shall not be used for a deer farm for a period of 5 years and until
7 a new license therefor, after said 5 years, has been issued by the department as
8 provided in this section; that the department shall within 30 days of the notice of
9 entry of judgment enter upon said tract and open the said fences in such a manner
10 as to give the inclosed animals free egress and may drive the said animals out of the
11 inclosure if in the opinion of the department it is for the best interests of the state;
12 said lands for which said license has been forfeited may be used by the owner thereof
13 for all lawful purposes except the propagating of deer during said time, and during
14 said 5 year period said lands shall be a sanctuary and no hunting or trapping of any
15 kind or character shall be practiced therein or thereon. The department shall in such
16 event duly post notices thereof at intervals of 10 rods around the entire tract.

17 **SECTION 33.** 29.578 (14) (am) of the statutes is amended to read:

18 29.578 (14) (am) The Subject to s. 29.09 (11m), the department may issue
19 special retail deer sale permits authorizing a person to retail a venison in the carcass
20 from a deer lawfully killed under this section to any retailer of meats.

21 **SECTION 34.** 29.578 (14) (b) (intro.) of the statutes is amended to read:

22 29.578 (14) (b) (intro.) Any person may serve venison obtained from a deer farm
23 licensed under this section if the person has a venison serving permit from the
24 department. The application for this permit shall be in the form and include the
25 information the department requires. If the department after investigation is

SENATE BILL 494

1 satisfied that the application is satisfactory ~~it, the department, subject to s. 29.09~~
2 ~~(11m)~~, shall issue a venison serving permit conditioned as follows:

3 **SECTION 35.** 29.585 (1) of the statutes is amended to read:

4 29.585 (1) The department may ~~grant~~ issue licenses for wildlife exhibits which
5 are defined as any place where one or more live wild animals are kept in captivity
6 for the purpose of exhibition or for advertising purposes. The form of application and
7 license shall be prescribed by the department.

8 **SECTION 36.** 29.585 (3) of the statutes is amended to read:

9 29.585 (3) No wildlife exhibition license ~~shall be granted~~ may be issued by the
10 department until it is satisfied that the provisions for housing and caring for such
11 wild animals and for protecting the public are proper and adequate and in
12 accordance with the standards therefor established by the department.

13 **SECTION 37.** 40.08 (1c) of the statutes is created to read:

14 40.08 (1c) WITHHOLDING OF ANNUITY PAYMENTS. Notwithstanding sub. (1), any
15 monthly annuity paid under s. 40.23, 40.24, 40.25 (1), (2) or (2m) or 40.63 is subject
16 to s. 767.265. The board and any member or agent thereof and the department and
17 any employe or agent thereof are immune from civil liability for any act or omission
18 while performing official duties relating to withholding any annuity payment
19 pursuant to s. 767.265.

20 **SECTION 38.** 40.08 (1g) of the statutes is created to read:

21 40.08 (1g) WITHHOLDING OF LUMP SUM PAYMENTS. Notwithstanding sub. (1), any
22 lump sum payment made under s. 40.23, 40.24, 40.25 (1), (2) or (2m) or 40.63 is
23 subject to s. 49.852. The board and any member or agent thereof and the department
24 and any employe or agent thereof are immune from civil liability for any act or

SENATE BILL 494**SECTION 38**

1 omission while performing official duties relating to withholding any lump sum
2 payment pursuant to s. 49.852.

3 **SECTION 39.** 46.251 of the statutes is renumbered 49.225.

4 **SECTION 40.** 48.02 (13) of the statutes is amended to read:

5 48.02 (13) "Parent" means either a biological parent, a husband who has
6 consented to the artificial insemination of his wife under s. 891.40, or a parent by
7 adoption. If the child is a nonmarital child who is not adopted or whose parents do
8 not subsequently intermarry under s. 767.60, "parent" includes a person adjudged
9 ~~in a judicial proceeding~~ adjudicated or acknowledged to be the biological father.
10 "Parent" does not include any person whose parental rights have been terminated.

11 **SECTION 41.** 48.396 (2) (dm) of the statutes is amended to read:

12 48.396 (2) (dm) Upon request of a court having jurisdiction over actions
13 affecting the family, an attorney responsible for support enforcement under s. ~~59.458~~
14 ~~(1)~~ 59.53 (6) (a) or a party to a paternity proceeding under ss. 767.45 to 767.60, the
15 party's attorney or the guardian ad litem for the child who is the subject of that
16 proceeding to review or be provided with information from the records of the court
17 assigned to exercise jurisdiction under this chapter and ch. 938 relating to the
18 paternity of a child for the purpose of determining the paternity of the child or for the
19 purpose of rebutting the presumption of paternity under s. 891.405 or 891.41 (1), the
20 court assigned to exercise jurisdiction under this chapter and ch. 938 shall open for
21 inspection by the requester its records relating to the paternity of the child or disclose
22 to the requester those records.

23 **SECTION 42.** 48.42 (4) (b) 2. of the statutes is amended to read:

24 48.42 (4) (b) 2. If the child is a nonmarital child who is not adopted or whose
25 parents do not subsequently intermarry under s. 767.60 and paternity has not been

SENATE BILL 494

1 adjudicated or acknowledged, the court may, as provided in s. 48.422 (6) (b), order
2 publication of a notice under subd. 4.

3 **SECTION 43.** 48.66 (1) of the statutes is amended to read:

4 48.66 (1) The Except as provided under s. 48.715 (6), the department shall
5 license and supervise child welfare agencies, as required by s. 48.60, group homes,
6 as required by s. 48.625, shelter care facilities, as required by s. ~~48.48~~ 938.22, and
7 day care centers, as required by s. 48.65. The department may license foster homes
8 or treatment foster homes, as provided by s. 48.62, and may license and supervise
9 county departments in accordance with the procedures specified in this section and
10 in ss. 48.67 to 48.74. The Except as provided under s. 48.715 (6), the department of
11 corrections may license a child welfare agency to operate a secured child caring
12 institution, as defined in s. 938.02 (15g), for holding in secure custody children who
13 have been convicted under s. 938.183 or adjudicated delinquent under s. 938.34 (4d),
14 (4h) or (4m) and referred to the child welfare agency by the court or the department
15 of corrections and to provide supervision, care and maintenance for those children.

16 **SECTION 44.** 48.66 (2) of the statutes is amended to read:

17 48.66 (2) The department shall prescribe application forms to be used by all
18 applicants for licenses from it. The application forms prescribed by the department
19 shall require that the social security numbers of all applicants for a license to operate
20 a child welfare agency, group home, shelter care facility or day care center who are
21 individuals be provided.

22 **SECTION 45.** 48.66 (2m) of the statutes is created to read:

23 48.66 (2m) (a) The department of health and family services shall require each
24 applicant for a license under sub. (1) to operate a child welfare agency, group home,
25 shelter care facility or day care center who is an individual, and the department of

SENATE BILL 494**SECTION 45**

1 corrections shall require each applicant for a license under sub. (1) to operate a
2 secured child caring institution who is an individual, to provide that department
3 with his or her social security number when initially applying for or applying to
4 renew the license.

5 (b) The department of health and family services and the department of
6 corrections may not issue or renew a license specified in par. (a) to or for an applicant
7 who is an individual unless the applicant has provided his or her social security
8 number to that department.

9 (c) The department of health and family services and the department of
10 corrections may disclose a social security number obtained under par. (a) only on the
11 request of the department of workforce development under s. 49.22 (2m).

12 **SECTION 46.** 48.69 of the statutes is amended to read:

13 **48.69 Probationary licenses.** If Except as provided under s. 48.715 (6), if any
14 child welfare agency, shelter care facility, group home or day care center that has not
15 been previously issued a license under s. 48.66 (1) applies for a license, meets the
16 minimum requirements for a license established under s. 48.67 and pays the
17 applicable fee referred to in s. 48.68 (1), the department shall issue a probationary
18 license to that child welfare agency, shelter care facility, group home or day care
19 center. A probationary license is valid for up to 6 months after the date of issuance
20 unless renewed under this section or suspended or revoked under s. 48.715. Before
21 a probationary license expires, the department shall inspect the child welfare
22 agency, shelter care facility, group home or day care center holding the probationary
23 license and, except as provided under s. 48.715 (6), if the child welfare agency, shelter
24 care facility, group home or day care center meets the minimum requirements for a
25 license established under s. 48.67, the department shall issue a license under s. 48.66

SENATE BILL 494

1 (1). A probationary license issued under this section may be renewed for one
2 6-month period.

3 **SECTION 47.** 48.715 (6) of the statutes is created to read:

4 48.715 (6) The department of health and family services shall deny, suspend,
5 restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) or a
6 probationary license under s. 48.69 to operate a child welfare agency, group home
7 shelter care facility or day care center, and the department of corrections shall deny,
8 suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1)
9 to operate a secured child caring institution, for failure of the applicant or licensee
10 to pay court-ordered payments of child or family support, maintenance, birth
11 expenses, medical expenses or other expenses related to the support of a child or
12 former spouse or for failure of the applicant or licensee to comply, after appropriate
13 notice, with a subpoena or warrant issued by the department of workforce
14 development or a county child support agency under s. 59.53 (5) and related to
15 paternity or child support proceedings, as provided in a memorandum of
16 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
17 taken under this subsection is subject to review only as provided in the memorandum
18 of understanding entered into under s. 49.857 and not as provided in s. 48.72.

19 **SECTION 48.** 48.72 of the statutes is amended to read:

20 **48.72 Appeal procedure.** Any Except as provided in s. 48.715 (6), any person
21 aggrieved by the department's refusal or failure to issue or renew a license or by any
22 action taken by the department under s. 48.715 has the right to an administrative
23 hearing provided for contested cases in ch. 227. To receive an administrative hearing
24 under ch. 227, the aggrieved person shall send to the department a written request
25 for a hearing under s. 227.44 within 10 days after the date of the department's refusal

SENATE BILL 494**SECTION 48**

1 or failure to issue or renew a license or the department's action taken under s. 48.715.
2 The department shall hold an administrative hearing under s. 227.44 within 30 days
3 after receipt of the request for the administrative hearing unless the aggrieved
4 person consents to an extension of that time period. Judicial review of the
5 department's decision may be had as provided in ch. 227.

6 **SECTION 49.** 48.837 (4) (e) of the statutes is amended to read:

7 48.837 (4) (e) Shall, before hearing the petitions under subs. (2) and (3),
8 ascertain whether the child's paternity has been adjudicated or acknowledged in this
9 state or another jurisdiction. If any person has filed a declaration of paternal interest
10 under s. 48.025, the court shall determine the rights of that person. If the child's
11 paternity has not been adjudicated or acknowledged and if no person has filed a
12 declaration under s. 48.025, the court shall attempt to ascertain the paternity of the
13 child. The court may not proceed with the hearing on the petitions under this section
14 unless the parental rights of the nonpetitioning parent, whether known or unknown,
15 have been terminated.

16 **SECTION 50.** 48.91 (2) of the statutes is amended to read:

17 48.91 (2) In an adoption proceeding for a nonmarital child who is not adopted
18 or whose parents do not subsequently intermarry under s. 767.60, the court shall
19 establish whether the rights of any persons who have filed declarations of paternal
20 interest under s. 48.025 have been determined or whether paternity has been
21 adjudicated or acknowledged in this state or in another jurisdiction. If the court finds
22 that no such determination has been made, the court shall proceed, prior to any
23 action on the petition for adoption, to attempt to ascertain the paternity of the child
24 and the rights of any person who has filed a declaration under s. 48.025.

SENATE BILL 494

1 **SECTION 51.** 49.145 (2) (f) 1. of the statutes is renumbered 49.145 (2) (f) 1.
2 (intro.) and amended to read:

3 49.145 (2) (f) 1. (intro.) Subject to subd. 2., ~~the individual~~ all of the following
4 conditions are met:

5 a. Every parent in the individual's Wisconsin works group fully cooperates in
6 efforts directed at establishing the paternity of the dependent any minor child and
7 of that parent regardless of whether the parent is the custodial or noncustodial
8 parent of that child. Such cooperation shall be in accordance with federal law and
9 regulations and rules promulgated by the department applicable to paternity
10 establishment.

11 b. Every parent in the individual's Wisconsin works group fully cooperates in
12 efforts directed at obtaining support payments or any other payments or property to
13 which that individual parent and the dependent any minor child of that parent may
14 have rights or for which that parent may be responsible, regardless of whether the
15 parent is the custodial or noncustodial parent of the minor child. Such cooperation
16 shall be in accordance with federal law and regulations and rules promulgated by the
17 department applicable to ~~paternity establishment~~ and collection of support
18 payments.

19 **SECTION 52.** 49.145 (2) (f) 2. of the statutes is amended to read:

20 49.145 (2) (f) 2. An individual who is a member of a Wisconsin works group that
21 fails 3 times to meet the requirements under subd. 1. remains ineligible until the
22 individual cooperates all of the members of Wisconsin works group cooperate or for
23 a period of 6 months, whichever is later.

24 **SECTION 53.** 49.22 (2m) of the statutes, as affected by 1997 Wisconsin Act 27,
25 is renumbered 49.22 (2m) (a) and amended to read:

SENATE BILL 494**SECTION 53**

1 49.22 (2m) (a) The department may request from any person in this state any
2 information it determines appropriate and necessary for the administration of this
3 section, ss. 49.145, 49.19, 49.46, 49.468 and 49.47 and programs carrying out the
4 purposes of 7 USC 2011 to 2029. ~~Any person in this state~~ Unless access to the
5 information is prohibited or restricted by law, the person shall provide this
6 information within 7 days after receiving a request under this subsection paragraph.
7 Except as provided in sub. (2p) and subject to sub. (12), the department or the county
8 child support agency under s. 59.53 (5) may disclose information obtained under this
9 subsection paragraph only in the administration of this section, ss. 49.145, 49.19,
10 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011 to 2029.

11 **SECTION 54.** 49.22 (2m) (b) of the statutes is created to read:

12 49.22 (2m) (b) The department or county child support agency under s. 59.53
13 (5) may issue a subpoena, in substantially the form authorized under s. 885.02, to
14 compel the production of financial information and other documentary evidence in
15 the administration of this section, ss. 49.145, 49.19, 49.46 and 49.47 and programs
16 carrying out the purposes of 7 USC 2011 to 2029.

17 **SECTION 55.** 49.22 (2m) (bc) of the statutes is created to read:

18 49.22 (2m) (bc) A person in this state shall comply with an administrative
19 subpoena that is issued from another state to compel the production of financial
20 information or other documentary evidence for purposes comparable to those
21 specified in par. (b).

22 **SECTION 56.** 49.22 (2m) (c) of the statutes is created to read:

23 49.22 (2m) (c) A person is not liable to any person for any of the following:

SENATE BILL 494

1 1. Allowing access to financial or other records by the department or a county
2 child support agency under s. 59.53 (5) in response to a request under par. (a) or a
3 subpoena described in par. (bc).

4 2. Disclosing information from financial or other records to the department or
5 a county child support agency under s. 59.53 (5) in response to a request under par.
6 (a) or a subpoena described in par. (bc).

7 3. Any other action taken in good faith to comply with this section or a subpoena
8 described in par. (bc) or to comply with a request for information or access to records
9 from the department or a county child support agency under s. 59.53 (5) in the
10 administration of this section, ss. 49.145, 49.19, 49.46 and 49.47 and programs
11 carrying out the purposes of 7 USC 2011 to 2029.

12 **SECTION 57.** 49.22 (2m) (d) of the statutes is created to read:

13 49.22 (2m) (d) Any person who fails to respond to or comply with a subpoena
14 described in par. (bc) or a request under par. (a) by the department or a county child
15 support agency under s. 59.53 (5) may be required to pay a forfeiture in an amount
16 determined by the department by rule.

17 **SECTION 58.** 49.22 (6) of the statutes, as affected by 1997 Wisconsin Act 27, is
18 amended to read:

19 49.22 (6) The department shall establish, pursuant to federal and state laws,
20 rules and regulations, a uniform system of fees for services provided under this
21 section to individuals not receiving aid under s. 46.261, 49.19 or 49.47 or; benefits
22 under s. 49.124, 49.148 or 49.155 and to individuals not receiving; foster care
23 maintenance payments under 42 USC 670 to 679a; or kinship care payments under
24 s. 48.57 (3m). The system of fees may take into account an individual's ability to pay.
25 Any fee paid and collected under this subsection may be retained by the county

SENATE BILL 494**SECTION 58**

1 providing the service except for the fee specified in 42 USC 653 (e) (2) for federal
2 parent locator services.

3 **SECTION 59.** 49.22 (7g) of the statutes is created to read:

4 49.22 (7g) The department shall provide all of the following:

5 (a) Training to hospital staff members concerning the form that is prescribed
6 by the state registrar under s. 69.15 (3) (b) 3. and concerning the significance and
7 benefits of, and alternatives to, establishing paternity.

8 (b) The written information that is required to be provided to parents under s.
9 69.14 (1) (cm).

10 **SECTION 60.** 49.225 of the statutes is created to read:

11 **49.225 Ordering genetic tests. (1)** In this section, “genetic test” has the
12 meaning given in s. 767.001 (1m).

13 (2) (a) A county child support agency under s. 59.53 (5) may require, by
14 subpoena in substantially the form authorized under s. 885.02 or by other means, a
15 child, the child’s mother and a male alleged, or alleging himself, to be the child’s
16 father to submit to genetic tests if there is probable cause to believe that the male
17 had sexual intercourse with the child’s mother during a possible time of the child’s
18 conception. Probable cause of sexual intercourse during a possible time of conception
19 may be established by a sufficient affidavit of the child’s mother or the male alleged,
20 or alleging himself, to be the child’s father.

21 (b) If there is only one male alleged, or alleging himself, to be the father and
22 one or more persons required to submit to genetic tests under par. (a) fail to appear
23 for the scheduled tests, the county child support agency under s. 59.53 (5) may bring
24 an action under s. 767.45 for determining the paternity of the child.

SENATE BILL 494

1 **(3)** The fees and costs for genetic tests performed on any person required to
2 submit to the tests under sub.(2) (a) shall be paid for by the county except as follows:

3 (a) The county may seek reimbursement from either the mother or male
4 alleged, or alleging himself, to be the father, or from both, if the test results show that
5 the male is not excluded as the father and that the statistical probability of the male's
6 parentage is 99.0% or higher.

7 (b) If 2 or more identical series of genetic tests are performed upon the same
8 person, the county child support agency under s. 59.53 (5) shall require the person
9 requesting the 2nd or subsequent series of tests to pay for the tests in advance. If
10 the person requesting the 2nd or subsequent series of tests is indigent, the county
11 shall pay for the tests and may seek reimbursement from the person.

12 **SECTION 61.** 49.25 (3) (a) 8. of the statutes is amended to read:

13 49.25 **(3)** (a) 8. A man who has been adjudicated or who has acknowledged
14 himself to be the father of a child of a woman subject to the program under this
15 section under subd. 1., 2. or 3., if the man is living with the woman.

16 **SECTION 62.** 49.45 (2) (a) 11. of the statutes is amended to read:

17 49.45 **(2)** (a) 11. Establish criteria for the certification of eligible providers of
18 services under Title XIX of the social security act and, except as provided in s. 49.48,
19 certify such eligible providers.

20 **SECTION 63.** 49.45 (2) (a) 12. of the statutes is amended to read:

21 49.45 **(2)** (a) 12. Decertify or suspend under this subdivision a provider from
22 the medical assistance program, if after giving reasonable notice and opportunity for
23 hearing, the department finds that the provider has violated federal or state law or
24 administrative rule and such violations are by law, regulation or rule grounds for
25 decertification or suspension. No payment may be made under the medical

SENATE BILL 494**SECTION 63**

1 assistance program with respect to any service or item furnished by the provider
2 subsequent to decertification or during the period of suspension.

3 **SECTION 64.** 49.48 of the statutes is created to read:

4 **49.48 Denial, nonrenewal and suspension of certification of service**
5 **providers based on certain delinquency in payment. (1)** The department
6 shall require each applicant to provide the department with the applicant's social
7 security number, if the applicant is an individual, as a condition of issuing or
8 renewing a certification under s. 49.45 (2) (a) 11. as an eligible provider of services.

9 **(2)** The department of health and family services may not disclose any
10 information received under sub. (1) to any person except to the department of
11 workforce development for the purpose of making certifications required under s.
12 49.857.

13 **(3)** The department of health and family services shall deny an application for
14 the issuance or renewal of a certification specified in sub. (1), shall suspend a
15 certification specified in sub. (1) or may, under a memorandum of understanding
16 under s. 49.857 (2), restrict a certification specified in sub. (1) if the department of
17 workforce development certifies under s. 49.857 that the applicant for or holder of
18 the certificate is delinquent in the payment of court-ordered payments of child or
19 family support, maintenance, birth expenses, medical expenses or other expenses
20 related to the support of a child or former spouse or fails to comply, after appropriate
21 notice, with a subpoena or warrant issued by the department of workforce
22 development or a county child support agency under s. 59.53 (5) and related to
23 paternity or child support proceedings.

24 **SECTION 65.** 49.852 of the statutes is created to read:

SENATE BILL 494

1 **49.852 Delinquent support payments; pension plans.** (1) The
2 department of workforce development may direct the department of employe trust
3 funds, the retirement system of any 1st class city, any retirement system established
4 under chapter 201, laws of 1937, or the administrator of any other pension plan to
5 withhold the amount certified under s. 49.855 (1) from any lump sum payment from
6 a pension plan that may be paid a delinquent support obligor, except that the
7 department of workforce development may not direct that an amount be withheld
8 under this subsection unless it has met the notice requirements under sub. (2) and
9 unless its certification has either not been appealed or is no longer under appeal.

10 (2) The department of workforce development shall send a notice to the
11 last-known address of the person from whom the department intends to recover the
12 amount certified under s. 49.855 (1). The notice shall do all of the following:

13 (a) Inform the person that the department of employe trust funds, the
14 retirement system of any 1st class city, any retirement system established under
15 chapter 201, laws of 1937, or the administrator of any other pension plan, whichever
16 is appropriate, shall withhold the amount certified under s. 49.855 (1) from any lump
17 sum payment from a pension plan that may be paid the person.

18 (b) Inform the person that he or she may, within 20 days after the date of the
19 notice, by motion, request a court hearing on the issue of whether the person owes
20 the amount certified under s. 49.855 (1).

21 (c) Request that the person inform the department of workforce development
22 or the appropriate county child support agency under s. 59.53 (5) if a bankruptcy stay
23 is in effect with respect to the person.

24 (3) If a person has requested a hearing pursuant to sub. (2) (b), the hearing
25 shall be conducted before the circuit court that rendered the initial order to pay

SENATE BILL 494**SECTION 65**

1 support. Within 10 days after receiving a request for a hearing, the court shall set
2 the matter for hearing. The family court commissioner may conduct the hearing.
3 If the court determines that the person owes the amount certified under s. 49.855 (1),
4 the department of workforce development may direct the department of employe
5 trust funds, the retirement system of any 1st class city, any retirement system
6 established under chapter 201, laws of 1937, or the administrator of any other
7 pension plan, whichever is appropriate, to withhold the amount from any lump sum
8 payment from a pension plan that may be paid the person. If the court determines
9 that the person does not owe the amount certified under s. 49.855 (1), the department
10 of workforce development may not direct the department of employe trust funds, the
11 retirement system of any 1st class city, any retirement system established under
12 chapter 201, laws of 1937, or the administrator of any other pension plan, whichever
13 is appropriate, to withhold the amount from any lump sum payment from a pension
14 plan that may be paid the person.

15 (4) (a) If the department of workforce development directs the department of
16 employe trust funds, the retirement system of any 1st class city, any retirement
17 system established under chapter 201, laws of 1937, or the administrator of any
18 other pension plan to withhold the amount certified under s. 49.855 (1), this directive
19 shall constitute a lien, equal to the amount certified, on any lump sum payment from
20 a pension plan that may be paid the person.

21 (b) If the department of workforce development directs the department of
22 employe trust funds, the retirement system of any 1st class city, any retirement
23 system established under chapter 201, laws of 1937, or the administrator of any
24 other pension plan to withhold the amount certified under s. 49.855 (1), the
25 department of employe trust funds, the retirement system of any 1st class city, any

SENATE BILL 494

1 retirement system established under chapter 201, laws of 1937, or the administrator
2 of any other pension plan shall deduct from any lump sum payment that may be paid
3 the person the amount that is certified, less any amount specified under par. (d). If
4 the amount certified under s. 49.855 (1), less any amount specified under par. (d),
5 exceeds the lump sum payment, the department of employe trust funds, the
6 retirement system of any 1st class city, any retirement system established under
7 chapter 201, laws of 1937, or the administrator of any other pension plan shall deduct
8 the entire lump sum payment, less any withholdings otherwise required by law. The
9 amount deducted under this paragraph shall be remitted to the department of
10 workforce development.

11 (c) A directive to the department of employe trust funds, the retirement system
12 of any 1st class city, any retirement system established under chapter 201, laws of
13 1937, or the administrator of any other pension plan to withhold the amount certified
14 under s. 49.855 (1) under this section does not prohibit the department of workforce
15 development from attempting to recover the amount through other legal means.

16 (d) The department of workforce development shall promptly notify the
17 department of employe trust funds, the retirement system of any 1st class city, any
18 retirement system established under chapter 201, laws of 1937, or the administrator
19 of any other pension plan upon recovery of any amount previously certified under s.
20 49.855 (1).

21 **SECTION 66.** 49.853 of the statutes is created to read:

22 **49.853 Financial record matching program. (1) DEFINITIONS.** In this
23 section:

SENATE BILL 494**SECTION 66**

1 (a) "Account" means a demand deposit account, checking or negotiable
2 withdrawal order account, savings account, time deposit account or money market
3 mutual fund account.

4 (am) "County child support agency" means the county child support agency
5 under s. 59.53 (5).

6 (b) "Department" means the department of workforce development.

7 (c) "Financial institution" means any of the following:

8 1. A depository institution, as defined in 12 USC 1813 (c).

9 2. An institution-affiliated party, as defined in 12 USC 1813 (u), of a depository
10 institution under subd. 1.

11 3. A federal credit union or state credit union, as defined in 12 USC 1752.

12 4. An institution-affiliated party, as defined in 12 USC 1786 (r), of a credit
13 union under subd. 3.

14 5. A benefit association, insurance company, safe deposit company, money
15 market mutual fund or similar entity authorized to do business in this state.

16 (d) "Obligor" has the meaning given in s. 49.854 (1) (d).

17 (e) "Support" has the meaning given in s. 49.854 (1) (f).

18 **(2) FINANCIAL RECORD MATCHING PROGRAM AND AGREEMENTS.** The department
19 shall operate a financial record matching program under this section. The
20 department shall promulgate rules specifying procedures under which the
21 department shall enter into agreements with financial institutions doing business
22 in this state to operate the financial record matching program under this section.
23 The agreement shall require the financial institution to participate in the financial
24 record matching program under this section by electing either the financial

SENATE BILL 494

1 institution matching option under sub. (3) or the state matching option under sub.
2 (4).

3 **(3) FINANCIAL INSTITUTION MATCHING OPTION.** (a) If a financial institution with
4 which the department has an agreement under sub. (2) elects to use the financial
5 institution matching option under this subsection, the department shall provide to
6 a financial institution with information regarding delinquent obligors. The
7 information shall be provided at least once each calendar quarter and shall include
8 the obligor's name and social security number. The information shall be provided to
9 the financial institution in the manner specified by rule or by agreement. To the
10 extent feasible, the information required under this paragraph shall be provided to
11 the financial institution by an automated data exchange.

12 (b) Each financial institution receiving information under par. (a) shall take
13 actions necessary to determine whether any obligor has an interest in an account
14 maintained at the financial institution. If the financial institution determines that
15 an obligor has an interest in an account at the financial institution, the financial
16 institution shall provide the department with a notice containing the obligor's name,
17 address of record, social security number or other taxpayer identification number,
18 and account information. The information regarding the obligor's account shall
19 include the account number, the account type, the nature of the obligor's interest in
20 the account, and the balance of the account at the time that the record match is made.
21 The notice under this paragraph shall be provided in the manner, and shall contain
22 the information, specified by rule or agreement. To the extent feasible, the notice
23 required under this paragraph shall be provided to the department by an automated
24 data exchange.

SENATE BILL 494**SECTION 66**

1 (c) The financial institution participating in the financial institution matching
2 option under this subsection may use the information provided by the the
3 department under par. (a) only for the purpose of matching records under par. (b).
4 The financial institution may not disclose or retain information provided under par.
5 (a) concerning obligors who do not have an interest in an account maintained at the
6 financial institution.

7 **(4) STATE MATCHING OPTION.** (a) If a financial institution with which the
8 department has an agreement under sub. (2) elects to use the state matching option
9 under this subsection, the financial institution shall periodically provide the
10 department with information concerning all accounts maintained at the financial
11 institution. For each account maintained at the financial institution, the financial
12 institution shall notify the department of the account number, the account type, the
13 balance of the account, and the name, address and social security number or other
14 tax identification number of each person having an interest in the account, together
15 with a description of each person's interest. The information required under this
16 paragraph shall be provided in the manner, and shall contain the information,
17 specified by rule or agreement. To the extent feasible, the notice required under this
18 paragraph shall be provided to the department by an automated data exchange.

19 (b) The department shall take actions necessary to determine whether any
20 obligor has an interest in an account maintained at a financial institution providing
21 information under par. (a).

22 (c) The department may use the information provided by a financial institution
23 under par. (a) only for the purpose of matching records under par. (b). The
24 department may not disclose or retain information received under par. (a) concerning
25 account holders who are not delinquent obligors.

SENATE BILL 494

1 **(5) DELEGATION.** The department may delegate any powers and duties given
2 to the department under this section to county child support agencies. The
3 department may require financial institutions to provide county child support
4 agencies with any notices that are required under this section to be provided to the
5 department.

6 **SECTION 67.** 49.854 of the statutes is created to read:

7 **49.854 Liens against property for delinquent support payments. (1)**

8 **DEFINITIONS.** In this section:

9 (a) “Department” means the department of workforce development.

10 (b) “County child support agency” means the county child support agency under
11 s. 59.53 (5).

12 (c) “Levy” means all powers of distraint and seizure.

13 (d) “Obligor” means a person who is obligated to pay court-ordered support.

14 (e) “Property” includes real and personal property, tangible and intangible
15 property and rights to property, but is limited to property and rights of the obligor
16 to property existing at the time of levy.

17 (f) “Support” means any of the following:

18 1. Child or family support.

19 2. Maintenance.

20 3. Medical expenses of a child.

21 4. Birth expenses.

22 5. Any accrued interest on delinquent amounts under subds. 1. to 4.

23 **(2) CREATION OF LIEN; SATISFACTION.** (a) *Creation.* If a person obligated to pay
24 support fails to pay any court-ordered amount of support, that amount becomes a

SENATE BILL 494**SECTION 67**

1 lien in favor of the department upon all property of the person when the lien is
2 entered in the statewide support lien docket under par. (b).

3 (b) *Statewide support lien docket.* The department shall maintain a statewide
4 support lien docket. For each county in the state, the department shall provide a copy
5 of the statewide support lien docket to the register of deeds or the county child
6 support agency. Each entry in the statewide support lien docket shall contain the
7 name and the social security number of the obligor.

8 (c) *Updating the statewide support lien docket.* The department shall update
9 the statewide support lien docket in response to orders issued by a court or family
10 court commissioner.

11 (d) *Amount of lien; satisfaction.* The amount of any support obligation that is
12 a lien under this subsection may be determined by requesting that information from
13 the county child support agency or the register of deeds, as specified by the
14 department. Payment of the full amount that is delinquent at the time of payment
15 to that county child support agency extinguishes that lien. Upon request, the county
16 child support agency shall furnish to the payer of the delinquent amount a
17 satisfaction of lien showing that the amount of support owed has been paid in full and
18 that the person no longer owes the delinquent amount. The satisfaction of lien may
19 be recorded in the office of the register of deeds for any county in which real or
20 personal property of the person who owed the support is located.

21 **(3) NOTIFICATION AND APPEAL OF AUTOMATIC LIEN.** (a) *Notice and hearing.* When
22 a delinquent support obligation is included in the statewide support lien docket, the
23 department shall provide notice to the obligor that a lien exists with respect to the
24 delinquent support obligation. The notice shall inform the obligor that the lien is in
25 effect and that the obligor may, within a 20-day period, by motion, request a court

SENATE BILL 494

1 hearing on the issue of whether support is owed by the obligor. If the obligor makes
2 a timely request for a hearing under this subsection, the court or family court
3 commissioner shall schedule a hearing within 10 business days after the date of the
4 request. If, at the hearing, the obligor establishes that the lien is not proper because
5 of a mistake of fact, the court or family court commissioner shall order the
6 department to remove the lien from the statewide support lien docket.

7 (b) *Appeal*. If a family court commissioner conducts the hearing under par. (a),
8 the department or the obligor may, within 15 business days after the date of the
9 decision by the family court commissioner, request review of the decision by the court
10 having jurisdiction over the action. The court conducting the review may order that
11 the lien be withdrawn from the statewide support lien dockets. If no appeal is sought
12 or the court does not order the withdrawal of the lien, the department may take
13 appropriate actions to enforce the lien.

14 (4) **POWERS OF LEVY AND DISTRAINT; GENERALLY**. If any obligor neglects or refuses
15 to pay the support owed by the obligor after the department has made demand for
16 payment, the department may collect that support and the levy fees and costs under
17 sub. (11) by levy upon any property belonging to the obligor as provided in subs. (5)
18 to (7). Whenever the value of any property that has been levied upon under this
19 subsection is not sufficient to satisfy the claim of the department, the department
20 may levy upon any additional property of the obligor until the support owed and levy
21 costs are fully paid.

22 (5) **LEVYING AGAINST FINANCIAL ACCOUNTS**. (a) *Definitions*. In this subsection:

23 1. "Account" has the meaning given in s. 49.853 (1) (a).

24 2. "Financial institution" has the meaning given in s. 49.853 (1) (c).

SENATE BILL 494**SECTION 67**

1 (b) *Notice to the financial institution.* To enforce a lien under this section by
2 levying against an account at a financial institution, the department shall send a
3 notice of levy to the financial institution instructing the financial institution to
4 prohibit the closing of or withdrawals from one or more accounts that the obligor
5 owns in whole or in part, up to a total amount that is sufficient to pay the support
6 owed, financial institution fees under par. (e) and estimated levy fees and costs under
7 sub. (11), until further notice from the department or a court. If the financial
8 institution has not received instructions from the department or a court to release
9 the funds within 21 days of the date of the notice of levy, the financial institution shall
10 remit the amount specified in the notice to the department.

11 (d) *Notice to the obligor.* No later than the next day after the department sends
12 notice of levy to the financial institution under par. (b), the department shall send
13 a copy of the notice of levy to the obligor. The department shall also send a copy of
14 the notice of levy to any other person in whose name the account is held. The notices
15 required under this paragraph shall be in the form determined by the department,
16 however the notice sent to the obligor shall include language stating all of the
17 following:

- 18 1. That the obligor has been certified as delinquent in paying support.
- 19 2. The amount of the support owed.
- 20 3. The financial institution to which the department sent the notice under par.

21 (b).

22 4. That one or more accounts owned in whole or in part by the obligor at the
23 financial institution have been frozen, up to a total amount that is sufficient pay the
24 support owed, the department's levy costs and financial institution fees.

SENATE BILL 494

1 5. That, unless the financial institution has received instructions from the
2 department or a court to release the funds within 21 days of the date of the notice of
3 levy, the financial institution will remit the funds to the department.

4 6. That, the obligor may request a hearing within 20 days after the date of the
5 notice.

6 7. The address to which the request for hearing must be mailed or delivered in
7 order to schedule a hearing.

8 (e) *Financial institution fees.* In addition to the levy fee authorized under sub.
9 (11) (a), a financial institution may collect any early withdrawal penalty incurred
10 under the terms of an account as a result of the levy. Financial institution fees
11 authorized under this paragraph may be charged to the account immediately prior
12 to the remittance of the amount to the department under par. (a) and may be charged
13 even if the amounts in the obligor's accounts are insufficient to pay the total amount
14 of support owed and the department's levy costs under sub. (11) (b).

15 (f) *Hearings.* A hearing requested under par. (d) 6. shall be conducted before
16 the circuit court rendering the order to pay support. Within 10 business days after
17 receiving a request for hearing under par. (d) 6., the court shall set the matter for
18 hearing. The family court commissioner may conduct the hearing. The sole issue at
19 the hearing shall be whether the account holder owes the amount of support
20 certified. If the court or family court commissioner determines that the account
21 holder does not owe support or owes less than the amount claimed by the
22 department, the department shall return the seized funds or the excess of the seized
23 funds over the amount of the delinquency to the account holder.

24 **(6) LEVYING AGAINST OTHER PERSONAL PROPERTY.** (a) *When notice of seizure*
25 *required.* If the department has enforced a lien under this section by levying against

SENATE BILL 494**SECTION 67**

1 personal property, the department shall immediately notify the obligor that the
2 property has been seized. The department shall provide the notice of seizure under
3 this paragraph to any person known to have a lien on the property and, if the property
4 is titled, to the state agency that titles the property. A state agency receiving a notice
5 under this paragraph may not transfer title to the personal property described in the
6 notice, except on the instructions of a court or the department.

7 (b) *Content of notice of seizure.* The notice provided under par. (a) shall include
8 all of the following:

9 1. The name of the obligor and the amount of the support owed.

10 2. A description of the personal property seized.

11 3. A statement that the obligor may, within 20 business days after the date of
12 the notice, request a hearing on the questions of whether past-due support is owed
13 and whether the property was wrongfully seized.

14 4. A statement that the hearing may be requested by filing a motion with the
15 court issuing the order to pay the support.

16 (c) *Hearing.* If a hearing is requested under par. (b) 4., the court or family court
17 commissioner shall schedule a hearing within 10 business days after receiving the
18 request under par. (b) 4. If, at the hearing, the obligor establishes that the seizure
19 of the personal property was not proper because of a mistake of fact, the court or
20 family court commissioner shall direct that the department or its designee return the
21 seized personal property within 15 business days. If a family court commissioner
22 conducts the hearing under this paragraph, the department or the obligor may,
23 within 15 business days after the date that the family court commissioner made his
24 or her decision, request review of the decision by the court with jurisdiction over the
25 action. The court reviewing the decision may order the department to return the

SENATE BILL 494

1 seized property or may authorize the sale of the property by the department. If the
2 department is ordered to return seized property under this paragraph, the court
3 shall instruct any state agency responsible for titling the property that it may
4 transfer title to the property without receiving instructions from a court or the
5 department under par. (a).

6 (d) *Notice of sale.* As soon as practicable after seizing the personal property and
7 after any requested hearings are conducted under par. (c), the department shall send
8 a notice to the obligor indicating when and where the property will be sold. The
9 department shall publish or post the time and date of sale.

10 (e) *Redemption.* At any time after receiving the notice of sale under par. (d),
11 but before the property is sold, the obligor may redeem the property by paying the
12 total past-due support owed together with any levy fees and costs under sub. (11).
13 If the obligor redeems the property, the department shall instruct the titling agency
14 that the agency may transfer title to the property without receiving instructions from
15 a court or the department under par. (a).

16 (f) *Sale.* The date of sale must be no more than 60 days after the date of the
17 notice of sale under par. (d). The department shall give the purchaser of property
18 under this paragraph a certificate of sale upon payment in full of the purchase price.
19 If the property seized and sold is titled property, the department shall direct the state
20 agency that titled the property to transfer the title of the property to the purchaser
21 of the property.

22 **(7) LEVYING AGAINST REAL PROPERTY.** (a) *When notice of intent to levy required.*
23 To enforce a lien under this section by levying against real property, the department
24 shall provide the obligor with a notice of intent to levy. A copy of the notice shall be
25 provided to the register of deeds in the county where the real property is located and

SENATE BILL 494**SECTION 67**

1 to any persons known to have a lien against the real property. A register of deeds
2 receiving a notice of intent to levy under this paragraph shall file the notice of intent
3 to levy. After receiving a notice of intent to levy under this paragraph, the register
4 of deeds may not record a deed for the property, except on the instructions of a court
5 or the department.

6 (b) *Content of notice of intent.* The notice provided under par. (a) shall include
7 all of the following:

8 1. The name of the obligor and the amount of the support owed.

9 2. A description of the real property against which the department intends to
10 levy.

11 3. A statement that the obligor may, within 20 business days after the date of
12 the notice, request a hearing on the question of whether past-due support is owed.

13 4. A statement that the hearing may be requested by filing a motion with the
14 court issuing the order to pay the support.

15 5. In notices being provided to known lienholders, a request that the lienholder
16 notify the department, within 10 days after receiving the notice under par. (a), of the
17 amount of the lienholder's lien on the property.

18 (c) *Hearing.* If a hearing is requested under par. (b) 4., the court or family court
19 commissioner shall schedule a hearing within 10 business days after receiving the
20 request under par. (b) 4. If, at the hearing, the obligor establishes that enforcing a
21 lien against the real property would not be proper because of a mistake of fact, the
22 court or family court commissioner shall direct the department not to proceed with
23 the levy. If a family court commissioner conducts the hearing under this paragraph,
24 the department or the obligor may, within 15 business days after the date that the
25 family court commissioner made his or her decision, request review of the decision

SENATE BILL 494

1 by the court with jurisdiction over the action. The court reviewing the decision may
2 direct the department not to proceed with the levy or may authorize the sale of the
3 property by the department.

4 (d) *Final notice.* Unless the department has been directed not to proceed with
5 the levy in a hearing under par. (c) or unless the obligor has paid the support owed
6 and any levy fees and costs under sub. (11), the department may send to the obligor
7 a final notice of intent to seize and sell the property. The final notice may not be sent
8 until 20 days after the date of the notice of intent to levy under par. (a) or after any
9 requested hearings under par. (c) have been completed. The final notice shall include
10 a date by which the obligor must vacate the premises and a date on which the
11 property will be sold, unless the obligor pays the support owed and any levy fees and
12 costs under sub. (11). The date in the notice by which the obligor must vacate the
13 premises must be at least 60 days after the date that the final notice is sent and the
14 date of sale must be at least 90 days after the date that the final notice is sent. The
15 department shall provide a copy of any final notice under this paragraph to the
16 register of deeds in the county where the real property is located. A register of deeds
17 receiving a final notice under this paragraph shall file the final notice.

18 (e) *Sale.* The department shall publicly advertise the time and place of the sale
19 of real property seized under this subsection in the manner specified under s. 815.31
20 (1) to (3). The obligor may redeem the property prior to the date of sale by paying the
21 full amount of support owed together with any levy fees and costs under sub. (11).
22 If the obligor has failed to redeem the property and has failed to vacate the property
23 prior to the date specified in the final notice, the department may issue an
24 administrative order directing a local law enforcement agency or official to escort the
25 obligor and any other residents off the property. The department shall establish

SENATE BILL 494**SECTION 67**

1 procedures for conducting sales of property under this paragraph and for issuing
2 deeds to property sold under this paragraph.

3 (8) DUTIES TO SURRENDER; GENERALLY. Any person in possession of or obligated
4 with respect to property or rights to property that is subject to levy under this section
5 and upon which a levy has been made shall, upon demand of the department,
6 surrender the property or rights or discharge the obligation to the department,
7 except that part of the property or rights that is, at the time of the demand, subject
8 to any prior attachment or execution under any judicial process.

9 (9) NOTICE. Any notice required to be provided under this section may be
10 provided by sending the notice by regular mail to the last-known address of the
11 person to whom notice is to be sent.

12 (11) LEVY FEES AND COSTS. (a) *Third parties*. Any 3rd party is entitled to a levy
13 fee of \$5 for each levy in any case where property is secured through the levy. The
14 3rd party shall deduct the fee from the proceeds of the levy.

15 (b) *The department*. The department may assess a collection fee to recover the
16 department's costs incurred in levying against property under this section. The
17 department shall determine its costs to be paid in all cases of levy. The obligor is
18 liable to the department for the amount of the collection fee authorized under this
19 paragraph. Fees collected under this paragraph shall be credited to the
20 appropriation account under s. 20.445 (1) (L).

21 (12) PRIORITIES AND USE OF PROCEEDS. (a) *Priorities*. A lien on property that is
22 entered in the statewide support lien docket has priority over all other liens on the
23 property that are unperfected at the time that the lien is entered in the statewide
24 support lien docket.

SENATE BILL 494

1 (b) *Use of proceeds.* After paying any liens on a property that have priority over
2 a lien under this section, the department shall apply all proceeds from a sale of that
3 property under this section first against the support in respect to which the levy was
4 made and then against levy fees and costs under sub. (11).

5 (c) *Refunds or credits.* The department may refund or credit any amount left
6 after the applications under par. (a), upon submission of a claim therefor and
7 satisfactory proof of the claim, to the person entitled to that amount.

8 **(13) RELEASE OF LEVY; SUSPENSION OF PROCEEDINGS TO ENFORCE LIEN.** (a) *Release.*
9 The department may release the levy upon all or part of property levied upon to
10 facilitate the collection of the liability or to grant relief from a wrongful levy, but that
11 release does not prevent any later levy.

12 (b) *Settlement.* If the county child support agency accepts a plan for the
13 payment of support owed by an obligor, the department shall suspend all actions to
14 enforce a lien under this section as long as the obligor remains in compliance with
15 the payment plan.

16 **(14) WRONGFUL LEVY.** If the department determines that property has been
17 wrongfully levied upon, the department may return the property at any time, or may
18 return an amount of money equal to the amount of money, or value of the property,
19 levied upon.

20 **(15) ACTIONS AGAINST THIS STATE.** (a) *Commencement of actions.* If the
21 department has levied upon property, any person, other than the obligor who is liable
22 to pay the support out of which the levy arose, who claims an interest in or lien on
23 that property and claims that that property was wrongfully levied upon may bring
24 a civil action against the state in the circuit court for Dane County. If the county child
25 support agency has levied upon property pursuant to delegated authority under sub.

SENATE BILL 494**SECTION 67**

1 (17), any person, other than the obligor who is liable to pay the support out of which
2 the levy arose, who claims an interest in or lien on that property and claims that that
3 property was wrongfully levied upon may bring a civil action against the county child
4 support agency in the circuit court for the county where the court order for the
5 payment of support, upon which the seizure is based, was first entered or last
6 modified. That action may be brought whether or not that property has been
7 surrendered to the department or the county child support agency. The court may
8 grant only the relief under par. (b). No other action to question the validity of or
9 restrain or enjoin a levy by the department or a county child support agency may be
10 maintained.

11 (b) *Remedies.* In an action under par. (a), if a levy would irreparably injure
12 rights to property, the court may enjoin the enforcement of that levy. If the court
13 determines that the property has been wrongfully levied upon, it may grant a
14 judgment for the amount of money obtained by levy.

15 (c) *Validity of determination.* For purposes of an adjudication under this
16 subsection, the support obligation upon which the lien is based is conclusively
17 presumed to be valid.

18 **(17) DELEGATION AND POWER TO CONTRACT.** (a) The department may delegate any
19 duties or powers given to the department under this section to county child support
20 agencies, except that the department must approve the initiation of any levy
21 proceedings under sub. (7).

22 (b) The department may contract with a county sheriff to sell property seized
23 under subs. (6) and (7).

24 **(18) PRESERVATION OF REMEDIES.** The availability of the remedies under this
25 section does not abridge the right of the department to pursue other remedies.

SENATE BILL 494

1 **SECTION 68.** 49.856 of the statutes is created to read:

2 **49.856 Notification of delinquent payments. (1)** In this section:

3 (a) “Agency” means the county child support agency under s. 59.53 (5).

4 (b) “Department” means the department of workforce development.

5 (c) “Obligor” means a person who owes a delinquent child support, family
6 support or maintenance payment or who owes an outstanding amount that has been
7 ordered by a court for past support, medical expenses or birth expenses and that
8 delinquent payment or outstanding amount has been certified by the department
9 under s. 49.855.

10 **(2)** If the department certifies a delinquent payment or outstanding amount
11 under s. 49.855 (1) and the obligor receives a judgment against another person or has
12 settled a lawsuit against another person that provides for the payment of money, the
13 department or agency may send a notice to any person who is ordered to pay the
14 judgment, who has agreed to the settlement or who holds the amount of the judgment
15 or settlement in trust. The notice shall inform the person that the amount of the
16 judgment or settlement due the obligor is subject to a lien by the department for the
17 payment of the delinquent payment or outstanding amount certified under s. 49.855.
18 The notification shall include the name and address of the obligor and the total
19 amount certified under s. 49.855. Upon receipt of a notification, the person receiving
20 the notification shall withhold an amount equal to the amount certified under s.
21 49.855 before making any payment under the judgment or pursuant to the
22 settlement.

23 **(3)** When the department or agency notifies a person under sub. (2), the
24 department or agency shall send a notice to the last-known address of the obligor.
25 The notice shall do all of the following:

SENATE BILL 494**SECTION 68**

1 (a) Inform the obligor that the department or agency notified the person who
2 owes money to the obligor or who holds money in trust for the obligor under a
3 judgment or pursuant to a settlement to withhold the amount that was certified
4 under s. 49.855 from any lump sum payment that may be paid to the obligor as a
5 result of the judgment or settlement.

6 (b) Inform the obligor that he or she may request a hearing before the circuit
7 court that rendered the order to pay support, maintenance, medical expenses or birth
8 expenses within 20 days after receipt of this notice.

9 (c) Inform the obligor that if a hearing is requested under par. (b) the
10 department or agency will not require the person withholding the amount to send the
11 amount to that department or agency until a final decision is issued in response to
12 the request for a hearing.

13 (d) Request that the obligor inform the department or agency if a bankruptcy
14 stay is in effect with respect to the obligor.

15 **(4)** If the obligor requests a hearing under sub. (3) (b), the circuit court shall,
16 within 10 days after receiving the request, set the matter for a hearing. The only
17 issue at the hearing shall be whether the person owes the delinquent payment or
18 outstanding amount certified under s. 49.855. A family court commissioner may
19 conduct the hearing.

20 **(5)** Receipt of a notification by a person under sub. (2) shall constitute a lien,
21 equal to the amount certified, on any lump sum payment resulting from a judgment
22 or settlement that may be due the obligor. The department or agency shall notify the
23 person who received the notification under sub. (2) that the obligor has not requested
24 a hearing or, if he or she has requested a hearing, of the results of that hearing, and
25 of the responsibilities of the person who received the notification under sub. (2),

SENATE BILL 494

1 including the requirement to submit the amount certified under s. 49.855. Use of the
2 procedures under this section does not prohibit the department or agency from
3 attempting to recover the amount certified under s. 49.855 through other legal
4 means. The department or agency shall promptly notify any person who receives
5 notification under sub. (2) if the amount certified under s. 49.855 has been recovered
6 by some other means and no longer must be withheld from the judgment or
7 settlement under this section.

8 **SECTION 69.** 49.857 of the statutes is created to read:

9 **49.857 Administrative enforcement of support; denial, nonrenewal,**
10 **restriction and suspension of licenses. (1)** In this section:

11 (a) "Child support agency" means a county child support agency under s. 59.53
12 (5).

13 (b) "Credential" means a license, permit, certificate or registration that is
14 granted under chs. 440 to 480.

15 (c) "Credentialing board" means a board, examining board or affiliated
16 credentialing board in the department of regulation and licensing that grants a
17 credential.

18 (d) "License" means any of the following:

19 1. A license issued under s. 13.63 or a registration issued under s. 13.64.

20 2. An approval specified in s. 29.09 (11m).

21 3. A license issued under s. 48.66 (1).

22 4. A certification, license, training permit, registration, approval or certificate
23 issued under s. 49.45 (2) (a) 11., 146.50 (5) (a) or (b), (6g) (a) or (8) (a), 250.05 (5),
24 252.23 (2), 252.24 (2), 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47
25 (1), 254.64 (1) (a) or (b), 254.71 (2) or 255.08 (2).

SENATE BILL 494**SECTION 69**

- 1 5. A business tax registration certificate issued under s. 73.03 (50).
- 2 6. A license, registration, registration certificate or certification specified in s.
- 3 93.135 (1).
- 4 7. A license, permit or certificate of certification or registration specified in s.
- 5 101.02 (21) (a).
- 6 8. A license issued under s. 102.17 (1) (c), 104.07 or 105.05.
- 7 9. A permit issued under s. 103.25 or 103.70.
- 8 10. A certificate issued under s. 103.275, 103.91 or 103.92.
- 9 11. A license or permit issued under chs. 115 and 118.
- 10 12. A license or certificate of registration issued under s. 138.09, 138.12, 217.06,
- 11 218.01, 218.02, 218.04, 218.05 or 224.72 or subch. III of ch. 551.
- 12 13. A permit issued under s. 170.12.
- 13 14. A certification under s. 165.85.
- 14 15. A license, permit or registration issued under s. 218.01, 218.11, 218.12,
- 15 218.22, 218.32, 218.41, 218.51, 341.51, 343.305 (6), 343.61 or 343.62.
- 16 16. A license, registration or certification specified in s. 299.08 (1) (a).
- 17 17. A license issued under ch. 343 or, with respect to restriction, limitation or
- 18 suspension, an individual's operating privilege, as defined in s. 340.01 (40).
- 19 18. A credential.
- 20 19. A license issued under s. 563.24 or ch. 562.
- 21 20. A license issued under s. 628.04, 632.68 (2) or (4) or 633.14 or a temporary
- 22 license issued under s. 628.09.
- 23 21. A license to practice law.

SENATE BILL 494

1 (e) "Licensing agency" means a board, office or commissioner, department or
2 division within a department that grants or issues a license, but does not include a
3 credentialing board.

4 (f) "Subpoena or warrant" means a subpoena or warrant issued by the
5 department of workforce development or a child support agency and relating to
6 paternity or support proceedings.

7 (g) "Support" means child or family support, maintenance, birth expenses,
8 medical expenses or other expenses related to the support of a child or former spouse.

9 **(2)** (a) The department of workforce development shall establish a system, in
10 accordance with federal law, under which the supreme court is requested, and a
11 licensing agency or credentialing board is required, to restrict, limit, suspend,
12 withhold, deny, refuse to grant or issue or refuse to renew or revalidate a license in
13 a timely manner upon certification by and in cooperation with the department of
14 workforce development, if the individual holding or applying for the license is
15 delinquent in making court-ordered payments of support or fails to comply, after
16 appropriate notice, with a subpoena or warrant.

17 (b) Under the system, the department of workforce development shall enter
18 into a memorandum of understanding with the supreme court, if the supreme court
19 agrees, and with a licensing agency. A memorandum of understanding under this
20 paragraph shall address at least all of the following:

21 1. The circumstances under which the supreme court or the licensing agency
22 must restrict, limit, suspend, withhold, deny, refuse to grant or issue or refuse to
23 renew or revalidate a license and guidelines for determining the appropriate action
24 to take. The memorandum of understanding with the department of regulation and
25 licensing shall include the circumstances under which the department of regulation

SENATE BILL 494**SECTION 69**

1 and licensing shall direct a credentialing board to restrict, limit, suspend, withhold,
2 deny or refuse to grant a credential and guidelines for determining the appropriate
3 action to take.

4 2. Procedures that the department of workforce development shall use for
5 doing all of the following:

6 a. Certifying to the supreme court or licensing agency a delinquency in support
7 or a failure to comply with a subpoena or warrant. The memorandum of
8 understanding with the department of regulation and licensing shall include
9 procedures for the department of regulation and licensing to notify a credentialing
10 board that a certification of delinquency in support or failure to comply with a
11 subpoena or warrant has been made by the department of workforce development
12 with respect to an individual who holds or applied for a credential granted by the
13 credentialing board.

14 b. Notifying an individual who is delinquent in making court-ordered
15 payments of support under sub. (3) (a).

16 bg. Notifying an individual who is delinquent in making court-ordered
17 payments of support and who fails to request a hearing under sub. (3) (am).

18 br. Notifying an individual who fails to comply with a subpoena or warrant
19 under sub. (3) (b).

20 c. Notifying the supreme court or licensing agency that an individual has paid
21 delinquent support or made satisfactory alternative payment arrangements or
22 satisfied the requirements under a subpoena or warrant. The memorandum of
23 understanding with the department of regulation and licensing shall include
24 procedures for the department of regulation and licensing to notify a credentialing
25 board that an individual who holds or applied for a credential granted by the

SENATE BILL 494

1 credentialing board has paid delinquent support or made satisfactory alternative
2 payment arrangements or satisfied the requirements under a subpoena or warrant.

3 3. Procedures that the supreme court or licensing agency shall use for doing all
4 of the following:

5 a. Restricting, limiting, suspending, withholding, denying, refusing to grant or
6 issue or refusing to renew or revalidate a license. The memorandum of
7 understanding with the department of regulation and licensing shall include
8 procedures for the department of regulation and licensing to direct a credentialing
9 board to restrict, limit, suspend, withhold, deny or refuse to grant a credential.

10 b. Notifying an individual of action taken under sub. (3) (c) 2.

11 c. Issuing or reinstating a license if the department of workforce development
12 notifies the supreme court or licensing agency that an individual who was delinquent
13 in making court-ordered payments of support has paid the delinquent support or
14 made satisfactory alternative payment arrangements or that an individual who
15 failed to comply with a subpoena or warrant has satisfied the requirements under
16 the subpoena or warrant. The memorandum of understanding with the department
17 of regulation and licensing shall include procedures for the department of regulation
18 and licensing to direct a credentialing board to grant or reinstate a credential if the
19 department of workforce development notifies the department of regulation and
20 licensing that an individual who holds or applied for a credential granted by the
21 credentialing board has paid the delinquent support or made satisfactory alternative
22 payment arrangements or that an individual who failed to comply with a subpoena
23 or warrant has satisfied the requirements under the subpoena or warrant.

24 d. Issuing or reinstating a license after the maximum time has elapsed if an
25 individual who was delinquent in making court-ordered payments of support does

SENATE BILL 494**SECTION 69**

1 not pay the delinquent support or make satisfactory alternative payment
2 arrangements and if an individual who failed to comply with a subpoena or warrant
3 fails to satisfy the requirements under the subpoena or warrant.

4 4. Procedures for the use under the system of social security numbers obtained
5 from license applications.

6 5. Procedures for safeguarding the confidentiality of information about an
7 individual, including social security numbers obtained by the department of
8 workforce development, the supreme court, the licensing agency or a credentialing
9 board.

10 (c) 1. The system shall provide for adequate notice to an individual who is
11 delinquent in making court-ordered payments of support, an opportunity for the
12 individual to make alternative arrangements for paying the delinquent support, an
13 opportunity for the individual to request and obtain a hearing before a court or family
14 court commissioner as provided in sub. (3) and prompt reinstatement of the
15 individual's license upon payment of the delinquent support or upon making
16 satisfactory alternative payment arrangements.

17 2. The system shall provide for adequate notice to an individual who fails to
18 comply with a subpoena or warrant, an opportunity for the individual to satisfy the
19 requirements under the subpoena or warrant and prompt reinstatement of the
20 individual's license upon satisfaction of the requirements under the subpoena or
21 warrant.

22 (d) Notwithstanding pars. (b) 3. c. and (c), under the system a license may not
23 be restricted, limited, suspended, withheld, denied or refused granting, issuing,
24 renewing or revalidating for more than 5 years.

SENATE BILL 494

1 **(3)** (a) Before the department of workforce development certifies to the
2 supreme court or a licensing agency under the system established under sub. (2) that
3 an individual is delinquent in making court-ordered payments of support, the
4 department of workforce development or a child support agency shall provide notice
5 to the individual by regular mail. The notice shall inform the individual of all of the
6 following:

7 1. That a certification of delinquency in paying support will be made to the
8 supreme court, a licensing agency or, with respect to a credential granted by a
9 credentialing board, the department of regulation and licensing.

10 2. When the certification under subd. 1. will occur.

11 3. That, upon certification, for a period of 5 years any license that the individual
12 holds from any licensing agency or credentialing board, or from the supreme court
13 if the supreme court agrees, will be restricted, limited, suspended or not renewed or
14 revalidated, and any license for which the individual applies or has applied from any
15 licensing agency or credentialing board, or from the supreme court if the supreme
16 court agrees, will not be granted or issued.

17 4. That the certification will not be made if the individual pays the delinquent
18 amount in full or makes satisfactory alternative payment arrangements with the
19 department of workforce development or a child support agency. The notice shall
20 inform the individual of how he or she may pay the delinquent amount or make
21 satisfactory alternative payment arrangements.

22 5. That, within 20 days after receiving the notice, the individual may request
23 a hearing before the circuit court that rendered the order or judgment requiring the
24 payments.

SENATE BILL 494**SECTION 69**

1 (ac) 1. If an individual timely requests a hearing under par. (a) 5., the court
2 shall set the matter for hearing within 10 days after receiving the request. The
3 family court commissioner may conduct the hearing. The only issue at the hearing
4 shall be whether the individual is delinquent in making court-ordered payments of
5 support.

6 2. If at a hearing under subd. 1. the court or family court commissioner finds
7 that the individual does not owe delinquent support, or if within 20 days after
8 receiving a notice under par. (a) the individual pays the delinquent amount in full
9 or makes satisfactory alternative payment arrangements, the department of
10 workforce development shall not place the individual's name on a certification list.

11 (am) If an individual, after receiving notice under par. (a), does not timely
12 request a hearing or pay the delinquent amount of support or make satisfactory
13 alternative payment arrangements, the department of workforce development shall
14 place the individual's name on a certification list. Thereafter, the department of
15 workforce development or a child support agency shall provide a 2nd notice to the
16 individual by regular mail that informs the individual of all of the following:

17 1. That the individual's name has been placed on a certification list, which will
18 be provided to the supreme court, a licensing agency or, with respect to a credential
19 granted by a credentialing board, the department of regulation and licensing.

20 2. When the certification will be made.

21 3. That, upon certification, for a period of 5 years any license that the individual
22 holds from any licensing agency or credentialing board, or from the supreme court
23 if the supreme court agrees, will be restricted, limited, suspended or not renewed or
24 revalidated, and any license for which the individual applies or has applied from any

SENATE BILL 494

1 licensing agency or credentialing board, or from the supreme court if the supreme
2 court agrees, will not be granted or issued.

3 4. That the certification will not be made if the individual pays the delinquent
4 amount in full or makes satisfactory alternative payment arrangements with the
5 department of workforce development or a child support agency. The notice shall
6 inform the individual of how he or she may pay the delinquent amount or make
7 satisfactory alternative payment arrangements.

8 5. That, within 20 days after receiving the notice, the individual may request
9 a hearing before the circuit court that rendered the order or judgment requiring the
10 payments.

11 (ar) 1. If an individual timely requests a hearing under par. (am) 5., the court
12 shall set the matter for hearing within 10 days after receiving the request. The
13 family court commissioner may conduct the hearing. The only issue at the hearing
14 shall be whether the individual is delinquent in making court-ordered payments of
15 support.

16 2. If at a hearing under subd. 1. the court or family court commissioner finds
17 that the individual does not owe delinquent support, or if within 20 days after
18 receiving a notice under par. (am) the individual pays the delinquent amount in full
19 or makes satisfactory alternative payment arrangements, the department of
20 workforce development shall remove the individual's name from the certification list.

21 (b) Any subpoena or warrant shall include notice to the individual of the effect
22 that a failure to comply with the subpoena or warrant may have on any license that
23 the individual holds or for which the individual applies. If the individual fails to
24 comply, before the department of workforce development certifies to the supreme
25 court or a licensing agency under the system established under sub. (2) that an

SENATE BILL 494**SECTION 69**

1 individual has failed to comply with a subpoena or warrant, the department of
2 workforce development or a child support agency shall provide notice to the
3 individual by regular mail. The notice shall inform the individual of all of the
4 following:

5 1. That a certification of the failure to comply with a subpoena or warrant will
6 be made to the supreme court, a licensing agency or, with respect to a credential
7 granted by a credentialing board, the department of regulation and licensing.

8 2. When the certification under subd. 1. will occur.

9 3. That, upon certification, for a period of 5 years any license that the individual
10 holds from any licensing agency or credentialing board, or from the supreme court
11 if the supreme court agrees, will be restricted, limited, suspended or not renewed or
12 revalidated, and any license for which the individual applies or has applied from any
13 licensing agency or credentialing board, or from the supreme court if the supreme
14 court agrees, will not be granted or issued.

15 4. That certification will not be made if the individual satisfies the
16 requirements under the subpoena or warrant. The notice shall inform the individual
17 of how he or she may satisfy those requirements.

18 (bm) If an individual, after receiving notice under par. (b), does not satisfy the
19 requirements under the subpoena or warrant, the department of workforce
20 development shall place the individual's name on a certification list.

21 (c) If the department of workforce development provides a certification list to
22 the supreme court, a licensing agency or, with respect to a credential granted by a
23 credentialing board, the department of regulation and licensing, upon receipt of the
24 list the supreme court if the supreme court agrees, a licensing agency and, with

SENATE BILL 494

1 respect to a credential granted by a credentialing board, the department of
2 regulation and licensing shall do all of the following:

3 1. In accordance with a memorandum of understanding entered into under sub.
4 (2) (b), restrict, limit, suspend, withhold, deny, refuse to grant or issue or refuse to
5 renew or revalidate a license if the individual holding or applying for the license is
6 included on the list.

7 2. Provide notice to the individual by regular mail of the action taken under
8 subd. 1.

9 (d) 1. Subject to sub. (2) (d), if an individual who, on the basis of delinquent
10 support, is denied a license or whose license, on the basis of delinquent support, is
11 restricted, limited, suspended or refused renewal or revalidation under a
12 memorandum of understanding entered into under sub. (2) (b) pays the delinquent
13 amount of support in full or makes satisfactory alternative payment arrangements,
14 the department of workforce development shall immediately notify the supreme
15 court or licensing agency to issue or reinstate the individual's license as provided in
16 the memorandum of understanding. If the individual held or applied for a credential
17 granted by a credentialing board, the department of regulation and licensing shall,
18 upon notice by the department of workforce development, notify the credentialing
19 board to grant or reinstate the individual's credential.

20 2. Subject to sub. (2) (d), if an individual who, on the basis of a failure to comply
21 with a subpoena or warrant, is denied a license or whose license, on the basis of a
22 failure to comply with a subpoena or warrant, is restricted, limited, suspended or
23 refused renewal or revalidation under a memorandum of understanding entered into
24 under sub. (2) (b) satisfies the requirements under the subpoena or warrant, the
25 department of workforce development shall immediately notify the supreme court

SENATE BILL 494**SECTION 69**

1 or licensing agency to issue or reinstate the individual's license as provided in the
2 memorandum of understanding. If the individual held or applied for a credential
3 granted by a credentialing board, the department of regulation and licensing shall,
4 upon notice by the department of workforce development, notify the credentialing
5 board to grant or reinstate the individual's credential.

6 (4) Each licensing agency shall enter into a memorandum of understanding
7 with the department of workforce development under sub. (2) (b) and shall cooperate
8 with the department of workforce development in its administration of s. 49.22. The
9 department of regulation and licensing shall enter into a memorandum of
10 understanding with the department of workforce development on behalf of a
11 credentialing board with respect to a credential granted by the credentialing board.

12 (5) The restriction, limitation, suspension, withholding or denial of, or the
13 refusal to grant, issue, renew or revalidate, a license under a memorandum of
14 understanding entered into under sub. (2) (b) is not subject to administrative review
15 under ch. 227.

16 **SECTION 70.** 59.40 (2) (h) of the statutes is amended to read:

17 59.40 (2) (h) Except in counties that have designated a county support
18 collection designee under s. ~~59.07 (97m)~~ 59.53 (5m), keep a record of all payments and
19 arrearages in payments ordered by the court under s. 948.22 (7) or ch. 767 or 769 and
20 directed under s. 767.29 (1) to be paid to the clerk or county support collection
21 designee or ordered by a court in another county or jurisdiction but enforced or
22 received by the court of the clerk's county. If the department of ~~health and family~~
23 ~~services~~ workforce development operates a data system relating to those payments
24 and arrearages, the clerk shall use that system to keep this record.

25 **SECTION 71.** 59.53 (5m) (a) of the statutes is amended to read:

SENATE BILL 494

1 59.53 (5m) (a) Subject to approval of the department of ~~health and family~~
2 services workforce development under par. (am), designate by resolution any office,
3 officer, board, department or agency as the county support collection designee to
4 receive and disburse child and spousal support payments ordered by the court under
5 s. 948.22 (7) and child and family support payments and maintenance payments
6 ordered by the court or the family court commissioner under ch. 767 or ordered by
7 a court in another county or jurisdiction but enforced or received by the court of the
8 support collection designee's county.

9 **SECTION 72.** 59.53 (5m) (am) of the statutes is amended to read:

10 59.53 (5m) (am) A county board that makes a designation under par. (a) shall
11 send a copy of the resolution to the department of ~~health and family services~~
12 workforce development. Within 60 days after receiving the copy of the resolution, the
13 department of ~~health and family services~~ workforce development shall notify the
14 county board in writing of whether the department approves or disapproves the
15 designation. If the department disapproves the designation, it shall specify the
16 reasons for disapproval in the notice. If the department does not notify the county
17 board of the department's approval or disapproval within 60 days after receipt of the
18 copy of the resolution, the designation is approved.

19 **SECTION 73.** 59.53 (5m) (b) 1. of the statutes is amended to read:

20 59.53 (5m) (b) 1. Keep a record of all payments received and disbursed and of
21 arrearages in payments. If the department of ~~health and family services~~ workforce
22 development operates a data system relating to those payments and arrearages, the
23 county support collection designee shall use that system to keep this record.

24 **SECTION 74.** 59.53 (5m) (b) 2. of the statutes is amended to read:

SENATE BILL 494**SECTION 74**

1 59.53 (5m) (b) 2. Cooperate with the department of health and family services
2 workforce development with respect to the child and spousal support and
3 establishment of paternity and medical liability support program under sub. (97) (5)
4 and s. 46.25 49.22, and provide that department with any information from the
5 record under subd. 1. that it requires to administer that program.

6 **SECTION 75.** 66.184 of the statutes, as affected by 1997 Wisconsin Act 27,
7 section 2210m, is amended to read:

8 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
9 village provides health care benefits under its home rule power, or if a town provides
10 health care benefits, to its officers and employes on a self-insured basis, the
11 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
12 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and (5), 632.895 (9) to (13),
13 632.896, 767.25 (4m) (d) ~~and~~, 767.51 (3m) (d) and 767.62 (4) (b) 4.

14 **SECTION 76.** 66.81 of the statutes is amended to read:

15 **66.81 Exemption of funds and benefits from taxation, execution and**
16 **assignment.** ~~All~~ Except as provided in s. 49.852 and subject to s. 767.265, all
17 moneys and assets of any retirement system of any city of the first class and all
18 benefits and allowances and every portion thereof, both before and after payment to
19 any beneficiary, granted under any such retirement system shall be exempt from any
20 state, county or municipal tax or from attachment or garnishment process, and shall
21 not be seized, taken, detained or levied upon by virtue of any executions, or any
22 process or proceeding whatsoever issued out of or by any court of this state, for the
23 payment and ratification in whole or in part of any debt, claim, damage, demand or
24 judgment against any member of or beneficiary under any such retirement system,
25 and no member of or beneficiary under any such retirement system shall have any

SENATE BILL 494

1 right to assign any benefit or allowance, or any part thereof, either by way of
2 mortgage or otherwise; however, this prohibition shall not apply to assignments
3 made for the payment of insurance premiums. The exemption from taxation
4 contained herein shall not apply with respect to any tax on income.

5 **SECTION 77.** 69.14 (1) (cm) of the statutes, as affected by 1997 Wisconsin Act
6 27, is amended to read:

7 69.14 (1) (cm) For a birth which occurs en route to or at a hospital, the filing
8 party shall give the mother a copy of the pamphlet under s. 69.03 (14). If the child's
9 parents are not married at the time of the child's birth, the filing party shall give the
10 mother a copy of the form prescribed by the state registrar under s. 69.15 (3) (b) 3.
11 The filing party shall ensure that trained, designated hospital staff provide to the
12 child's available parents oral information or an audio or video presentation and
13 written information about the form and the significance and benefits of, and
14 alternatives to, establishing paternity, before the parents sign the form. The filing
15 party shall also provide an opportunity to complete the form and have the form
16 notarized in the hospital. If the mother provides a completed form to the filing party
17 while she is a patient in the hospital and within 5 days after the birth, the filing party
18 shall send the form directly to the state registrar. From the appropriation under s.
19 20.445 (3) (mc), the department of workforce development shall pay the filing party
20 a financial incentive for correctly filing a form within 60 days after the child's birth.

21 **SECTION 78.** 69.15 (3) (d) of the statutes is created to read:

22 69.15 (3) (d) The form prescribed by the state registrar for acknowledging
23 paternity shall require that the social security number of each parent signing the
24 form be provided.

25 **SECTION 79.** 69.15 (3m) of the statutes is created to read:

SENATE BILL 494**SECTION 79**

1 69.15 (3m) RESCISSION OF STATEMENT ACKNOWLEDGING PATERNITY. (a) A
2 statement acknowledging paternity that is filed with the state registrar under sub.
3 (3) (b) 3. may be rescinded by either person who signed the statement if all of the
4 following apply:

5 1. The statement was signed and filed on or after April 1, 1998.

6 2. The person rescinding the statement files with the state registrar a
7 document prescribed by the state registrar for rescinding a statement
8 acknowledging paternity under sub. (3) (b) 3.

9 3. Except as provided in subd. 4, the person rescinding the statement files the
10 document under subd. 2. before the day on which a court or family court
11 commissioner makes an order in an action affecting the family involving the man
12 who signed the statement and the child who is the subject of the statement or before
13 60 days elapse after the statement was filed, whichever occurs first.

14 4. If the person rescinding the statement was under age 18 when the statement
15 was filed, the person files the document under subd. 2. before the day on which a
16 court or family court commissioner makes an order in an action affecting the family
17 involving the man who signed the statement and the child who is the subject of the
18 statement or before 60 days elapse after the person attains age 18, whichever occurs
19 first.

20 (b) If the state registrar, within the time required under par. (a) 3. or 4.,
21 whichever is appropriate, receives a document prescribed by the state registrar for
22 rescinding a statement acknowledging paternity under sub. (3) (b) 3., along with the
23 proper fee under s. 69.22, the state registrar shall prepare under sub. (6) a new
24 certificate omitting the father's name if it was inserted under sub. (3) (b).

25 **SECTION 80.** 69.17 of the statutes is amended to read:

SENATE BILL 494

1 **69.17 Divorce report.** At the end of every biweekly period, the clerk of any
2 court which conducts divorce proceedings under ch. 767 shall forward to the state
3 registrar, on a form supplied by the state registrar, a report of every divorce or
4 annulment of marriage granted during the biweekly period. The form supplied by
5 the state registrar shall require that the social security numbers of the parties to the
6 divorce or annulment and the social security number of any child of the parties be
7 provided.

8 **SECTION 81.** 69.22 (5) (a) 3. of the statutes is amended to read:

9 69.22 (5) (a) 3. Making alterations in a birth certificate under s. 69.15 (3) or
10 (3m).

11 **SECTION 82.** 71.78 (4) (g) of the statutes is amended to read:

12 71.78 (4) (g) Employes of this state and child support employes of county child
13 support agencies under s. 59.53 (5), to the extent that the department of revenue
14 deems the examination necessary for the employes to perform their duties under
15 contracts or agreements between the department and any other department,
16 division, bureau, board or commission of this state relating to the administration of
17 tax laws or child and spousal support enforcement under s. 49.22.

18 **SECTION 83.** 71.78 (4) (q) of the statutes is created to read:

19 71.78 (4) (q) The department of workforce development or a county child
20 support agency under s. 59.53 (5) in response to a request under s. 49.22 (2m).

21 **SECTION 84.** 73.03 (50) of the statutes is amended to read:

22 73.03 (50) With the approval of the joint committee on finance, to establish fees
23 for obtaining a business tax registration certificate, which is valid for 2 years, and
24 for renewing that certificate and shall issue and renew those certificates if the person
25 who wishes to obtain or renew a certificate applies on a form that the department

SENATE BILL 494**SECTION 84**

1 prescribes; sets forth the name under which the applicant intends to operate, the
2 location of the applicant's place of operations, the social security number of the
3 applicant if the applicant is a natural person and the other information that the
4 department requires; and, in the case of a sole proprietor, signs the form or, in the
5 case of other persons, has an individual who is authorized to act on behalf of the
6 person sign the form.

7 **SECTION 85.** 73.03 (50m) of the statutes is created to read:

8 73.03 **(50m)** To enter into a memorandum of understanding with the
9 department of workforce development under s. 49.857. The department of revenue
10 shall suspend, refuse to issue or refuse to renew any certificate issued under sub. (50)
11 as provided in the memorandum of understanding entered into under s. 49.857.
12 Notwithstanding ss. 71.78 and 77.61 (5), the department of revenue shall disclose to
13 the department of workforce development the social security number of any
14 applicant for a certificate issued under sub. (50) as provided in the memorandum of
15 understanding.

16 **SECTION 86.** 77.61 (5) (b) 11. of the statutes is created to read:

17 77.61 **(5)** (b) 11. The department of workforce development or a county child
18 support agency under s. 59.53 (5) in response to a request under s. 49.22 (2m).

19 **SECTION 87.** 85.24 (4) (b) of the statutes is amended to read:

20 85.24 **(4)** (b) Paragraph (a) does not prohibit the disclosure of the information
21 to the extent necessary to administer the ride-sharing program or, if requested
22 under s. 49.22 (2m), to the department of workforce development or a county child
23 support agency under s. 59.53 (5).

24 **SECTION 88.** 85.24 (4) (c) of the statutes is amended to read:

SENATE BILL 494

1 85.24 (4) (c) Any person who wilfully discloses or who, under false pretenses,
2 wilfully requests or obtains information in violation of par. (a) may be required to
3 forfeit not more than \$500 for each violation. This paragraph does not apply to
4 information disclosed, requested or obtained to the extent necessary to administer
5 the ride-sharing program or, if requested under s. 49.22 (2m), to the department of
6 workforce development or a county child support agency under s. 59.53 (5).

7 **SECTION 89.** 93.06 (8) of the statutes is amended to read:

8 93.06 (8) PRESCRIBE CONDITIONS OF LICENSES. ~~Issue~~ Except as provided in s.
9 93.135, issue any permit, certificate, registration or license on a temporary or
10 conditional basis, contingent upon pertinent circumstances or acts. If the temporary
11 or conditional permit, certificate, registration or license is conditioned upon
12 compliance with chs. 93 to 100, ch. 127, a rule promulgated by the department or a
13 regulation adopted under s. 97.41 (7) within a specified period of time and the
14 condition is not met within the specified period, the permit, certificate, registration
15 or license shall be void.

16 **SECTION 90.** 93.11 (1) of the statutes is amended to read:

17 93.11 (1) The Except as provided in s. 93.135, the department, upon
18 presentation of satisfactory evidence that the applicant is competent, may issue a
19 license to any person to certify the grade of food products or farm products or of
20 receptacles therefor, for which standards have become effective under s. 93.09. The
21 purpose of such certification may be either to enforce the standard or merely to
22 furnish to an interested party an official statement of the grade. A certificate issued
23 under this section, unless superseded by a finding as provided in sub. (4), shall be
24 accepted in any court of this state as prima facie evidence of the facts to which the
25 certificate relates.

SENATE BILL 494**SECTION 91**

1 **SECTION 91.** 93.135 of the statutes is created to read:

2 **93.135 License denial, nonrenewal, suspension or restriction based on**
3 **failure to pay support.** (1) The department shall require each applicant who is
4 an individual to provide the department with the applicant's social security number
5 as a condition of issuing or renewing any of the following:

6 (a) A license under s. 93.11.

7 (am) A license under s. 93.35 (4).

8 (b) A license under s. 94.10 (3) or (4).

9 (bm) A license under s. 94.43.

10 (c) A registration under s. 94.50 (2).

11 (cm) A license under s. 94.64 (3).

12 (d) A license under s. 94.65 (2).

13 (dm) A license under s. 94.66 (2).

14 (e) A license under s. 94.68 (1).

15 (em) A license under s. 94.685.

16 (f) A license under s. 94.703.

17 (fm) A license under s. 94.704.

18 (g) A certification under s. 94.705.

19 (gm) A license under s. 94.72 (5).

20 (h) A license under s. 95.68 (2).

21 (hm) A license under s. 95.69 (2).

22 (i) A license under s. 95.71 (2).

23 (im) A license under s. 95.72 (2).

24 (j) A license under s. 97.17 (2).

25 (jm) A license under s. 97.175 (2).

SENATE BILL 494

- 1 (k) A license under s. 97.20 (2).
- 2 (km) A license under s. 97.21 (2) or (3).
- 3 (L) A license under s. 97.22 (2).
- 4 (m) A license under s. 97.27 (2).
- 5 (mm) A license under s. 97.29 (2).
- 6 (n) A license under s. 97.30 (2).
- 7 (nm) A license or registration certificate under s. 97.42 (2).
- 8 (p) A license under s. 98.145.
- 9 (pm) A license under s. 98.146.
- 10 (q) A license under s. 98.16 (2).
- 11 (qm) A license under s. 98.18 (1) (a).
- 12 (r) A license under s. 99.02 (1).
- 13 (rm) A registration certificate under s. 100.03 (2).
- 14 (s) A license under s. 127.02 (1).
- 15 (sm) A license under s. 127.03 (1).
- 16 **(2)** The department of agriculture, trade and consumer protection may not
17 disclose any information received under sub. (1) to any person except to the
18 department of workforce development in accordance with a memorandum of
19 understanding under s. 49.857.
- 20 **(3)** The department shall deny an application for the issuance or renewal of a
21 license, registration, registration certificate or certification specified in sub. (1) or
22 shall suspend or restrict a license, registration, registration certificate or
23 certification specified in sub. (1) for failure to make court-ordered payments of child
24 or family support, maintenance, birth expenses, medical expenses or other expenses
25 related to the support of a child or a former spouse or failure to comply, after

SENATE BILL 494**SECTION 91**

1 appropriate notice, with a subpoena or warrant issued by the department of
2 workforce development or a county child support agency under s. 59.53 (5) and
3 relating to paternity or child support proceedings, as required in a memorandum of
4 understanding under s. 49.857.

5 **SECTION 92.** 93.35 (10) of the statutes is amended to read:

6 **93.35 (10) RESTORATION OF LICENSE OR PERMIT.** (a) At any time after the
7 suspension or revocation of a license or permit under sub. (9) (a) the department may
8 restore it to the licensee or permittee upon a finding that the requirements for
9 issuance of an original license or permit have been met by the licensee or permittee.

10 (b) At any time after the refusal to renew a license or permit under sub. (9) (b)
11 the department may renew it upon a finding that the requirements for issuance of
12 an original license or permit have been met by the licensee or permittee.

13 **SECTION 93.** 94.65 (3) (c) 1. of the statutes is amended to read:

14 **94.65 (3) (c) 1.** If Except as provided in s. 93.135, if the department finds that
15 the applicant has fulfilled the requirements of par. (b), the department shall issue
16 a permit.

17 **SECTION 94.** 94.66 (8) of the statutes is amended to read:

18 **94.66 (8)** The Except as provided in s. 93.135, the department may revoke a
19 license, after reasonable notice, only for wilful failure to comply with any of the
20 provisions of this section and in the event the license is revoked the licensee may
21 have the order of revocation reviewed by the circuit court of the county wherein the
22 producing plant is located and the review by the court shall be of all questions therein
23 whether of fact or law; any such appeal must be taken within 20 days of the date of
24 the service of the order of revocation upon the licensee.

25 **SECTION 95.** 95.72 (2) (c) 5. of the statutes is amended to read:

SENATE BILL 494

1 95.72 (2) (c) 5. ~~A~~ Subject to s. 93.135, a person may renew a license by
2 submitting the required license fee and renewal form.

3 **SECTION 96.** 99.02 (1) of the statutes is amended to read:

4 99.02 (1) APPLICATION. Except as provided in sub. (2), no person may operate
5 a warehouse, including a cold storage warehouse, for the storage of property as bailee
6 for hire without a public warehouse keeper's license. A person desiring a public
7 warehouse keeper's license shall apply on a form furnished by the department and
8 shall set forth the location, size, character and equipment of the building or premises
9 to be used by the applicant, the kinds of goods intended to be stored, the name of each
10 partner if a partnership or of each member if a limited liability company, the names
11 of the officers if a corporation, and such other facts as the department requires to
12 show that the property proposed to be used is suitable for a warehouse and that the
13 applicant is qualified as a public warehouse keeper. If Subject to s. 93.135, if the
14 property proposed to be used is suitable for a public warehouse and the applicant is
15 otherwise qualified, a license shall be issued upon payment of the license fee under
16 sub. (3) and the filing of security or insurance as required under s. 99.03.

17 **SECTION 97.** 100.06 (1g) (c) of the statutes is amended to read:

18 100.06 (1g) (c) The department shall require the applicant to file a financial
19 statement of his or her business operations and financial condition that meets the
20 requirements of par. (d). The licensee, during the term of his or her license, may be
21 required to file such statements periodically. All such statements shall be
22 confidential and shall not be open for public inspection, except that the department
23 shall open such statements for inspection if requested under s. 49.22 (2m) by the
24 department of workforce development or a county child support agency under s.
25 59.53 (5). The department may require such statements to be certified by a public

SENATE BILL 494**SECTION 97**

1 accountant. Such statements and audits, when made by the department, shall be
2 paid for at cost.

3 **SECTION 98.** 101.02 (21) of the statutes is created to read:

4 101.02 (21) (a) In this subsection, "license" means a license, permit or
5 certificate of certification or registration issued by the department under s. 101.09
6 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
7 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.95, 145.02
8 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17, 145.175, 145.18 or 167.10
9 (6m).

10 (b) As provided in the memorandum of understanding under s. 49.857, the
11 department of commerce may not issue or renew a license unless the applicant
12 provides the department of commerce with his or her social security number. The
13 department of commerce may not disclose the social security number except that the
14 department of commerce may disclose the social security number of an applicant for
15 a license under par. (a) or a renewal of a license under par. (a) to the department of
16 workforce development for the sole purpose of administering s. 49.22.

17 (c) As provided in the memorandum of understanding under s. 49.857, the
18 department may not issue or renew a license if the applicant or licensee is delinquent
19 in making court-ordered payments of child or family support, maintenance, birth
20 expenses, medical expenses or other expenses related to the support of a child or
21 former spouse or if the applicant or licensee fails to comply, after appropriate notice,
22 with a subpoena or warrant issued by the department of workforce development or
23 a county child support agency under s. 59.53 (5) and relating to paternity or child
24 support proceedings.

SENATE BILL 494

1 (d) As provided in the memorandum of understanding under s. 49.857, the
2 department shall restrict or suspend a license issued by the department if the
3 licensee is delinquent in making court-ordered payments of child or family support,
4 maintenance, birth expenses, medical expenses or other expenses related to the
5 support of a child or former spouse or if the licensee fails to comply, after appropriate
6 notice, with a subpoena or warrant issued by the department of workforce
7 development or a county child support agency under s. 59.53 (5) and relating to
8 paternity or child support proceedings.

9 **SECTION 99.** 102.17 (1) (c) of the statutes is amended to read:

10 102.17 (1) (c) Either party shall have the right to be present at any hearing,
11 in person or by attorney, or any other agent, and to present such testimony as may
12 be pertinent to the controversy before the department. No person, firm or
13 corporation other than an attorney at law, duly licensed to practice law in the state,
14 may appear on behalf of any party in interest before the department or any member
15 or employe of the department assigned to conduct any hearing, investigation or
16 inquiry relative to a claim for compensation or benefits under this chapter, unless the
17 person is 18 years of age or older, does not have an arrest or conviction record, subject
18 to ss. 111.321, 111.322 and 111.335, is otherwise qualified and has obtained from the
19 department a license with authorization to appear in matters or proceedings before
20 the department. The Except as provided under par. (cm), the license shall be issued
21 by the department under rules to be adopted by the department. There shall be
22 maintained in the office of the department a current list of persons to whom licenses
23 have been issued. Any license may be suspended or revoked by the department for
24 fraud or serious misconduct and any license may be denied, suspended, nonrenewed
25 or otherwise withheld by the department for failure to pay court-ordered payments

SENATE BILL 494**SECTION 99**

1 as provided in par. (cm) on the part of an agent. Before suspending or revoking the
2 license of the agent on the grounds of fraud or misconduct, the department shall give
3 notice in writing to the agent of the charges of fraud or misconduct, and shall give
4 the agent full opportunity to be heard in relation to the same. In denying,
5 suspending, restricting, refusing to renew or otherwise withholding a license for
6 failure to pay court-ordered payments as provided in par. (cm), the department shall
7 follow the procedure provided in a memorandum of understanding entered into
8 under s. 49.857. The license and certificate of authority shall, unless otherwise
9 suspended or revoked, be in force from the date of issuance until the June 30
10 following the date of issuance and may be renewed by the department from time to
11 time, but each renewed license shall expire on the June 30 following the issuance
12 thereof.

13 **SECTION 100.** 102.17 (1) (cg) of the statutes is created to read:

14 102.17 (1) (cg) 1. The department shall require each applicant for a license
15 under par. (c) who is an individual to provide the department with his or her social
16 security number when initially applying for or applying to renew the license.

17 2. The department may not issue or renew a license under par. (c) to or for an
18 applicant who is an individual unless the applicant has provided his or her social
19 security number to the department.

20 3. The subunit of the department that obtains a social security number under
21 subd. 1. may disclose the social security number only on the request of the subunit
22 of the department that administers the child and spousal support program under s.
23 49.22 (2m).

24 **SECTION 101.** 102.17 (1) (cm) of the statutes is created to read:

SENATE BILL 494**SECTION 101**

1 102.17 (1) (cm) The department shall deny, suspend, restrict, refuse to renew
2 or otherwise withhold a license under par. (c) for failure of the applicant or agent to
3 pay court-ordered payments of child or family support, maintenance, birth
4 expenses, medical expenses or other expenses related to the support of a child or
5 former spouse or for failure of the applicant or agent to comply, after appropriate
6 notice, with a subpoena or warrant issued by the department or a county child
7 support agency under s. 59.53 (5) and related to paternity or child support
8 proceedings, as provided in a memorandum of understanding entered into under s.
9 49.857. Notwithstanding par. (c), an action taken under this paragraph is subject
10 to review only as provided in the memorandum of understanding entered into under
11 s. 49.857 and not as provided in ch. 227.

12 **SECTION 102.** 102.27 (2) (a) of the statutes is amended to read:

13 102.27 (2) (a) A benefit under this chapter is assignable under s. 46.10 (14) (e),
14 767.23 (1) (L), 767.25 (4m) (c), 767.265 (1) ~~or~~, 767.51 (3m) (c) or 767.62 (4) (b) 3.

15 **SECTION 103.** 102.33 (2) (b) 5. of the statutes is created to read:

16 102.33 (2) (b) 5. The requester is the subunit of the department that
17 administers child and spousal support or a county child support agency under s.
18 59.53 (5) and the request is made under s. 49.22 (2m).

19 **SECTION 104.** 103.005 (10) of the statutes is amended to read:

20 103.005 (10) Orders Except as provided in ss. 103.275 (2) (bm), 103.91 (4) (b),
21 103.92 (6), 104.07 (5) and 105.13 (2), orders of the department under chs. 103 to 106
22 shall be subject to review in the manner provided in ch. 227.

23 **SECTION 105.** 103.275 (2) (b) (intro.) of the statutes is amended to read:

SENATE BILL 494**SECTION 105**

1 103.275 (2) (b) (intro.) ~~Upon~~ Except as provided under par. (bm), upon receipt
2 of a properly completed application, the department shall issue a house-to-house
3 employer certificate if all of the following apply:

4 **SECTION 106.** 103.275 (2) (bg) of the statutes is created to read:

5 103.275 (2) (bg) 1. The department shall require each applicant for a
6 house-to-house employer certificate under this subsection who is an individual to
7 provide the department with the applicant's social security number when initially
8 applying for or applying to renew the house-to-house employer certificate.

9 2. The department may not issue or renew a house-to-house employer
10 certificate under this subsection to or for an applicant who is an individual unless
11 the applicant has provided his or her social security number to the department.

12 3. The subunit of the department that obtains a social security number under
13 subd. 1. may disclose the social security number only on the request of the subunit
14 of the department that administers the child and spousal support program under s.
15 49.22 (2m).

16 **SECTION 107.** 103.275 (2) (bm) of the statutes is created to read:

17 103.275 (2) (bm) The department shall deny, suspend, restrict, refuse to renew
18 or otherwise withhold a house-to-house employer certificate for failure of the
19 applicant or house-to-house employer to pay court-ordered payments of child or
20 family support, maintenance, birth expenses, medical expenses or other expenses
21 related to the support of a child or former spouse or for failure of the applicant or
22 house-to-house employer to comply, after appropriate notice, with a subpoena or
23 warrant issued by the department or a county child support agency under s. 59.53
24 (5) and related to paternity or child support proceedings, as provided in a
25 memorandum of understanding entered into under s. 49.857. Notwithstanding sub.

SENATE BILL 494**SECTION 107**

1 (7) and s. 103.005 (10), an action taken under this paragraph is subject to review only
2 as provided in the memorandum of understanding entered into under s. 49.857 and
3 not as provided in sub. (7) and ch. 227.

4 **SECTION 108.** 103.275 (7) (b) of the statutes is amended to read:

5 103.275 (7) (b) ~~After~~ Except as provided in sub. (2) (bm), after providing at least
6 10 days' notice to a house-to-house employer, the department may, on its own or
7 upon a written and signed complaint, suspend the house-to-house employer's
8 certificate. The department shall serve a copy of the complaint with notice of a
9 suspension of the certificate on the person complained against, and the person shall
10 file an answer to the complaint with the department and the complainant within 10
11 days after service. After receiving the answer, the department shall set the matter
12 for hearing as promptly as possible and within 30 days after the date of filing the
13 complaint. Either party may appear at the hearing in person or by attorney or agent.
14 The department shall make its findings and determination concerning the
15 suspension within 90 days after the date that the hearing is concluded and send a
16 copy to each interested party.

17 **SECTION 109.** 103.275 (7) (c) of the statutes is amended to read:

18 103.275 (7) (c) ~~The~~ Except as provided in sub. (2) (bm), the department may
19 revoke a certificate issued under sub. (2) after holding a public hearing at a place
20 designated by the department. At least 10 days prior to the revocation hearing, the
21 department shall send written notice of the time and place of the revocation hearing
22 to the person holding the certificate and to the person's attorney or agent of record
23 by mailing the notice to their last-known address. The testimony presented and
24 proceedings at the revocation hearing shall be recorded and preserved as the records
25 of the department. The department shall, as soon after the hearing as possible, make

SENATE BILL 494**SECTION 109**

1 its findings and determination concerning revocation and send a copy to each
2 interested party.

3 **SECTION 110.** 103.91 (2) of the statutes is renumbered 103.91 (2) (a) and
4 amended to read:

5 103.91 (2) (a) A migrant labor contractor shall apply to the department for a
6 certificate in such manner and on such forms as the department prescribes. The
7 migrant labor contractor may submit a copy of a federal application filed under 7
8 USC 2045 in lieu of the forms prescribed by the department under this subsection
9 paragraph.

10 **SECTION 111.** 103.91 (2) (b) of the statutes is created to read:

11 103.91 (2) (b) 1. The department shall require each applicant for a certificate
12 under par. (a) who is an individual to provide the department with his or her social
13 security number when initially applying for or applying to renew the certificate.

14 2. The department may not issue or renew a certificate under par. (a) to or for
15 an applicant who is an individual unless the applicant has provided his or her social
16 security number to the department.

17 3. The subunit of the department that obtains a social security number under
18 subd. 1. may disclose the social security number only on the request of the subunit
19 of the department that administers the child and spousal support program under s.
20 49.22 (2m).

21 **SECTION 112.** 103.91 (4) of the statutes is renumbered 103.91 (4) (a).

22 **SECTION 113.** 103.91 (4) (b) of the statutes is created to read:

23 103.91 (4) (b) The department shall deny, suspend, restrict, refuse to renew or
24 otherwise withhold a certificate of registration under sub. (1) for failure of the
25 applicant or registrant to pay court-ordered payments of child or family support,

SENATE BILL 494**SECTION 113**

1 maintenance, birth expenses, medical expenses or other expenses related to the
2 support of a child or former spouse or for failure of the applicant or registrant to
3 comply, after appropriate notice, with a subpoena or warrant issued by the
4 department or a county child support agency under s. 59.53 (5) and related to
5 paternity or child support proceedings, as provided in a memorandum of
6 understanding entered into under s. 49.857. Notwithstanding s. 103.005 (10), an
7 action taken under this paragraph is subject to review only as provided in the
8 memorandum of understanding entered into under s. 49.857 and not as provided in
9 ch. 227.

10 **SECTION 114.** 103.92 (1) of the statutes is renumbered 103.92 (1) (a) and
11 amended to read:

12 103.92 (1) (a) Every person maintaining a migrant labor camp shall, annually
13 by April 1 or 30 days prior to the opening of a new camp, make application to the
14 department for a certificate to operate a camp. Each application shall be
15 accompanied by an application fee in an amount determined by the department.

16 **SECTION 115.** 103.92 (1) (b) of the statutes is created to read:

17 103.92 (1) (b) 1. The department shall require each applicant for a certificate
18 under par. (a) who is an individual to provide the department with his or her social
19 security number when initially applying for or applying to renew the certificate.

20 2. The department may not issue or renew a certificate under par. (a) to or for
21 an applicant who is an individual unless the applicant has provided his or her social
22 security number to the department.

23 3. The subunit of the department that obtains a social security number under
24 subd. 1. may disclose the social security number only on the request of the subunit

SENATE BILL 494**SECTION 115**

1 of the department that administers the child and spousal support program under s.
2 49.22 (2m).

3 **SECTION 116.** 103.92 (3) of the statutes is amended to read:

4 103.92 (3) CERTIFICATE. The department shall inspect each camp for which
5 application to operate is made, to determine if it is in compliance with the rules of
6 the department establishing minimum standards for migrant labor camps. If Except
7 as provided under sub. (6), if the department finds that the camp is in compliance
8 with the rules, it shall issue a certificate authorizing the camp to operate until March
9 31 of the next year. The department shall refuse to issue a certificate if it finds that
10 the camp is in violation of such rules or if the person maintaining the camp has failed
11 to pay court-ordered payments as provided in sub. (6).

12 **SECTION 117.** 103.92 (6) of the statutes is created to read:

13 103.92 (6) FAILURE TO PAY SUPPORT OR TO COMPLY WITH SUBPOENA OR WARRANT;
14 MEMORANDUM OF UNDERSTANDING. The department shall deny, suspend, restrict,
15 refuse to renew or otherwise withhold a certificate to operate a migrant labor camp
16 for failure of the applicant or person operating the camp to pay court-ordered
17 payments of child or family support, maintenance, birth expenses, medical expenses
18 or other expenses related to the support of a child or former spouse or for failure of
19 the applicant or person operating the camp to comply, after appropriate notice, with
20 a subpoena or warrant issued by the department or a county child support agency
21 under s. 59.53 (5) and related to paternity or child support proceedings, as provided
22 in a memorandum of understanding entered into under s. 49.857. Notwithstanding
23 s. 103.005 (10), an action taken under this subsection is subject to review only as
24 provided in a memorandum of understanding entered into under s. 49.857 and not
25 as provided in ch. 227.

SENATE BILL 494**SECTION 118**

1 **SECTION 118.** 104.07 (1) of the statutes is amended to read:

2 104.07 (1) The department shall make rules and, except as provided under sub.
3 (5), grant licenses, to any employer who employs any employe unable to earn the
4 living-wage theretofore determined upon, permitting such person to work for a wage
5 which shall be commensurate with ability and each license so granted shall establish
6 a wage for the licensee.

7 **SECTION 119.** 104.07 (2) of the statutes is amended to read:

8 104.07 (2) The department shall make rules and, except as provided under sub.
9 (5), grant licenses to sheltered workshops to permit the employment of handicapped
10 workers unable to earn the living-wage theretofore determined upon permitting
11 such persons to work for a wage which shall be commensurate with his or her ability
12 and productivity. A license granted to a sheltered workshop, under this section, may
13 be issued for the entire workshop or a department thereof.

14 **SECTION 120.** 104.07 (4) of the statutes is created to read:

15 104.07 (4) (a) The department shall require each applicant for a license under
16 sub. (1) or (2) who is an individual to provide the department with his or her social
17 security number when initially applying for or applying to renew the license.

18 (b) The department may not issue or renew a license under sub. (1) or (2) to or
19 for an applicant who is an individual unless the applicant has provided his or her
20 social security number to the department.

21 (c) The subunit of the department that obtains a social security number under
22 par. (a) may disclose the social security number only on the request of the subunit
23 of the department that administers the child and spousal support program under s.
24 49.22 (2m).

25 **SECTION 121.** 104.07 (5) of the statutes is created to read:

SENATE BILL 494**SECTION 121**

1 104.07 (5) The department shall deny, suspend, restrict, refuse to renew or
2 otherwise withhold a license under sub. (1) or (2) for failure of the applicant or
3 licensee to pay court-ordered payments of child or family support, maintenance,
4 birth expenses, medical expenses or other expenses related to the support of a child
5 or former spouse or for failure of the applicant or licensee to comply, after appropriate
6 notice, with a subpoena or warrant issued by the department or a county child
7 support agency under s. 59.53 (5) and related to paternity or child support
8 proceedings, as provided in a memorandum of understanding entered into under s.
9 49.857. Notwithstanding s. 103.005 (10), an action taken under this subsection is
10 subject to review only as provided in the memorandum of understanding entered into
11 under s. 49.857 and not as provided in ch. 227.

12 **SECTION 122.** 105.06 (1m) of the statutes is created to read:

13 105.06 (1m) (a) The department shall require each applicant for a license
14 under sub. (1) who is an individual to provide the department with his or her social
15 security number when initially applying for or applying to renew the license.

16 (b) The department may not issue or renew a license under sub. (1) to or for an
17 applicant who is an individual unless the applicant has provided his or her social
18 security number to the department.

19 (c) The subunit of the department that obtains a social security number under
20 par. (a) may disclose the social security number only on the request of the subunit
21 of the department that administers the child and spousal support program under s.
22 49.22 (2m).

23 **SECTION 123.** 105.13 of the statutes is renumbered 105.13 (1) and amended to
24 read:

SENATE BILL 494**SECTION 123**

1 105.13 (1) The department may issue licenses to employment agents, and
2 refuse to issue a license whenever, after investigation, the department finds that the
3 character of the applicant makes the applicant unfit to be an employment agent or
4 that the applicant has failed to pay court-ordered payments as provided in sub. (2),
5 or when the premises for conducting the business of an employment agent is found
6 upon investigation to be unfit for such use. Any license granted by the department
7 may be suspended or revoked by it upon notice to the licensee and good cause. Failure
8 to comply with this chapter and rules promulgated thereunder, or with any lawful
9 orders of the department, is cause to suspend or revoke a license. Failure to pay
10 court-ordered payments as provided in sub. (2) is cause to deny, suspend, restrict,
11 refuse to renew or otherwise withhold a license.

12 **SECTION 124.** 105.13 (2) of the statutes is created to read:

13 105.13 (2) The department shall deny, suspend, restrict, refuse to renew or
14 otherwise withhold an employment agent's license for failure of the applicant or
15 licensee to pay court-ordered payments of child or family support, maintenance,
16 birth expenses, medical expenses or other expenses related to the support of a child
17 or former spouse or for failure of the applicant or licensee to comply, after appropriate
18 notice, with a subpoena or warrant issued by the department or a county child
19 support agency under s. 59.53 (5) and related to paternity or child support
20 proceedings, as provided in a memorandum of understanding entered into under s.
21 49.857. Notwithstanding s. 103.005 (10), any action taken under this subsection is
22 subject to review only as provided in the memorandum of understanding entered into
23 under s. 49.857 and not as provided in ch. 227.

24 **SECTION 125.** 108.14 (7) (a) of the statutes is amended to read:

SENATE BILL 494**SECTION 125**

1 108.14 (7) (a) The records made or maintained by the department or
2 commission in connection with the administration of this chapter are confidential
3 and shall be open to public inspection or disclosure only to the extent that the
4 department or commission permits in the interest of the unemployment
5 compensation program. No person may permit inspection or disclosure of any record
6 provided to it by the department or commission unless the department or
7 commission authorizes the inspection or disclosure. This paragraph does not apply
8 to a request under s. 49.22 (2m) for disclosure of a record made by the subunit of the
9 department that administers child and spousal support or a county child support
10 agency under s. 59.53 (5).

11 **SECTION 126.** 115.31 (6) (b) of the statutes, as affected by 1997 Wisconsin Act
12 27, is amended to read:

13 115.31 (6) (b) Upon receiving a report under sub. (3) relating to a person
14 licensed by the state superintendent, the state superintendent shall investigate to
15 determine whether to initiate revocation proceedings. ~~During the investigation~~
16 Except as provided in par. (bm), during the investigation, the state superintendent
17 shall keep confidential all information pertaining to the investigation except the fact
18 that an investigation is being conducted and the date of the revocation hearing.

19 **SECTION 127.** 115.31 (6) (bm) of the statutes is created to read:

20 115.31 (6) (bm) At the request under s. 49.22 (2m) of the department of
21 workforce development or a county child support agency under s. 59.53 (5), the state
22 superintendent shall release information obtained under this subsection to the
23 department of workforce development or the county child support agency.

24 **SECTION 128.** 115.315 of the statutes is created to read:

SENATE BILL 494**SECTION 128**

1 **115.315 Memorandum of understanding; license restriction and**
2 **suspension.** As provided in the memorandum of understanding under s. 49.857, the
3 department shall restrict or suspend a license or permit granted by the department
4 if the licensee or permit holder is delinquent in making court-ordered payments of
5 child or family support, maintenance, birth expenses, medical expenses or other
6 expenses related to the support of a child or former spouse or if the licensee or permit
7 holder fails to comply, after appropriate notice, with a subpoena or warrant issued
8 by the department of workforce development or a county child support agency under
9 s. 59.53 (5) and related to paternity or child support proceedings.

10 **SECTION 129.** 118.19 (1r) of the statutes is created to read:

11 118.19 (1r) (a) As provided in the memorandum of understanding under s.
12 49.857, the department of public instruction may not issue or renew a license or
13 permit or revalidate a license that has no expiration date unless the applicant
14 provides the department of public instruction with his or her social security number.
15 The department of public instruction may not disclose the social security number
16 except to the department of workforce development for the sole purpose of
17 administering s. 49.22.

18 (b) As provided in the memorandum of understanding under s. 49.857, the
19 department may not issue or renew a license or permit or revalidate a license that
20 has no expiration date if the applicant, licensee or permit holder is delinquent in
21 making court-ordered payments of child or family support, maintenance, birth
22 expenses, medical expenses or other expenses related to the support of a child or
23 former spouse or if the applicant, licensee or permit holder fails to comply, after
24 appropriate notice, with a subpoena or warrant issued by the department of

SENATE BILL 494**SECTION 129**

1 workforce development or a county child support agency under s. 59.53 (5) and
2 related to paternity or child support proceedings.

3 **SECTION 130.** 118.19 (10) (f) of the statutes, as affected by 1997 Wisconsin Act
4 27, is amended to read:

5 118.19 (10) (f) The state superintendent shall keep confidential all information
6 received under this subsection from the department of justice or the federal bureau
7 of investigation. ~~Such~~ Except as provided in par. (g), such information is not subject
8 to inspection or copying under s. 19.35.

9 **SECTION 131.** 118.19 (10) (g) of the statutes is created to read:

10 118.19 (10) (g) At the request under s. 49.22 (2m) of the department of
11 workforce development or a county child support agency under s. 59.53 (5), the state
12 superintendent shall release information obtained under this subsection to the
13 department of workforce development or the county child support agency.

14 **SECTION 132.** 120.13 (2) (e) of the statutes is amended to read:

15 120.13 (2) (e) ~~All~~ Except as provided in par. (f), personally identifiable medical
16 and claims records relating to any self-insurance plan under par. (b) shall be kept
17 confidential by the administrator of the self-insurance plan and shall be exempt
18 from disclosure pursuant to s. 19.36 (1). This paragraph does not prohibit the release
19 of personally identifiable records to school district personnel, to the extent that
20 performance of their duties requires access to the records, but only with the prior
21 written informed consent of the insured.

22 **SECTION 133.** 120.13 (2) (f) of the statutes is created to read:

23 120.13 (2) (f) At the request under s. 49.22 (2m) of the department of workforce
24 development or a county child support agency under s. 59.53 (5), the school board
25 shall direct the administrator of the self-insurance plan to release information

SENATE BILL 494**SECTION 133**

1 obtained under this subsection to the department of workforce development or the
2 county child support agency.

3 **SECTION 134.** 120.13 (2) (g) of the statutes, as affected by 1997 Wisconsin Act
4 27, section 2860f, is amended to read:

5 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
6 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),
7 632.87 (4) and (5), 632.895 (9) to (13), 632.896, 767.25 (4m) (d) ~~and~~, 767.51 (3m) (d)
8 and 767.62 (4) (b) 4.

9 **SECTION 135.** 125.07 (4) (cm) of the statutes is amended to read:

10 125.07 (4) (cm) When a court revokes or suspends a person's operating privilege
11 under par. (bs) or (c), the department of transportation may not disclose information
12 concerning or relating to the revocation or suspension to any person other than a
13 court, district attorney, county corporation counsel, city, village or town attorney, law
14 enforcement agency or the person whose operating privilege is revoked or suspended.
15 A person entitled to receive information under this paragraph may not disclose the
16 information to any other person or agency. This paragraph does not apply to any
17 information requested under s. 49.22 (2m) by the department of workforce
18 development or a county child support agency under s. 59.53 (5).

19 **SECTION 136.** 125.085 (3) (bp) of the statutes is amended to read:

20 125.085 (3) (bp) When a court suspends a person's operating privilege under
21 par. (bd), the department of transportation may not disclose information concerning
22 or relating to the suspension to any person other than a court, district attorney,
23 county corporation counsel, city, village or town attorney, law enforcement agency or
24 the person whose operating privilege is suspended. A person entitled to receive
25 information under this paragraph may not disclose the information to any other

SENATE BILL 494**SECTION 136**

1 person or agency. This paragraph does not apply to any information requested under
2 s. 49.22 (2m) by the department of workforce development or a county child support
3 agency under s. 59.53 (5).

4 **SECTION 137.** 127.17 (2) (a) of the statutes is amended to read:

5 127.17 (2) (a) *Grounds; procedure for suspension or revocation.* The
6 department may deny, suspend or revoke a warehouse keeper's or grain dealer's
7 license if the warehouse keeper or grain dealer violates this chapter or any rule
8 promulgated or special order issued under this chapter. The department may
9 suspend or revoke a license under this paragraph by special order under sub. (1) (a)
10 1. or, if necessary to prevent clear and imminent harm to producers or depositors, by
11 a summary special order under sub. (1) (a) 2.

12 **SECTION 138.** 127.17 (2) (b) of the statutes is amended to read:

13 127.17 (2) (b) *Suspension of grain dealer license.* If a grain dealer's license is
14 suspended under par. (a), the grain dealer may not purchase or receive grain from
15 producers or sell or ship grain, except under the supervision of the department.

16 **SECTION 139.** 127.17 (2) (c) 1. of the statutes is amended to read:

17 127.17 (2) (c) 1. If a grain dealer's license is revoked under par. (a), the grain
18 dealer may not purchase, receive, sell or ship grain except as the department permits
19 by order.

20 **SECTION 140.** 127.17 (2) (d) of the statutes is amended to read:

21 127.17 (2) (d) *Suspension of a warehouse keeper's license.* If a warehouse
22 keeper's license is suspended under par. (a), the warehouse keeper may not purchase
23 or receive grain from depositors or sell or ship grain, except under the supervision
24 of the department.

25 **SECTION 141.** 127.17 (2) (e) 1. of the statutes is amended to read:

SENATE BILL 494**SECTION 141**

1 127.17 **(2)** (e) 1. If a warehouse keeper's license is revoked under par. (a), the
2 warehouse keeper may not purchase, receive, sell or ship grain except as the
3 department permits by order.

4 **SECTION 142.** 134.43 (3m) of the statutes is created to read:

5 134.43 **(3m)** Subsections (2) (b), (2m) and (3) do not apply to any information
6 requested under s. 49.22 (2m) by the department of workforce development or a
7 county child support agency under s. 59.53 (5).

8 **SECTION 143.** 138.09 (1m) of the statutes is renumbered 138.09 (1m) (a).

9 **SECTION 144.** 138.09 (1m) (b) of the statutes is created to read:

10 138.09 **(1m)** (b) 1. If the applicant is an individual, an application under par.
11 (a) for a license shall contain the applicant's social security number.

12 2. The division may not disclose any information received under subd. 1. to any
13 person except the department of workforce development in accordance with a
14 memorandum of understanding under s. 49.857.

15 **SECTION 145.** 138.09 (3) (a) of the statutes is amended to read:

16 138.09 **(3)** (a) Upon the filing of such application and the payment of such fee,
17 the division shall investigate the relevant facts, ~~and if.~~ Except as provided in par.
18 (am), if the division shall find that the character and general fitness and the financial
19 responsibility of the applicant, and the members thereof if the applicant is a
20 partnership, limited liability company or association, and the officers and directors
21 thereof if the applicant is a corporation, warrant the belief that the business will be
22 operated in compliance with this section the division shall thereupon issue a license
23 to said applicant to make loans in accordance with the provisions of this section. If
24 the division shall not so find, the division shall deny such application.

25 **SECTION 146.** 138.09 (3) (am) of the statutes is created to read:

SENATE BILL 494**SECTION 146**

1 138.09 (3) (am) If the applicant is an individual, the division may not issue a
2 license under this section if the applicant has failed to provide his or her social
3 security number, if the applicant fails to comply, after appropriate notice, with a
4 subpoena or warrant issued by the department of workforce development or a county
5 child support agency under s. 59.53 (5) and related to paternity or child support
6 proceedings or if the applicant is delinquent in making court-ordered payments of
7 child or family support, maintenance, birth expenses, medical expenses or other
8 expenses related to the support of a child or former spouse, as provided in a
9 memorandum of understanding entered into under s. 49.857.

10 **SECTION 147.** 138.09 (4) of the statutes is renumbered 138.09 (4) (a).

11 **SECTION 148.** 138.09 (4) (b) of the statutes is created to read:

12 138.09 (4) (b) The division shall restrict or suspend a license under this section
13 if, in the case of a licensee who is an individual, the licensee fails to comply, after
14 appropriate notice, with a subpoena or warrant issued by the department of
15 workforce development or a county child support agency under s. 59.53 (5) and
16 related to paternity or child support proceedings or is delinquent in making
17 court-ordered payments of child or family support, maintenance, birth expenses,
18 medical expenses or other expenses related to the support of a child or former spouse,
19 as provided in a memorandum of understanding entered into under s. 49.857. A
20 licensee whose license is restricted or suspended under this paragraph is entitled to
21 a notice and hearing only as provided in a memorandum of understanding entered
22 into under s. 49.857 and is not entitled to a hearing under par. (a).

23 **SECTION 149.** 138.12 (3) (d) of the statutes is created to read:

24 138.12 (3) (d) 1. If the applicant is an individual, an application for a license
25 under this section shall contain the applicant's social security number.

SENATE BILL 494**SECTION 149**

1 2. The division may not disclose any information received under subd. 1. to any
2 person except the department of workforce development in accordance with a
3 memorandum of understanding under s. 49.857.

4 **SECTION 150.** 138.12 (4) (a) of the statutes is amended to read:

5 138.12 (4) (a) Upon the filing of an application and the payment of the required
6 fees under par. (am) 1., the division shall make an investigation of each applicant and
7 shall issue a license if the division finds the applicant is qualified in accordance with
8 this section. If the division does not so find, the division shall, within 30 days after
9 the division has received the application, notify the applicant and, at the request of
10 the applicant, give the applicant a full hearing, except that an applicant whose
11 application is denied under par. (b) 6. is entitled to notice and a hearing only as
12 provided in a memorandum of understanding entered into under s. 49.857 and is not
13 entitled to a hearing under this paragraph.

14 **SECTION 151.** 138.12 (4) (b) 4. of the statutes is created to read:

15 138.12 (4) (b) 4. Has provided the information required under sub. (3) (d) 1.

16 **SECTION 152.** 138.12 (4) (b) 6. of the statutes is created to read:

17 138.12 (4) (b) 6. If an individual, has not failed to comply, after appropriate
18 notice, with a subpoena or warrant issued by the department of workforce
19 development or a county child support agency under s. 59.53 (5) and related to
20 paternity or child support proceedings and is not delinquent in making
21 court-ordered payments of child or family support, maintenance, birth expenses,
22 medical expenses or other expenses related to the support of a child or former spouse,
23 as provided in a memorandum of understanding entered into under s. 49.857.

24 **SECTION 153.** 138.12 (5) (am) of the statutes is created to read:

SENATE BILL 494**SECTION 153**

1 138.12 (5) (am) 1. The division shall deny an application for a license renewal
2 if, in the case of an applicant who is an individual, the applicant fails to provide his
3 or her social security number, fails to comply, after appropriate notice, with a
4 subpoena or warrant issued by the department of workforce development or a county
5 child support agency under s. 59.53 (5) and related to paternity or child support
6 proceedings or is delinquent in making court-ordered payments of child or family
7 support, maintenance, birth expenses, medical expenses or other expenses related
8 to the support of a child or former spouse, as provided in a memorandum of
9 understanding entered into under s. 49.857. An applicant whose renewal
10 application is denied under this subdivision for delinquent payments or a failure to
11 comply with a subpoena or warrant is entitled to a notice and hearing only as
12 provided in a memorandum of understanding entered into under s. 49.857 and is not
13 entitled to a hearing under par. (b).

14 2. The division shall restrict or suspend the license of any insurance premium
15 finance company if the division finds that, in the case of a licensee who is an
16 individual, the licensee fails to comply, after appropriate notice, with a subpoena or
17 warrant issued by the department of workforce development or a county child
18 support agency under s. 59.53 (5) and related to paternity or child support
19 proceedings or is delinquent in making court-ordered payments of child or family
20 support, maintenance, birth expenses, medical expenses or other expenses related
21 to the support of a child or former spouse, as provided in a memorandum of
22 understanding entered into under s. 49.857. A licensee whose license is restricted
23 or suspended under this subdivision is entitled to a notice and hearing only as
24 provided in a memorandum of understanding entered into under s. 49.857 and is not
25 entitled to a hearing under par. (b).

SENATE BILL 494**SECTION 154**

1 **SECTION 154.** 146.50 (5) (a) of the statutes is amended to read:

2 146.50 (5) (a) ~~The Except as provided in s. 146.51, the~~ department shall license
3 qualified applicants as ambulance service providers or emergency medical
4 technicians. The department shall, from the information on the certification form
5 specified under sub. (6) (c) 2., establish in each ambulance service provider's biennial
6 license the primary service or contract area of the ambulance service provider.

7 **SECTION 155.** 146.50 (5) (b) of the statutes is amended to read:

8 146.50 (5) (b) The department shall promulgate rules establishing a system
9 and qualifications for issuance of training permits, except as provided in s. 146.51,
10 and specifying the period for which an individual may hold a training permit.

11 **SECTION 156.** 146.50 (5) (g) of the statutes is amended to read:

12 146.50 (5) (g) ~~An Except as provided in s. 146.51, an~~ emergency medical
13 technician license shall be issued to the individual licensed, and the department may
14 not impose a requirement that an individual be affiliated with an ambulance service
15 provider in order to receive an emergency medical technician license or to have an
16 emergency medical technician license renewed.

17 **SECTION 157.** 146.50 (6) (a) (intro.) of the statutes is amended to read:

18 146.50 (6) (a) (intro.) ~~To Except as provided in s. 146.51, to~~ be eligible for an
19 initial license as an emergency medical technician, an individual shall:

20 **SECTION 158.** 146.50 (6) (b) 1. of the statutes is amended to read:

21 146.50 (6) (b) 1. ~~To Except as provided in s. 146.51, to~~ be eligible for a renewal
22 of a license as an emergency medical technician, the licensee shall, in addition to
23 meeting the requirements of par. (a) 1., complete the training, education or
24 examination requirements specified in rules promulgated under subd. 2.

25 **SECTION 159.** 146.50 (6) (c) (intro.) of the statutes is amended to read:

SENATE BILL 494**SECTION 159**

1 146.50 (6) (c) (intro.) ~~To~~ Except as provided in s. 146.51, to be eligible for a
2 license as an ambulance service provider, an individual shall be 18 years of age or
3 older and have such additional qualifications as may be established in rules
4 promulgated by the department, except that no ambulance service provider may be
5 required to take training or an examination or receive education to qualify for
6 licensure or for renewal of licensure. An ambulance service provider shall, as a
7 condition of licensure, provide medical malpractice insurance sufficient to protect all
8 emergency medical technicians who perform for compensation as employes of the
9 ambulance service provider. For renewal of a biennial license as an ambulance
10 service provider, an applicant shall also provide all of the following:

11 **SECTION 160.** 146.50 (6g) (a) of the statutes is amended to read:

12 146.50 (6g) (a) ~~The~~ Except as provided in s. 146.51, the department shall certify
13 qualified applicants for the performance of defibrillation, under certification
14 standards that the department shall promulgate as rules.

15 **SECTION 161.** 146.50 (7) of the statutes is amended to read:

16 146.50 (7) LICENSING IN OTHER JURISDICTIONS. ~~The~~ Except as provided in s.
17 146.51, the department may issue a license as an emergency medical technician,
18 without examination, to any individual who holds a current license or certificate as
19 an emergency medical technician from another jurisdiction if the department finds
20 that the standards for licensing or issuing certificates in the other jurisdiction are
21 at least substantially equivalent to those in this state, and that the applicant is
22 otherwise qualified.

23 **SECTION 162.** 146.50 (8) (a) of the statutes is amended to read:

24 146.50 (8) (a) ~~The~~ Except as provided in s. 146.51, the department shall certify
25 qualified applicants as first responders—defibrillation.

SENATE BILL 494**SECTION 163**

1 **SECTION 163.** 146.50 (8) (b) of the statutes is amended to read:

2 146.50 (8) (b) To be eligible for initial certification as a first
3 responder—defibrillation, except as provided in s. 146.51, an individual shall meet
4 requirements specified in rules promulgated by the department.

5 **SECTION 164.** 146.50 (8) (c) of the statutes is amended to read:

6 146.50 (8) (c) To be eligible for a renewal of a certificate as a first
7 responder—defibrillation, except as provided in s. 146.51, the holder of the
8 certificate shall satisfactorily complete any requirements specified in rules
9 promulgated by the department.

10 **SECTION 165.** 146.50 (8) (f) of the statutes is amended to read:

11 146.50 (8) (f) The Except as provided in s. 146.51, the department may issue
12 a certificate as a first responder—defibrillation, without requiring satisfactory
13 completion of any instruction or training that may be required under par. (b), to any
14 individual who holds a current license or certificate as a first responder from another
15 jurisdiction if the department finds that the standards for licensing or issuing
16 certificates in the other jurisdiction are at least substantially equivalent to the
17 standards for issuance of certificates for first responders—defibrillation in this state,
18 and that the applicant is otherwise qualified.

19 **SECTION 166.** 146.51 of the statutes is created to read:

20 **146.51 Denial, nonrenewal and suspension of license, training permit**
21 **or certification based on certain delinquency in payment.** (1) The
22 department shall require each applicant to provide the department with the
23 applicant's social security number, if the applicant is an individual, as a condition of
24 issuing or renewing any of the following:

25 (a) A license under s. 146.50 (5) (a).

SENATE BILL 494**SECTION 166**

1 (b) A training permit under s. 146.50 (5) (b).

2 (c) A certification under s. 146.50 (6g) (a) or (8) (a).

3 **(2)** The department of health and family services may not disclose any
4 information received under sub. (1) to any person except to the department of
5 workforce development for the purpose of making certifications required under s.
6 49.857.

7 **(3)** The department of health and family services shall deny an application for
8 the issuance or renewal of a license, training permit or certification specified in sub.
9 (1), shall suspend a license, training permit or certification specified in sub. (1) or
10 may, under a memorandum of understanding under s. 49.857 (2), restrict a license,
11 training permit or certification specified in sub. (1) if the department of workforce
12 development certifies under s. 49.857 that the applicant for or holder of the license,
13 training permit or certification is delinquent in the payment of court-ordered
14 payments of child or family support, maintenance, birth expenses, medical expenses
15 or other expenses related to the support of a child or former spouse or fails to comply,
16 after appropriate notice, with a subpoena or warrant issued by the department of
17 workforce development or a county child support agency under s. 59.53 (5) and
18 related to paternity or child support proceedings.

19 **SECTION 167.** 157.62 (2) (c) of the statutes is amended to read:

20 157.62 **(2)** (c) All records relating to accounting of trust funds described under
21 par. (b) 3. to 7. and maintained by the department are confidential and are not
22 available for inspection or copying under s. 19.35 (1). This paragraph does not apply
23 to any information requested under s. 49.22 (2m) by the department of workforce
24 development or a county child support agency under s. 59.53 (5).

25 **SECTION 168.** 165.85 (3) (c) of the statutes is amended to read:

SENATE BILL 494**SECTION 168**

1 165.85 (3) (c) Certify Except as provided under sub. (3m) (a), certify persons
2 as being qualified under this section to be law enforcement, tribal law enforcement,
3 jail or secure detention officers. Prior to being certified under this paragraph, a tribal
4 law enforcement officer shall agree to accept the duties of law enforcement officers
5 under the laws of this state.

6 **SECTION 169.** 165.85 (3) (cm) of the statutes is amended to read:

7 165.85 (3) (cm) Decertify law enforcement, tribal law enforcement, jail or
8 secure detention officers who terminate employment or are terminated ~~or~~, who
9 violate or fail to comply with a rule or order of the board relating to curriculum or
10 training, who fail to pay court-ordered payments of child or family support,
11 maintenance, birth expenses, medical expenses or other expenses related to the
12 support of a child or former spouse or who fail to comply, after appropriate notice,
13 with a subpoena or warrant issued by the department of workforce development or
14 a county child support agency under s. 59.53 (5) and related to paternity or child
15 support proceedings. The board shall establish procedures for decertification in
16 compliance with ch. 227, except that decertification for failure to pay court-ordered
17 payments of child or family support, maintenance, birth expenses, medical expenses
18 or other expenses related to the support of a child or former spouse or for failure to
19 comply, after appropriate notice, with a subpoena or warrant issued by the
20 department of workforce development or a county child support agency under s.
21 59.53 (5) and related to paternity or child support proceedings shall be done as
22 provided under sub. (3m) (a).

23 **SECTION 170.** 165.85 (3m) of the statutes is created to read:

24 165.85 (3m) DUTIES RELATING TO SUPPORT ENFORCEMENT. The board shall do all
25 of the following:

SENATE BILL 494**SECTION 170**

1 (a) As provided in a memorandum of understanding entered into with the
2 department of workforce development under s. 49.857, refuse certification to an
3 individual who applies for certification under this section, refuse recertification to
4 an individual certified under this section or decertify an individual certified under
5 this section if the individual fails to pay court-ordered payments of child or family
6 support, maintenance, birth expenses, medical expenses or other expenses related
7 to the support of a child or former spouse or if the individual fails to comply, after
8 appropriate notice, with a subpoena or warrant issued by the department of
9 workforce development or a county child support agency under s. 59.53 (5) and
10 related to paternity or child support proceedings.

11 (b) Request that an individual provide the board with his or her social security
12 number when he or she applies for certification or recertification under this section.
13 If an individual who is requested by the board to provide his or her social security
14 number under this paragraph does not comply with the board's request, the board
15 shall deny the individual's application for certification or recertification. The board
16 may disclose a social security number provided by an individual under this
17 paragraph only to the department of workforce development as provided in a
18 memorandum of understanding entered into with the department of workforce
19 development under s. 49.857.

20 **SECTION 171.** 165.85 (4) (d) of the statutes is amended to read:

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

SENATE BILL 494

1 **SECTION 172.** 165.85 (4) (f) of the statutes is amended to read:

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

8 **SECTION 173.** 170.12 (3) (em) of the statutes is created to read:

9 170.12 (3) (em) 1. If the applicant is an individual, provide the social security
10 number of the applicant.

11 2. The board may not disclose any information received under subd. 1. to any
12 person except the department of workforce development in accordance with a
13 memorandum of understanding under s. 49.857.

14 **SECTION 174.** 170.12 (8) of the statutes is renumbered 170.12 (8) (a).

15 **SECTION 175.** 170.12 (8) (b) of the statutes is created to read:

16 170.12 (8) (b) 1. In the case of an applicant who is an individual, the board shall
17 deny an application for an original or renewal permit if the applicant fails to provide
18 the information required under sub. (3) (em) 1., if the applicant fails to comply, after
19 appropriate notice, with a subpoena or warrant issued by the department of
20 workforce development or a county child support agency under s. 59.53 (5) and
21 related to paternity or child support proceedings or if the applicant fails to pay
22 court-ordered payments of child or family support, maintenance, birth expenses,
23 medical expenses or other expenses related to the support of a child or former spouse,
24 as provided in a memorandum of understanding entered into under s. 49.857.

SENATE BILL 494**SECTION 175**

1 2. In the case of a permit holder who is an individual, the board shall restrict
2 or suspend any permit already granted if the permit holder fails to comply, after
3 appropriate notice, with a subpoena or warrant issued by the department of
4 workforce development or a county child support agency under s. 59.53 (5) and
5 related to paternity or child support proceedings or fails to pay court-ordered
6 payments of child or family support, maintenance, birth expenses, medical expenses
7 or other expenses related to the support of a child or former spouse, as provided in
8 a memorandum of understanding entered into under s. 49.857.

9 **SECTION 176.** 175.35 (2k) (bm) of the statutes is created to read:

10 175.35 **(2k)** (bm) Notwithstanding par. (ar), the department of justice shall
11 provide information from any record under this section in response to a request for
12 information under s. 49.22 (2m) made by the department of workforce development
13 or a county child support agency under s. 59.53 (5).

14 **SECTION 177.** 175.35 (2k) (i) of the statutes is amended to read:

15 175.35 **(2k)** (i) The department of justice may not charge a fee for any services
16 that the department provides under pars. ~~(e)~~ **(bm)** to (j).

17 **SECTION 178.** 217.05 (intro.) of the statutes is renumbered 217.05 (1) (intro.).

18 **SECTION 179.** 217.05 (1) to (4) of the statutes are renumbered 217.05 (1) (a) to
19 (d).

20 **SECTION 180.** 217.05 (1m) of the statutes is created to read:

21 217.05 **(1m)** (a) In addition to the information required under sub. (1), the
22 application shall include, if the applicant is an individual, the applicant's social
23 security number.

SENATE BILL 494**SECTION 180**

1 (b) The division may not disclose any information received under par. (a) to any
2 person except the department of workforce development in accordance with a
3 memorandum of understanding under s. 49.857.

4 **SECTION 181.** 217.06 (4) of the statutes is created to read:

5 217.06 (4) The applicant has provided the information required under s. 217.05
6 (1m) (a).

7 **SECTION 182.** 217.06 (6) of the statutes is created to read:

8 217.06 (6) If the applicant is an individual, the applicant has not failed to
9 comply, after appropriate notice, with a subpoena or warrant issued by the
10 department of workforce development or a county child support agency under s.
11 59.53 (5) and related to paternity or child support proceedings and is not delinquent
12 in making court-ordered payments of child or family support, maintenance, birth
13 expenses, medical expenses or other expenses related to the support of a child or
14 former spouse, as provided in a memorandum of understanding entered into under
15 s. 49.857.

16 **SECTION 183.** 217.09 (1m) of the statutes is created to read:

17 217.09 (1m) The division shall restrict or suspend any license issued under this
18 chapter to an individual, if the individual fails to comply, after appropriate notice,
19 with a subpoena or warrant issued by the department of workforce development or
20 a county child support agency under s. 59.53 (5) and related to paternity or child
21 support proceedings or is delinquent in making court-ordered payments of child or
22 family support, maintenance, birth expenses, medical expenses or other expenses
23 related to the support of a child or former spouse, as provided in a memorandum of
24 understanding entered into under s. 49.857. A licensee whose license is restricted
25 or suspended under this subsection is entitled to a notice and hearing only as

SENATE BILL 494**SECTION 183**

1 provided in a memorandum of understanding entered into under s. 49.857 and is not
2 entitled to any other notice or hearing under this chapter.

3 **SECTION 184.** 217.09 (4) of the statutes is amended to read:

4 217.09 (4) The division shall revoke or suspend only the authorization to
5 operate at the location with respect to which grounds for revocation or suspension
6 apply, but if the division finds that such grounds for revocation or suspension apply
7 to more than one location operated by such licensee, then the division shall revoke
8 or suspend all of the authorizations of the licensee to which such grounds apply.
9 Suspensions under sub. (1m) shall suspend the authorization to operate at all
10 locations operated by the licensee.

11 **SECTION 185.** 218.01 (2) (h) 3. of the statutes is amended to read:

12 218.01 (2) (h) 3. An applicant or licensee furnishing information under subd.
13 1. may designate the information as a trade secret, as defined in s. 134.90 (1) (c), or
14 as confidential business information. The licensor shall notify the applicant or
15 licensee providing the information 15 days before any information designated as a
16 trade secret or as confidential business information is disclosed to the legislature, a
17 state agency, as defined in s. 13.62 (2), a local governmental unit, as defined in s.
18 605.01 (1), or any other person. The applicant or licensee furnishing the information
19 may seek a court order limiting or prohibiting the disclosure. In such cases, the court
20 shall weigh the need for confidentiality of the information against the public interest
21 in the disclosure. A designation under this subdivision does not apply to any
22 information requested under s. 49.22 (2m) by the department of workforce
23 development or a county child support agency under s. 59.53 (5).

24 **SECTION 186.** 218.01 (2) (ie) of the statutes is created to read:

SENATE BILL 494**SECTION 186**

1 218.01 (2) (ie) 1. In addition to any other information required under this
2 subsection, an application by an individual for the issuance or renewal of a license
3 described in par. (d) shall include the individual's social security number. The
4 licensor may not disclose a social security number obtained under this subdivision
5 to any person except the department of workforce development for the sole purpose
6 of administering s. 49.22.

7 2. The licensor shall deny an application for the issuance or renewal of a license
8 if the information required under subd. 1. is not included in the application.

9 **SECTION 187.** 218.01 (2) (ig) of the statutes is created to read:

10 218.01 (2) (ig) 1. In addition to any other information required under this
11 subsection, an application by an individual for a license described in par. (dr) shall
12 include the individual's social security number.

13 2. The licensor may not disclose any information received under subd. 1. to any
14 person except the department of workforce development in accordance with a
15 memorandum of understanding under s. 49.857.

16 **SECTION 188.** 218.01 (3) (ag) of the statutes is created to read:

17 218.01 (3) (ag) A license described in sub. (2) (d) shall be denied, restricted,
18 limited or suspended if the applicant or licensee is an individual who is delinquent
19 in making court-ordered payments of child or family support, maintenance, birth
20 expenses, medical expenses or other expenses related to the support of a child or
21 former spouse, or who fails to comply, after appropriate notice, with a subpoena or
22 warrant issued by the department of workforce development or a county child
23 support agency under s. 59.53 (5) and related to paternity or child support
24 proceedings, as provided in a memorandum of understanding entered into under s.
25 49.857. No provision of this section that entitles an applicant or licensee to a notice

SENATE BILL 494**SECTION 188**

1 or hearing applies to a denial, restriction, limitation or suspension of a license under
2 this paragraph.

3 **SECTION 189.** 218.01 (3) (am) of the statutes is created to read:

4 218.01 (3) (am) 1. A license described in sub. (2) (dr) shall be denied if the
5 applicant fails to provide the information required under sub. (2) (ig) 1.

6 2. A license described in sub. (2) (dr) shall be denied, restricted or suspended
7 if the applicant or licensee is an individual who fails to comply, after appropriate
8 notice, with a subpoena or warrant issued by the department of workforce
9 development or a county child support agency under s. 59.53 (5) and related to
10 paternity or child support proceedings or who is delinquent in making court-ordered
11 payments of child or family support, maintenance, birth expenses, medical expenses
12 or other expenses related to the support of a child or former spouse, as provided in
13 a memorandum of understanding entered into under s. 49.857. An applicant whose
14 application is denied or a licensee whose license is restricted or suspended under this
15 subdivision is entitled to a notice and hearing only as provided in a memorandum of
16 understanding entered into under s. 49.857 and is not entitled to any other notice or
17 hearing under this section.

18 **SECTION 190.** 218.02 (2) (a) of the statutes is renumbered 218.02 (2) (a) 1. and
19 amended to read:

20 218.02 (2) (a) 1. Each adjustment service company shall apply to the division
21 for a license to engage in such business. Application for a separate license for each
22 office of a company to be operated under this section shall be made to the division in
23 writing, under oath, in a form to be prescribed by the division. The division may issue
24 more than one license to the same licensee. If the applicant for a license under this

SENATE BILL 494**SECTION 190**

1 section is an individual, the application shall include the applicant's social security
2 number.

3 **SECTION 191.** 218.02 (2) (a) 2. of the statutes is created to read:

4 218.02 (2) (a) 2. The division may not disclose an applicant's social security
5 number received under subd. 1. to any person except the department of workforce
6 development in accordance with a memorandum of understanding under s. 49.857.

7 **SECTION 192.** 218.02 (3) (e) of the statutes is created to read:

8 218.02 (3) (e) That, if the applicant is an individual, the applicant has not failed
9 to comply, after appropriate notice, with a subpoena or warrant issued by the
10 department of workforce development or a county child support agency under s.
11 59.53 (5) and related to paternity or child support proceedings and is not delinquent
12 in making court-ordered payments of child or family support, maintenance, birth
13 expenses, medical expenses or other expenses related to the support of a child or
14 former spouse, as provided in a memorandum of understanding entered into under
15 s. 49.857.

16 **SECTION 193.** 218.02 (6) of the statutes is renumbered 218.02 (6) (a).

17 **SECTION 194.** 218.02 (6) (b) of the statutes is created to read:

18 218.02 (6) (b) In accordance with a memorandum of understanding entered
19 into under s. 49.587, the division shall restrict or suspend a license if the licensee is
20 an individual who fails to comply, after appropriate notice, with a subpoena or
21 warrant issued by the department of workforce development or a county child
22 support agency under s. 59.53 (5) and related to paternity or child support
23 proceedings or who is delinquent in making court-ordered payments of child or
24 family support, maintenance, birth expenses, medical expenses or other expenses
25 related to the support of a child or former spouse.

SENATE BILL 494**SECTION 195**

1 **SECTION 195.** 218.02 (9) (a) of the statutes is amended to read:

2 218.02 (9) (a) The division may make such rules and require such reports as
3 the division deems necessary for the enforcement of this section. Sections 217.17,
4 217.18 and 217.21 (1) and (2) apply to and are available for the purposes of this
5 section. Orders of the division under this section are subject to review by the
6 consumer credit review board under s. 220.037. This paragraph does not apply to
7 applications for licenses that are denied or licenses that are restricted or suspended
8 because the applicant or licensee has failed to comply, after appropriate notice, with
9 a subpoena or warrant issued by the department of workforce development or a
10 county child support agency under s. 59.53 (5) and related to paternity or child
11 support proceedings or is delinquent in making court-ordered payments of child or
12 family support, maintenance, birth expenses, medical expenses or other expenses
13 related to the support of a child or former spouse.

14 **SECTION 196.** 218.04 (3) (a) of the statutes is renumbered 218.04 (3) (a) 1. and
15 amended to read:

16 218.04 (3) (a) 1. Application for licenses under the provisions of this section
17 shall be made to the division in writing, under oath, on a form to be prescribed by the
18 division. All licenses shall expire on June thirtieth 30 next following their date of
19 issue. If the applicant for a license under this section is an individual, the application
20 shall include the applicant's social security number.

21 **SECTION 197.** 218.04 (3) (a) 2. of the statutes is created to read:

22 218.04 (3) (a) 2. The division may not disclose an applicant's social security
23 number received under subd. 1. to any person except the department of workforce
24 development in accordance with a memorandum of understanding under s. 49.857.

25 **SECTION 198.** 218.04 (4) (a) of the statutes is amended to read:

SENATE BILL 494**SECTION 198**

1 218.04 (4) (a) ~~Upon~~ Except as provided in par. (am), upon the filing of such
2 application and the payment of such fee, the division shall make an investigation,
3 and if the division finds that the character and general fitness and the financial
4 responsibility of the applicant, and the members thereof if the applicant is a
5 partnership, limited liability company or association, and the officers and directors
6 thereof if the applicant is a corporation, warrant the belief that the business will be
7 operated in compliance with this section the division shall thereupon issue a license
8 to said applicant. Such license is not assignable and shall permit operation under
9 it only at or from the location specified in the license. A nonresident of this state may,
10 upon complying with all other provisions of this section, secure a collection agency
11 license provided the nonresident maintains an active office in this state.

12 **SECTION 199.** 218.04 (4) (am) of the statutes is created to read:

13 218.04 (4) (am) The division may not issue a license under this subsection if,
14 in the case of an applicant who is an individual, the applicant fails to provide his or
15 her social security number, fails to comply, after appropriate notice, with a subpoena
16 or warrant issued by the department of workforce development or a county child
17 support agency under s. 59.53 (5) and related to paternity or child support
18 proceedings or is delinquent in making court-ordered payments of child or family
19 support, maintenance, birth expenses, medical expenses or other expenses related
20 to the support of a child or former spouse, as provided in a memorandum of
21 understanding entered into under s. 49.857. An applicant whose application is
22 denied under this paragraph for delinquent payments or failure to comply with a
23 subpoena or warrant is entitled to a notice and hearing only as provided in a
24 memorandum of understanding entered into under s. 49.857 and is not entitled to
25 any other notice or hearing under this section.

SENATE BILL 494**SECTION 200**

1 **SECTION 200.** 218.04 (5) (am) of the statutes is created to read:

2 218.04 (5) (am) The division shall restrict or suspend a license issued under
3 this section if the division finds that the licensee is an individual who fails to comply,
4 after appropriate notice, with a subpoena or warrant issued by the department of
5 workforce development or a county child support agency under s. 59.53 (5) and
6 related to paternity or child support proceedings or who is delinquent in making
7 court-ordered payments of child or family support, maintenance, birth expenses,
8 medical expenses or other expenses related to the support of a child or former spouse,
9 as provided in a memorandum of understanding entered into under s. 49.857. A
10 licensee whose license is restricted or suspended under this paragraph is entitled to
11 a notice and hearing only as provided in a memorandum of understanding entered
12 into under s. 49.857 and is not entitled to any other notice or hearing under this
13 section.

14 **SECTION 201.** 218.04 (5) (b) of the statutes is amended to read:

15 218.04 (5) (b) No Except as provided in par. (am), no license shall be revoked
16 or suspended except after a hearing under this section. A complaint stating the
17 grounds for suspension or revocation together with a notice of hearing shall be
18 delivered to the licensee at least 5 days in advance of the hearing. In the event the
19 licensee cannot be found, complaint and notice of hearing may be left at the place of
20 business stated in the license and this shall be deemed the equivalent of delivering
21 the notice of hearing and complaint to the licensee.

22 **SECTION 202.** 218.04 (9) of the statutes is amended to read:

23 218.04 (9) ADMINISTRATIVE REVIEW. Any licensee or other person in interest
24 being dissatisfied with any order of the division made under this section may have
25 a review thereof as provided in s. 220.037. This subsection does not apply to an

SENATE BILL 494**SECTION 202**

1 application for a license that is denied, or a license that is restricted or suspended,
2 because the applicant or licensee is an individual who has failed to comply, after
3 appropriate notice, with a subpoena or warrant issued by the department of
4 workforce development or a county child support agency under s. 59.53 (5) and
5 related to paternity or child support proceedings or is delinquent in making
6 court-ordered payments of child or family support, maintenance, birth expenses,
7 medical expenses or other expenses related to the support of a child or former spouse.

8 **SECTION 203.** 218.05 (3) (am) of the statutes is created to read:

9 218.05 (3) (am) 1. In addition to the information required under par. (a), an
10 application for a license under this section by an individual shall contain the
11 applicant's social security number.

12 2. The division may not disclose an applicant's social security number received
13 under subd. 1. to any person except the department of workforce development in
14 accordance with a memorandum of understanding under s. 49.857.

15 **SECTION 204.** 218.05 (4) (b) of the statutes is amended to read:

16 218.05 (4) (b) If the division shall finds that the conditions under par. (a) 1. to
17 3. are not met, the division shall not issue the license and shall notify the applicant
18 of the denial, retaining the investigation fee to cover the cost of investigating the
19 applicant. The division shall approve or deny every application within 30 days from
20 the filing thereof. No application shall be denied unless the applicant has had notice
21 of a hearing on the application and an opportunity to be heard thereon. If the
22 application is denied, the division shall, within 20 days thereafter, prepare and keep
23 on file with the division a written order of denial which shall contain the division's
24 findings with respect thereto and the reasons supporting the denial. The division

SENATE BILL 494**SECTION 204**

1 shall mail a copy of the order of denial to the applicant at the address set forth in the
2 application, within 5 days after the filing of the order.

3 **SECTION 205.** 218.05 (4) (c) of the statutes is created to read:

4 218.05 (4) (c) In addition to the grounds for denial of a license under par. (a),
5 the division shall deny an application for a license under this section if the applicant
6 is an individual who fails to provide the information required under sub. (3) (am) 1.,
7 who fails to comply, after appropriate notice, with a subpoena or warrant issued by
8 the department of workforce development or a county child support agency under s.
9 59.53 (5) and related to paternity or child support proceedings or who is delinquent
10 in making court-ordered payments of child or family support, maintenance, birth
11 expenses, medical expenses or other expenses related to the support of a child or
12 former spouse, as provided in a memorandum of understanding entered into under
13 s. 49.857. An applicant whose application is denied under this paragraph for
14 delinquent payments or failure to comply with a subpoena or warrant is entitled to
15 a notice and hearing only as provided in a memorandum of understanding entered
16 into under s. 49.857 and is not entitled to any notice or hearing under par. (b).

17 **SECTION 206.** 218.05 (11) of the statutes is amended to read:

18 218.05 (11) RENEWAL. Every licensee shall, on or before December 20, pay to
19 the division the sum of \$300 as an annual license fee for the next succeeding calendar
20 year and, at the same time, shall file with the division the annual bond and insurance
21 policy or policies in the same amount and of the same character as required by subs.
22 (3) (c) and (6). The division may not renew a license under this section if the applicant
23 for renewal is an individual who fails to provide the information required under sub.
24 (3) (am) 1., fails to comply, after appropriate notice, with a subpoena or warrant
25 issued by the department of workforce development or a county child support agency

SENATE BILL 494**SECTION 206**

1 under s. 59.53 (5) and related to paternity or child support proceedings or is
2 delinquent in making court-ordered payments of child or family support,
3 maintenance, birth expenses, medical expenses or other expenses related to the
4 support of a child or former spouse, as provided in a memorandum of understanding
5 entered into under s. 49.857. An applicant whose application is denied under this
6 subsection for delinquent payments or failure to comply with a subpoena or warrant
7 is entitled to a notice and hearing only as provided in a memorandum of
8 understanding entered into under s. 49.857 and is not entitled to any other notice or
9 hearing under this section.

10 **SECTION 207.** 218.05 (12) (title) of the statutes is amended to read:

11 218.05 (12) (title) ~~REVOCATION; SURRENDER; NOTICE~~ RESTRICTION AND SUSPENSION.

12 **SECTION 208.** 218.05 (12) (am) of the statutes is created to read:

13 218.05 (12) (am) The division shall restrict or suspend any license issued under
14 this section if the licensee is an individual who fails to comply, after appropriate
15 notice, with a subpoena or warrant issued by the department of workforce
16 development or a county child support agency under s. 59.53 (5) and related to
17 paternity or child support proceedings or who is delinquent in making court-ordered
18 payments of child or family support, maintenance, birth expenses, medical expenses
19 or other expenses related to the support of a child or former spouse, as provided in
20 a memorandum of understanding entered into under s. 49.857. A licensee whose
21 license is restricted or suspended under this paragraph is entitled to a notice and
22 hearing only as provided in a memorandum of understanding entered into under s.
23 49.857 and is not entitled to any other notice or hearing under this section.

24 **SECTION 209.** 218.05 (13) of the statutes is amended to read:

SENATE BILL 494**SECTION 209**

1 218.05 (13) REVIEW OF ORDERS. Any person aggrieved by any order of the
2 division made under this section may have a review thereof by the consumer credit
3 review board under s. 220.037. This subsection does not apply to an application for
4 a license or a license renewal that is denied, or a license that is restricted or
5 suspended, because the applicant or licensee is an individual who has failed to
6 comply, after appropriate notice, with a subpoena or warrant issued by the
7 department of workforce development or a county child support agency under s.
8 59.53 (5) and related to paternity or child support proceedings or is delinquent in
9 making court-ordered payments of child or family support, maintenance, birth
10 expenses, medical expenses or other expenses related to the support of a child or
11 former spouse, as provided in a memorandum of understanding entered into under
12 s. 49.857.

13 **SECTION 210.** 218.11 (2) (a) of the statutes is amended to read:

14 218.11 (2) (a) Application for license and renewal license shall be made to the
15 licensor on forms prescribed and furnished by the licensor, accompanied by the
16 license fee required under par. (c) or (d). If the applicant is an individual, the
17 application shall include the applicant's social security number. The licensor shall
18 deny an application for the issuance or renewal of a license if an individual has not
19 included his or her social security number in the application.

20 **SECTION 211.** 218.11 (2) (am) of the statutes is created to read:

21 218.11 (2) (am) The licensor may not disclose a social security number obtained
22 under par. (a) to any person except to the department of workforce development for
23 the sole purpose of administering s. 49.22.

24 **SECTION 212.** 218.11 (6m) of the statutes is created to read:

SENATE BILL 494**SECTION 212**

1 218.11 **(6m)** A license under this section shall be denied, restricted, limited or
2 suspended if an applicant or licensee is an individual who is delinquent in making
3 court-ordered payments of child or family support, maintenance, birth expenses,
4 medical expenses or other expenses related to the support of a child or former spouse,
5 or who fails to comply, after appropriate notice, with a subpoena or warrant issued
6 by the department of workforce development or a county child support agency under
7 s. 59.53 (5) and related to paternity or child support proceedings, as provided in a
8 memorandum of understanding entered into under s. 49.857.

9 **SECTION 213.** 218.11 (7) (a) of the statutes is amended to read:

10 218.11 **(7)** (a) The licensor may without notice deny the application for a license
11 within 60 days after receipt thereof by written notice to the applicant, stating the
12 grounds for such denial. Within 30 days after such notice, the applicant may petition
13 the department of administration to conduct a hearing to review the denial, and a
14 hearing shall be scheduled with reasonable promptness. If the licensor is the
15 department of transportation, the division of hearings and appeals shall conduct the
16 hearing. This paragraph does not apply to denials of applications for licenses under
17 sub. (6m).

18 **SECTION 214.** 218.11 (7) (b) of the statutes is amended to read:

19 218.11 **(7)** (b) No license may be suspended or revoked except after a hearing
20 thereon. The licensor shall give the licensee at least 5 days' notice of the time and
21 place of such hearing. The order suspending or revoking such license shall not be
22 effective until after 10 days' written notice thereof to the licensee, after such hearing
23 has been had; except that the licensor, when in its opinion the best interest of the
24 public or the trade demands it, may suspend a license upon not less than 24 hours'
25 notice of hearing and with not less than 24 hours' notice of the suspension of the

SENATE BILL 494**SECTION 214**

1 license. Matters involving suspensions and revocations brought before the licensor
2 shall be heard and decided upon by the department of administration. If the licensor
3 is the department of transportation, the division of hearings and appeals shall
4 conduct the hearing. This paragraph does not apply to licenses that are suspended
5 under sub. (6m).

6 **SECTION 215.** 218.12 (2) (a) of the statutes is amended to read:

7 218.12 (2) (a) Applications for mobile home salesperson's license and renewals
8 thereof shall be made to the licensor on such forms as the licensor prescribes and
9 furnishes and shall be accompanied by the license fee required under par. (c) or (d).
10 The application shall include the applicant's social security number. In addition, the
11 application shall require such pertinent information as the licensor requires.

12 **SECTION 216.** 218.12 (2) (am) of the statutes is created to read:

13 218.12 (2) (am) 1. The licensor shall deny an application for the issuance or
14 renewal of a license if an individual has not included his or her social security
15 number in the application.

16 2. The licensor may not disclose a social security number obtained under par.
17 (a) to any person except to the department of workforce development for the sole
18 purpose of administering s. 49.22.

19 **SECTION 217.** 218.12 (3m) of the statutes is created to read:

20 218.12 (3m) A license shall be denied, restricted, limited or suspended if the
21 applicant or licensee is an individual who is delinquent in making court-ordered
22 payments of child or family support, maintenance, birth expenses, medical expenses
23 or other expenses related to the support of a child or former spouse, or who fails to
24 comply, after appropriate notice, with a subpoena or warrant issued by the
25 department of workforce development or a county child support agency under s.

SENATE BILL 494

1 59.53 (5) and related to paternity or child support proceedings, as provided in a
2 memorandum of understanding entered into under s. 49.857.

3 **SECTION 218.** 218.12 (5) of the statutes is amended to read:

4 218.12 (5) The provision of s. 218.01 (3) relating to the denial, suspension and
5 revocation of a motor vehicle salesperson's license shall apply to the denial,
6 suspension and revocation of a mobile home salesperson's license so far as applicable,
7 except that such provision does not apply to the denial or suspension of a license
8 under sub. (3m).

9 **SECTION 219.** 218.21 (2) (ag) of the statutes is created to read:

10 218.21 (2) (ag) If the applicant is an individual, the social security number of
11 the individual.

12 **SECTION 220.** 218.21 (2m) of the statutes is created to read:

13 218.21 (2m) (a) The department shall deny an application for the issuance or
14 renewal of a license if an individual has not included his or her social security
15 number in the application.

16 (b) The department of transportation may not disclose a social security number
17 obtained under sub. (2) (ag) to any person except to the department of workforce
18 development for the sole purpose of administering s. 49.22.

19 **SECTION 221.** 218.22 (3m) of the statutes is created to read:

20 218.22 (3m) The department shall deny, restrict, limit or suspend a license if
21 the applicant or licensee is an individual who is delinquent in making court-ordered
22 payments of child or family support, maintenance, birth expenses, medical expenses
23 or other expenses related to the support of a child or former spouse, or who fails to
24 comply, after appropriate notice, with a subpoena or warrant issued by the
25 department of workforce development or a county child support agency under s.

SENATE BILL 494**SECTION 221**

1 59.53 (5) and related to paternity or child support proceedings, as provided in a
2 memorandum of understanding entered into under s. 49.857.

3 **SECTION 222.** 218.22 (4) (a) of the statutes is amended to read:

4 218.22 (4) (a) The licensor may without notice deny the application for a license
5 within 60 days after receipt thereof by written notice to the applicant, stating the
6 grounds for such denial. Within 30 days after such notice, the applicant may petition
7 the division of hearings and appeals to conduct a hearing to review the denial, and
8 a hearing shall be scheduled with reasonable promptness. This paragraph does not
9 apply to denials of applications for licenses under sub. (3m).

10 **SECTION 223.** 218.22 (4) (b) of the statutes is amended to read:

11 218.22 (4) (b) No license shall be suspended or revoked except after a hearing
12 thereon. The licensor shall give the licensee at least 5 days' notice of the time and
13 place of such hearing. The order suspending or revoking such license shall not be
14 effective until after 10 days' written notice thereof to the licensee, after such hearing
15 has been had; except that the licensor, when in its opinion the best interest of the
16 public or the trade demands it, may suspend a license upon not less than 24 hours'
17 notice of hearing and with not less than 24 hours' notice of the suspension of the
18 license. Matters involving suspensions and revocations brought before the
19 department shall be heard and decided upon by the division of hearings and appeals.
20 This paragraph does not apply to licenses that are suspended under sub. (3m).

21 **SECTION 224.** 218.31 (1) (ag) of the statutes is created to read:

22 218.31 (1) (ag) When the applicant is an individual, the social security number
23 of the individual.

24 **SECTION 225.** 218.31 (1m) of the statutes is created to read:

SENATE BILL 494

1 218.31 **(1m)** (a) The department shall deny an application for the issuance or
2 renewal of a license if an individual has not included his or her social security
3 number in the application.

4 (b) The department of transportation may not disclose a social security number
5 obtained under sub. (1) (ag) to any person except to the department of workforce
6 development for the sole purpose of administering s. 49.22.

7 **SECTION 226.** 218.32 (3m) of the statutes is created to read:

8 218.32 **(3m)** The department shall deny, restrict, limit or suspend a license if
9 the applicant or licensee is an individual who is delinquent in making court-ordered
10 payments of child or family support, maintenance, birth expenses, medical expenses
11 or other expenses related to the support of a child or former spouse, or who fails to
12 comply, after appropriate notice, with a subpoena or warrant issued by the
13 department of workforce development or a county child support agency under s.
14 59.53 (5) and related to paternity or child support proceedings, as provided in a
15 memorandum of understanding entered into under s. 49.857.

16 **SECTION 227.** 218.32 (4) (a) of the statutes is amended to read:

17 218.32 **(4)** (a) The licensor may without notice deny the application for a license
18 within 60 days after receipt thereof by written notice to the applicant, stating the
19 grounds for such denial. Within 30 days after such notice, the applicant may petition
20 the division of hearings and appeals to conduct a hearing to review the denial, and
21 a hearing shall be scheduled with reasonable promptness. This paragraph does not
22 apply to denials of applications for licenses under sub. (3m).

23 **SECTION 228.** 218.32 (4) (b) of the statutes is amended to read:

24 218.32 **(4)** (b) No license shall be suspended or revoked except after a hearing
25 thereon. The licensor shall give the licensee at least 5 days' notice of the time and

SENATE BILL 494**SECTION 228**

1 place of such hearing. The order suspending or revoking such license shall not be
2 effective until after 10 days' written notice thereof to the licensee, after such hearing
3 has been had; except that the licensor, when in its opinion the best interest of the
4 public or the trade demands it, may suspend a license upon not less than 24 hours'
5 notice of hearing and with not less than 24 hours' notice of the suspension of the
6 license. Matters involving suspensions and revocations brought before the
7 department shall be heard and decided upon by the division of hearings and appeals.
8 This paragraph does not apply to licenses that are suspended under sub. (3m).

9 **SECTION 229.** 218.41 (2) (a) of the statutes is amended to read:

10 218.41 (2) (a) Application for license shall be made to the department at such
11 time and in such form, and containing such information, as the department requires.
12 If the applicant is an individual, the application shall include the applicant's social
13 security number.

14 **SECTION 230.** 218.41 (2) (am) of the statutes is created to read:

15 218.41 (2) (am) 1. The department shall deny an application for the issuance
16 or renewal of a license if an individual has not included his or her social security
17 number in the application.

18 2. The department of transportation may not disclose a social security number
19 obtained under par. (a) to any person except to the department of workforce
20 development for the sole purpose of administering s. 49.22.

21 **SECTION 231.** 218.41 (3m) of the statutes is created to read:

22 218.41 (3m) A license shall be denied, restricted, limited or suspended if the
23 applicant or licensee is an individual who is delinquent in making court-ordered
24 payments of child or family support, maintenance, birth expenses, medical expenses
25 or other expenses related to the support of a child or former spouse, or who fails to

SENATE BILL 494

1 comply, after appropriate notice, with a subpoena or warrant issued by the
2 department of workforce development or a county child support agency under s.
3 59.53 (5) and related to paternity or child support proceedings, as provided in a
4 memorandum of understanding entered into under s. 49.857.

5 **SECTION 232.** 218.41 (4) of the statutes is amended to read:

6 218.41 (4) The department may without notice deny the application for a
7 license within 30 days after receipt thereof by written notice to the applicant, stating
8 the grounds for such denial. Upon request by the applicant whose license has been
9 so denied, the division of hearings and appeals shall set the time and place of hearing
10 a review of such denial, the same to be heard with reasonable promptness. This
11 subsection does not apply to denials of applications for licenses under sub. (3m).

12 **SECTION 233.** 218.41 (5) (d) of the statutes is created to read:

13 218.41 (5) (d) This subsection does not apply to licenses that are suspended
14 under sub. (3m).

15 **SECTION 234.** 218.51 (3) (a) of the statutes is amended to read:

16 218.51 (3) (a) The department shall administer this section and specify the
17 form of the application for a buyer identification card and the information required
18 to be provided in the application. If the applicant is an individual, the application
19 shall include the applicant's social security number.

20 **SECTION 235.** 218.51 (3) (am) of the statutes is created to read:

21 218.51 (3) (am) 1. The department shall deny an application for the issuance
22 or renewal of a buyer identification card if an individual has not included his or her
23 social security number in the application.

SENATE BILL 494**SECTION 235**

1 2. The department of transportation may not disclose a social security number
2 obtained under par. (a) to any person except the department of workforce
3 development for the sole purpose of administering s. 49.22.

4 **SECTION 236.** 218.51 (4m) of the statutes is created to read:

5 218.51 (4m) The department shall deny, restrict, limit or suspend a license if
6 the applicant or licensee is an individual who is delinquent in making court-ordered
7 payments of child or family support, maintenance, birth expenses, medical expenses
8 or other expenses related to the support of a child or former spouse, or who fails to
9 comply, after appropriate notice, with a subpoena or warrant issued by the
10 department of workforce development or a county child support agency under s.
11 59.53 (5) and related to paternity or child support proceedings, as provided in a
12 memorandum of understanding entered into under s. 49.857.

13 **SECTION 237.** 218.51 (5) (a) of the statutes is amended to read:

14 218.51 (5) (a) The department may without notice deny the application for a
15 buyer identification card within 60 days after receipt thereof by written notice to the
16 applicant, stating the grounds for such denial. Within 30 days after such notice, the
17 applicant may petition the division of hearings and appeals to conduct a hearing to
18 review the denial, and a hearing shall be scheduled with reasonable promptness.

19 This paragraph does not apply to denials of applications for licenses under sub. (4m).

20 **SECTION 238.** 218.51 (5) (b) of the statutes is amended to read:

21 218.51 (5) (b) No buyer identification card may be suspended or revoked except
22 after a hearing thereon. The department shall give the cardholder at least 5 days'
23 notice of the time and place of such hearing. The order suspending or revoking a
24 buyer identification card shall not be effective until after 10 days' written notice
25 thereof to the cardholder, after such hearing has been had; except that the

SENATE BILL 494**SECTION 238**

1 department, when in its opinion the best interest of the public or the trade demands
2 it, may suspend a buyer identification card upon not less than 24 hours' notice of
3 hearing and with not less than 24 hours' notice of the suspension of the buyer
4 identification card. Matters involving suspensions and revocations brought before
5 the department shall be heard and decided upon by the division of hearings and
6 appeals. This paragraph does not apply to licenses that are suspended under sub.
7 (4m).

8 **SECTION 239.** 220.01 (1e) of the statutes is created to read:

9 220.01 (1e) "Department" means the department of financial institutions.

10 **SECTION 240.** Chapter 224 (title) of the statutes is amended to read:

11 **CHAPTER 224**

12 **MISCELLANEOUS BANKING AND**
13 **FINANCIAL INSTITUTIONS**

14 **PROVISIONS**

15 **SECTION 241.** 224.092 of the statutes is renumbered 224.25.

16 **SECTION 242.** 224.093 of the statutes is renumbered 224.26.

17 **SECTION 243.** Subchapter II (title) of chapter 224 [precedes 224.25] of the
18 statutes is created to read:

19 **CHAPTER 224**

20 **SUBCHAPTER II**

21 **FINANCIAL INSTITUTIONS**

22 **SECTION 244.** 224.40 of the statutes is created to read:

23 **224.40 Disclosure of financial records for child support enforcement.**

24 **(1) DEFINITIONS.** In this section:

SENATE BILL 494**SECTION 244**

1 (a) "County child support agency" means a county child support agency under
2 s. 59.53 (5).

3 (b) "Financial institution" has the meaning given in s. 49.853 (1) (c).

4 (c) "Financial record" has the meaning given in 12 USC 3401.

5 **(2) FINANCIAL RECORD MATCHING AGREEMENTS.** A financial institution is required
6 to enter into an agreement with the department of workforce development in
7 accordance with rules promulgated under s. 49.853 (2).

8 **(3) LIMITED LIABILITY.** A financial institution is not liable to any person for any
9 of the following:

10 (a) Disclosing a financial record of an individual to the county child support
11 agency attempting to establish, modify or enforce a child support obligation of the
12 individual.

13 (b) Disclosing information to the department of workforce development or a
14 county child support agency pursuant to the financial record matching program
15 under s. 49.853.

16 (c) Encumbering or surrendering any assets held by the financial institution
17 in response to instructions provided by the department of workforce development or
18 a county child support agency for the purpose of enforcing a child support obligation.

19 (d) Any other action taken in good faith to comply with s. 49.853 or 49.854.

20 **SECTION 245.** Subchapter II of chapter 224 [precedes 224.70] of the statutes is
21 renumbered subchapter III of chapter 224 [precedes 224.70].

22 **SECTION 246.** 224.72 (2) (c) of the statutes is created to read:

23 224.72 (2) (c) *Social security numbers.* 1. If the applicant is an individual, the
24 application shall include the social security number of the individual.

SENATE BILL 494**SECTION 246**

1 2. The department of financial institutions may not disclose any information
2 received under subd. 1. to any person except the department of workforce
3 development in accordance with a memorandum of understanding under s. 49.857.

4 **SECTION 247.** 224.72 (5) (a) of the statutes is amended to read:

5 224.72 (5) (a) *Loan originator and loan solicitor.* ~~Upon~~ Except as provided in
6 sub. (7m), upon receiving a properly completed application for registration as a loan
7 originator or loan solicitor and the fee specified in sub. (8) (a), the department shall
8 issue to the applicant a certificate of registration as a loan originator or loan solicitor.

9 **SECTION 248.** 224.72 (5) (b) 1. of the statutes is amended to read:

10 224.72 (5) (b) 1. ~~Upon~~ Except as provided in sub. (7m), upon receiving a
11 properly completed application for registration as a mortgage banker, the fee
12 specified in sub. (8) (b) and, except as provided in s. 224.85 (2), satisfactory evidence
13 of compliance with sub. (4), the department shall issue to the applicant a temporary
14 certificate of registration as a mortgage banker. A temporary certificate of
15 registration is valid for 6 months after the date of issuance.

16 **SECTION 249.** 224.72 (5) (b) 2. of the statutes is amended to read:

17 224.72 (5) (b) 2. ~~If~~ Except as provided in sub. (7m), if within 6 months after the
18 date of issuance of a temporary certificate of registration under subd. 1. the holder
19 of the temporary certificate of registration notifies the department that he or she is
20 acting as a mortgage banker and pays to the department the fee specified in sub. (8)
21 (a), the department shall issue to the person a certificate of registration as a
22 mortgage banker.

23 **SECTION 250.** 224.72 (7m) of the statutes is created to read:

24 224.72 (7m) DENIAL OF APPLICATION FOR ISSUANCE OR RENEWAL OF REGISTRATION.
25 The department may not issue or renew a certificate of registration under this

SENATE BILL 494**SECTION 250**

1 section if the applicant for the issuance or renewal is an individual who has failed
2 to provide the information required under sub. (2) (c) 1., who fails to comply, after
3 appropriate notice, with a subpoena or warrant issued by the department of
4 workforce development or a county child support agency under s. 59.53 (5) and
5 related to paternity or child support proceedings or who is delinquent in making
6 court-ordered payments of child or family support, maintenance, birth expenses,
7 medical expenses or other expenses related to the support of a child or former spouse,
8 as provided in a memorandum of understanding entered into under s. 49.857. An
9 applicant whose registration is not issued or renewed under this subsection for
10 delinquent payments or failure to comply with a subpoena or warrant is entitled to
11 a notice and hearing only as provided in a memorandum of understanding entered
12 into under s. 49.857 and is not entitled to any other notice or hearing under this
13 section.

14 **SECTION 251.** 224.77 (6) of the statutes is created to read:

15 224.77 (6) RESTRICTION OR SUSPENSION OF REGISTRATION. The department shall
16 restrict or suspend the registration of a mortgage banker, loan originator or loan
17 solicitor if the registrant is an individual who fails to comply, after appropriate
18 notice, with a subpoena or warrant issued by the department of workforce
19 development or a county child support agency under s. 59.53 (5) and related to
20 paternity or child support proceedings or who is delinquent in making court-ordered
21 payments of child or family support, maintenance, birth expenses, medical expenses
22 or other expenses related to the support of a child or former spouse, as provided in
23 a memorandum of understanding entered into under s. 49.857. A registrant whose
24 registration is restricted or suspended under this subsection is entitled to a notice

SENATE BILL 494**SECTION 251**

1 and hearing only as provided in a memorandum of understanding entered into under
2 s. 49.857 and is not entitled to any other notice or hearing under this section.

3 **SECTION 252.** 227.03 (4m) of the statutes is created to read:

4 227.03 (4m) Subchapter III does not apply to any decision of an agency to
5 suspend or restrict or not issue or renew a license if the agency suspends or restricts
6 or does not issue or renew the license pursuant to a memorandum of understanding
7 entered into under s. 49.857.

8 **SECTION 253.** 230.13 (1) (intro.) of the statutes is amended to read:

9 230.13 (1) (intro.) Except as provided in sub. (3) and s. 103.13, the secretary
10 and the administrator may keep records of the following personnel matters closed to
11 the public:

12 **SECTION 254.** 230.13 (2) of the statutes is amended to read:

13 230.13 (2) Unless the name of an applicant is certified under s. 230.25, the
14 secretary and the administrator shall keep records of the identity of an applicant for
15 a position closed to the public, except as provided in sub. (3).

16 **SECTION 255.** 230.13 (3) of the statutes is created to read:

17 230.13 (3) The secretary and the administrator shall provide to the department
18 of workforce development or a county child support agency under s. 59.53 (5) any
19 information requested under s. 49.22 (2m) that would otherwise be closed to the
20 public under this section.

21 **SECTION 256.** 250.041 of the statutes is created to read:

22 **250.041 Denial, nonrenewal and suspension of registration, license,**
23 **certification, approval, permit and certificate based on certain**
24 **delinquency in payment.** (1) The department shall require each applicant to

SENATE BILL 494**SECTION 256**

1 provide the department with the applicant's social security number, if the applicant
2 is an individual, as a condition of issuing or renewing any of the following:

3 (a) A registration under s. 250.05 (5).

4 (b) A license under s. 252.23 (2) or 252.24 (2).

5 (c) A certification under s. 254.176 (1) or (3) or 254.20 (2), (3) or (4).

6 (d) An approval under s. 254.178 (2) (a).

7 (e) A permit under s. 254.47 (1), 254.64 (1) (a) or (b) or 255.08 (2).

8 (f) A certificate under s. 254.71 (2).

9 **(2)** The department of health and family services may not disclose any
10 information received under sub. (1) to any person except to the department of
11 workforce development for the purpose of making certifications required under s.
12 49.857.

13 **(3)** The department of health and family services shall deny an application for
14 the issuance or renewal of a registration, license, certification, approval, permit or
15 certificate specified in sub. (1) or may, under a memorandum of understanding under
16 s. 49.857 (2), suspend or restrict a registration, license, certification, approval,
17 permit or certificate specified in sub. (1) if the department of workforce development
18 certifies under s. 49.857 that the applicant for or holder of the registration, license,
19 certification, approval, permit or certificate is delinquent in the payment of
20 court-ordered payments of child or family support, maintenance, birth expenses,
21 medical expenses or other expenses related to the support of a child or former spouse
22 or fails to comply, after appropriate notice, with a subpoena or warrant issued by the
23 department of workforce development or a county child support agency under s.
24 59.53 (5) and related to paternity or child support proceedings.

25 **SECTION 257.** 250.05 (5) of the statutes is amended to read:

SENATE BILL 494**SECTION 257**

1 250.05 (5) REGISTRATION. ~~The Except as provided in s. 250.041, the~~ department,
2 upon application on forms prescribed by it and payment of the prescribed fee, shall
3 register as a sanitarian any person who has presented evidence satisfactory to the
4 department that standards and qualifications of the department, as established by
5 rule, have been met.

6 **SECTION 258.** 250.05 (6) of the statutes is amended to read:

7 250.05 (6) FEES: RENEWAL OF REGISTRATION; DELINQUENCY AND REINSTATEMENT. A
8 fee fixed by rule of the department shall accompany the application under sub. (5)
9 and, beginning January 1, 1988, a biennial fee of \$25 shall be paid by every registered
10 sanitarian who desires to continue registration. The amounts of the fees may be
11 adjusted by the department by rule. All certificates of registration shall expire on
12 December 31 in each odd-numbered year. ~~The Except as provided in s. 250.041, the~~
13 department may renew registrations upon application made after January 1 of each
14 even-numbered year if it is satisfied that the applicant has good cause for not
15 making application in December of the immediately preceding year and upon
16 payment of the biennial fee and any additional fees prescribed by the department.

17 **SECTION 259.** 250.05 (8) of the statutes is amended to read:

18 250.05 (8) REVOCATION OF REGISTRATION. The department may, after a hearing
19 held in conformance with ch. 227, revoke or suspend under this section the
20 registration of any sanitarian for practice of fraud or deceit in obtaining the
21 registration or any gross professional negligence, incompetence or misconduct.

22 **SECTION 260.** 252.23 (2) of the statutes is amended to read:

23 252.23 (2) DEPARTMENT; DUTY. ~~The Except as provided in s. 250.041, the~~
24 department shall provide uniform, statewide licensing and regulation of tattooists
25 and uniform, statewide licensing and regulation of tattoo establishments under this

SENATE BILL 494**SECTION 260**

1 section. The department shall inspect a tattoo establishment once before issuing a
2 license for the tattoo establishment under this section and may make additional
3 inspections that the department determines are necessary.

4 **SECTION 261.** 252.23 (4) (a) of the statutes is amended to read:

5 252.23 (4) (a) Standards Except as provided in s. 250.041, standards and
6 procedures, including fee payment to offset the cost of licensing tattooists and tattoo
7 establishments, for the annual issuance of licenses as tattooists or as tattoo
8 establishments to applicants under this section.

9 **SECTION 262.** 252.24 (2) of the statutes is amended to read:

10 252.24 (2) DEPARTMENT; DUTY. The Except as provided in s. 250.041, the
11 department shall provide uniform, statewide licensing and regulation of body
12 piercers and uniform, statewide licensing and regulation of body-piercing
13 establishments under this section. The department shall inspect a body-piercing
14 establishment once before issuing a license for the body-piercing establishment
15 under this section and may make additional inspections that the department
16 determines are necessary.

17 **SECTION 263.** 252.24 (4) (a) of the statutes is amended to read:

18 252.24 (4) (a) Standards Except as provided in s. 250.041, standards and
19 procedures, including fee payment to offset the cost of licensing body piercers and
20 body-piercing establishments, for the annual issuance of licenses as body piercers
21 or as body-piercing establishments to applicants under this section.

22 **SECTION 264.** 254.176 (1) of the statutes is amended to read:

23 254.176 (1) Except as provided in sub. (2) and s. 250.041, the department may
24 establish by rule certification requirements for any person who performs lead hazard

SENATE BILL 494**SECTION 264**

1 reduction or a lead management activity or who supervises the performance of any
2 lead hazard reduction or lead management activity.

3 **SECTION 265.** 254.176 (3) (intro.) of the statutes is amended to read:

4 254.176 (3) (intro.) ~~The Except as provided in s. 250.041, the~~ department may
5 promulgate rules establishing certification requirements for persons required to be
6 certified under this section. Any rules promulgated under this section:

7 **SECTION 266.** 254.176 (3) (a) of the statutes is amended to read:

8 254.176 (3) (a) Shall include requirements and procedures for issuing,
9 renewing, revoking and suspending under this section certifications issued under
10 this section.

11 **SECTION 267.** 254.178 (1) (b) of the statutes is amended to read:

12 254.178 (1) (b) ~~No Except as provided in s. 250.041, no~~ person may function as
13 an instructor of a lead training course accredited under this section unless the person
14 is approved by the department under this section.

15 **SECTION 268.** 254.178 (2) (intro.) of the statutes is amended to read:

16 254.178 (2) (intro.) The department shall promulgate rules establishing
17 requirements, except as provided in s. 250.041, for accreditation of lead training
18 courses and approval of lead instructors. These rules:

19 **SECTION 269.** 254.178 (2) (a) of the statutes is amended to read:

20 254.178 (2) (a) Shall Except as provided in s. 250.041, shall include
21 requirements and procedures for granting, renewing, revoking and suspending
22 under this section lead training course accreditations and lead instructor approvals.

23 **SECTION 270.** 254.178 (4) of the statutes is amended to read:

24 254.178 (4) After notice and opportunity for hearing, the department may
25 revoke, suspend, deny or refuse to renew under this section any accreditation or

SENATE BILL 494**SECTION 270**

1 approval issued under this section in accordance with the procedures set forth in ch.
2 227.

3 **SECTION 271.** 254.20 (2) (d) of the statutes is amended to read:

4 254.20 (2) (d) The Except as provided in s. 250.041, the department may
5 establish by rule certification requirements for any person not certified under pars.
6 (a) to (c) who performs any asbestos abatement activity or asbestos management
7 activity or who supervises the performance of any asbestos abatement activity or
8 asbestos management activity.

9 **SECTION 272.** 254.20 (3) (a) of the statutes is amended to read:

10 254.20 (3) (a) The Except as provided in s. 250.041, the department may
11 establish by rule eligibility requirements for persons applying for a certification card
12 required under sub. (2). Any training required by the department under this
13 paragraph may be approved by the department or provided by the department under
14 sub. (8).

15 **SECTION 273.** 254.20 (3) (b) of the statutes is amended to read:

16 254.20 (3) (b) The Except as provided in s. 250.041, the department shall
17 establish the procedure for issuing certification cards under this subsection. In
18 establishing that procedure, the department shall prescribe an application form and
19 establish an examination procedure and may require applicants to provide
20 photographic identification.

21 **SECTION 274.** 254.20 (4) of the statutes is amended to read:

22 254.20 (4) RENEWAL. A certification card issued under sub. (3) is valid for one
23 year. The Except as provided in s. 250.041, the department may establish
24 requirements for renewing such a card, including but not limited to additional
25 training.

SENATE BILL 494

1 **SECTION 275.** 254.20 (6) of the statutes is amended to read:

2 254.20 (6) SUSPENSION OR REVOCATION. The department may, under this section,
3 suspend or revoke a certification card issued under sub. (3) if it determines that the
4 holder of the card is not qualified to be certified.

5 **SECTION 276.** 254.20 (7) of the statutes is amended to read:

6 254.20 (7) APPEALS. ~~Any~~ Except as provided in s. 250.041, any suspension,
7 revocation or nonrenewal of a certification card required under sub. (2) or any denial
8 of an application for such a certification card is subject to judicial review under ch.
9 227.

10 **SECTION 277.** 254.47 (1) of the statutes is amended to read:

11 254.47 (1) The Except as provided in s. 250.041, the department or a local
12 health department granted agent status under s. 254.69 (2) shall issue permits to
13 and regulate campgrounds and camping resorts, recreational and educational camps
14 and public swimming pools. No person or state or local government who has not been
15 issued a permit under this section may conduct, maintain, manage or operate a
16 campground and camping resort, recreational camp and educational camp or public
17 swimming pool, as defined by departmental rule.

18 **SECTION 278.** 254.47 (2m) of the statutes is amended to read:

19 254.47 (2m) The Except as provided in s. 250.041, the initial issuance, renewal
20 or continued validity of a permit issued under this section may be conditioned upon
21 the requirement that the permittee correct a violation of this section, rules
22 promulgated by the department under this section or ordinances adopted under s.
23 254.69 (2) (g), within a period of time that is specified. If the condition is not met
24 within the specified period of time, the permit is void.

25 **SECTION 279.** 254.47 (3) of the statutes is amended to read:

SENATE BILL 494**SECTION 279**

1 254.47 (3) Anyone who violates this section or any rule of the department under
2 this section shall be fined not less than \$25 nor more than \$250. Anyone who fails
3 to comply with an order of the department shall forfeit \$10 for each day of
4 noncompliance after the order is served upon or directed to him or her. The
5 department may also, after a hearing under ch. 227, refuse to issue a permit under
6 this section or suspend or revoke a permit under this section for violation of this
7 section or any rule or order the department issues to implement this section.

8 **SECTION 280.** 254.64 (1) (c) of the statutes is amended to read:

9 254.64 (1) (c) No Except as provided in s. 250.041, no permit may be issued
10 under this section until all applicable fees have been paid. If the payment is by check
11 or other draft drawn upon an account containing insufficient funds, the permit
12 applicant shall, within 15 days after receipt of notice from the department of the
13 insufficiency, pay by cashier's check or other certified draft, money order or cash the
14 fees, late fees and processing charges that are specified by rules promulgated by the
15 department. If the permit applicant fails to pay all applicable fees, late fees and
16 processing charges within 15 days after the applicant receives notice of the
17 insufficiency, the permit is void. In an appeal concerning voiding of a permit under
18 this paragraph, the burden is on the permit applicant to show that the entire
19 applicable fees, late fees and processing charges have been paid. During any appeal
20 process concerning payment dispute, operation of the establishment in question is
21 deemed to be operation without a permit.

22 **SECTION 281.** 254.64 (1p) of the statutes is amended to read:

23 254.64 (1p) The Except as provided in s. 250.041, the department may
24 condition the initial issuance, renewal or continued validity of a permit issued under
25 this section on correction by the permittee of a violation of this subchapter, rules

SENATE BILL 494**SECTION 281**

1 promulgated by the department under this subchapter or ordinances or regulations
2 adopted under s. 254.69 (2) (g), within a specified period of time. If the permittee fails
3 to meet the condition within the specified period of time, the permit is void.

4 **SECTION 282.** 254.71 (2) of the statutes is amended to read:

5 254.71 (2) The Except as provided in s. 250.041, the department may issue a
6 certificate of food protection practices to an individual who satisfactorily completes
7 a written examination, approved by the department, that demonstrates the
8 individual's basic knowledge of food protection practices or who has achieved
9 comparable compliance.

10 **SECTION 283.** 254.71 (3) of the statutes is amended to read:

11 254.71 (3) Each certificate is valid for 5 years from the date of issuance and,
12 except as provided in s. 250.041, may be renewed by the holder of the certificate if
13 he or she satisfactorily completes a recertification training course approved by the
14 department.

15 **SECTION 284.** 254.71 (6) (c) of the statutes is amended to read:

16 254.71 (6) (c) Establishing procedures for issuance, except as provided in s.
17 250.041, of certificates of food protection practices, including application submittal
18 and review.

19 **SECTION 285.** 255.08 (2) of the statutes is amended to read:

20 255.08 (2) PERMITS. (a) No person may operate a tanning facility without a
21 permit issued by that the department may, except as provided in s. 250.041, issue
22 under this subsection. The holder of a permit issued under this subsection shall
23 display the permit in a conspicuous place at the tanning facility for which the permit
24 is issued.

SENATE BILL 494**SECTION 285**

1 (b) Permits issued under this subsection shall expire annually on June 30. A
2 Except as provided in s. 250.041, a permit applicant shall submit an application for
3 a permit to the department on a form provided by the department with a permit fee
4 established by the department by rule. The application shall include the name and
5 complete mailing address and street address of the tanning facility and any other
6 information reasonably required by the department for the administration of this
7 section.

8 **SECTION 286.** 255.08 (13) of the statutes is amended to read:

9 255.08 (13) DENIAL, SUSPENSION OR REVOCATION OF PERMITS. The department
10 may under this section, after a hearing under ch. 227, deny issuance of a permit to
11 an applicant or suspend or revoke any permit issued under sub. (2) if the applicant
12 or permit holder or his or her employe violates sub. (2), (3), (4), (5), (6), (7), (9) or (11)
13 or any rule promulgated thereunder.

14 **SECTION 287.** 280.13 (4) of the statutes is amended to read:

15 280.13 (4) No order revoking a permit under sub. (2) shall be made until after
16 a public hearing to be held before the department in the county where the permittee
17 has his or her place of business. If the permittee is a nonresident, the hearing shall
18 be at such place as the department designates. At least 10 days prior to the hearing
19 the department shall send written notice of the time and place of the hearing to the
20 permittee and to the permittee's attorney or agent of record by mailing the notice to
21 the last-known address of such persons. The testimony presented and proceedings
22 had at the hearing shall be recorded and preserved as the records of the department.
23 The department shall as soon thereafter as possible make its findings and
24 determination and send a copy to each interested party.

25 **SECTION 288.** 281.48 (3) (a) of the statutes is amended to read:

SENATE BILL 494**SECTION 288**

1 281.48 (3) (a) *License; application.* Every person before engaging in servicing
2 in this state shall submit an application for a license on forms prepared by the
3 department. If Except as provided in s. 299.08, if the department, after
4 investigation, is satisfied that the applicant has the qualifications, experience,
5 understanding of proper servicing practices, as demonstrated by the successful
6 completion of an examination given by the department, and equipment to perform
7 the servicing in a manner not detrimental to public health it shall issue the license.
8 The license fee shall accompany all applications.

9 **SECTION 289.** 281.48 (5) (b) of the statutes is amended to read:

10 281.48 (5) (b) The department may not reissue a license for a period of one year
11 after revocation under par. (a).

12 **SECTION 290.** 291.15 (2) (d) of the statutes is amended to read:

13 291.15 (2) (d) *Use of confidential records.* Except as provided under par. (c) and
14 this paragraph the department or the department of justice may use records and
15 other information granted confidential status under this subsection only in the
16 administration and enforcement of this chapter. The department or the department
17 of justice may release for general distribution records and other information granted
18 confidential status under this subsection if the owner or operator expressly agrees
19 to the release. The department or the department of justice may release on a limited
20 basis records and other information granted confidential status under this
21 subsection if the department or the department of justice is directed to take this
22 action by a judge or hearing examiner under an order which protects the
23 confidentiality of the records or other information. The department or the
24 department of justice may release to the U.S. environmental protection agency or its
25 authorized representative records and other information granted confidential status

SENATE BILL 494**SECTION 290**

1 under this subsection if the department or the department of justice includes in each
2 release of records or other information a request to the U.S. environmental
3 protection agency or its authorized representative to protect the confidentiality of
4 the records or other information. The department or the department of justice shall
5 release to the department of workforce development or a county child support agency
6 under s. 59.53 (5) records and other information granted confidential status under
7 this subsection if requested under s. 49.22 (2m) by the department of workforce
8 development or a county child support agency under s. 59.53 (5).

9 **SECTION 291.** 299.08 of the statutes is created to read:

10 **299.08 License denial, nonrenewal, suspension or restriction based on**
11 **failure to pay support.** (1) (a) The department shall require each applicant who
12 is an individual to provide the department with the applicant's social security
13 number as a condition of issuing or renewing any of the following:

- 14 1. A registration under s. 280.15.
- 15 2. A certification under s. 281.17 (3).
- 16 3. A license or certification under s. 281.48 (3).
- 17 4. A certification under s. 285.51 (2).
- 18 5. A certification under s. 289.42 (1).
- 19 6. A license under s. 291.23.
- 20 7. A license under s. 299.51 (3) (c).

21 (b) The department of natural resources may not disclose any information
22 received under par. (a) to any person except to the department of workforce
23 development in accordance with a memorandum of understanding under s. 49.857.

24 **(2)** The department shall deny an application for the issuance or renewal of a
25 license, registration or certification specified in sub. (1) (a), or shall suspend a license,

SENATE BILL 494**SECTION 291**

1 registration or certification specified in sub. (1) (a) for failure to make court-ordered
2 payments of child or family support, maintenance, birth expenses, medical expenses
3 or other expenses related to the support of a child or former spouse or failure to
4 comply, after appropriate notice, with a subpoena or warrant issued by the
5 department of workforce development or a county child support agency under s.
6 59.53 (5) and relating to paternity or child support proceedings, as required in a
7 memorandum of understanding under s. 49.857.

8 **SECTION 292.** 301.45 (7) (a) of the statutes, as affected by 1995 Wisconsin Act
9 440, is amended to read:

10 301.45 (7) (a) The department shall maintain information provided under sub.
11 (2). The department shall keep the information confidential except as provided in
12 s. 301.46 and, except as needed for law enforcement purposes and except to provide
13 information in response to a request for information under s. 49.22 (2m) made by the
14 department of workforce development or a county child support agency under s.
15 59.53 (5).

16 **SECTION 293.** 302.372 (2) (b) of the statutes is amended to read:

17 302.372 (2) (b) Before seeking any reimbursement under this section, the
18 county shall provide a form to be used for determining the financial status of
19 prisoners. The form shall provide for obtaining the social security number of the
20 prisoner, the age and marital status of a prisoner, the number and ages of children
21 of a prisoner, the number and ages of other dependents of a prisoner, the income of
22 a prisoner, type and value of real estate owned by a prisoner, type and value of
23 personal property owned by a prisoner, the prisoner's cash and financial institution
24 accounts, type and value of the prisoner's investments, pensions and annuities and
25 any other personalty of significant cash value owned by a prisoner. The county shall

SENATE BILL 494**SECTION 293**

1 use the form whenever investigating the financial status of prisoners. The
2 information on a completed form is confidential and not open to public inspection or
3 copying under s. 19.35 (1), except that the county shall provide information from a
4 form completed under this paragraph in response to a request for information under
5 s. 49.22 (2m) made by the department of workforce development or a county child
6 support agency under s. 59.53 (5).

7 **SECTION 294.** 341.51 (4) (am) of the statutes is created to read:

8 341.51 (4) (am) If the applicant is an individual, the social security number of
9 the individual.

10 **SECTION 295.** 341.51 (4g) of the statutes is created to read:

11 341.51 (4g) (a) The department shall deny an application for the issuance or
12 renewal of registration if an individual has not included his or her social security
13 number in the application.

14 (b) The department of transportation may not disclose a social security number
15 obtained under sub. (4) (am) to any person except to the department of workforce
16 development for the sole purpose of administering s. 49.22.

17 **SECTION 296.** 341.51 (4m) of the statutes is created to read:

18 341.51 (4m) A registration shall be denied, restricted, limited or suspended if
19 the applicant or licensee is an individual who is delinquent in making court-ordered
20 payments of child or family support, maintenance, birth expenses, medical expenses
21 or other expenses related to the support of a child or former spouse, or who fails to
22 comply, after appropriate notice, with a subpoena or warrant issued by the
23 department of workforce development or a county child support agency under s.
24 59.53 (5) and related to paternity or child support proceedings, as provided in a
25 memorandum of understanding entered into under s. 49.857.

SENATE BILL 494

1 **SECTION 297.** 343.14 (2j) of the statutes is created to read:

2 343.14 (2j) (a) The department shall deny an application for the issuance or
3 renewal of a license if the applicant has not included his or her social security number
4 in the application.

5 (b) Except as otherwise required to administer and enforce this chapter, the
6 department of transportation may not disclose a social security number obtained
7 from an applicant for a license under sub. (2) (b) to any person except to the
8 department of workforce development for the sole purpose of administering s. 49.22.

9 **SECTION 298.** 343.14 (3) (b) of the statutes is amended to read:

10 343.14 (3) (b) Any photograph taken of an applicant under par. (a) or s. 343.50
11 (4) may be maintained by the department and shall be kept confidential. The
12 department may release a photograph only to the person whose photograph was
13 taken or, if requested under s. 49.22 (2m), to the department of workforce
14 development or a county child support agency under s. 59.53 (5).

15 **SECTION 299.** 343.24 (3) of the statutes is amended to read:

16 343.24 (3) The department shall not disclose information concerning or related
17 to a violation as defined by s. 343.30 (6) to any person other than a court, district
18 attorney, county corporation counsel, city, village or town attorney, law enforcement
19 agency or, the minor who committed the violation or his or her parent or guardian
20 or, if requested under s. 49.22 (2m), the department of workforce development or a
21 county child support agency under s. 59.53 (5).

22 **SECTION 300.** 343.30 (5) of the statutes is amended to read:

23 343.30 (5) No court may suspend or revoke an operating privilege except as
24 authorized by this chapter or ch. 345, 351 or 938 or s. 767.303, 800.09 (1) (c), 800.095
25 (4) (b) 4. or 961.50. When a court revokes, suspends or restricts a child's operating

SENATE BILL 494**SECTION 300**

1 privilege under ch. 938, the department of transportation shall not disclose
2 information concerning or relating to the revocation, suspension or restriction to any
3 person other than a court, district attorney, county corporation counsel, city, village
4 or town attorney, law enforcement agency, or the minor whose operating privilege is
5 revoked, suspended or restricted, or his or her parent or guardian. Persons entitled
6 to receive this information shall not disclose the information to other persons or
7 agencies. This subsection does not apply to any information requested under s. 49.22
8 (2m) by the department of workforce development or a county child support agency
9 under s. 59.53 (5).

10 **SECTION 301.** 343.305 (6) (e) of the statutes is created to read:

11 343.305 (6) (e) 1. In this paragraph, "licensor" means the department, either
12 the department of health and family services or the department of transportation,
13 issuing a permit or laboratory approval under this subsection.

14 2. a. In addition to any other information required by a licensor, an application
15 by an individual for a permit or laboratory approval under this subsection shall
16 include the individual's social security number. The licensor may not disclose any
17 information received under this subd. 2. a. to any person except the department of
18 workforce development for the sole purpose of administering s. 49.22.

19 b. The licensor shall deny an application for the issuance or, if applicable, an
20 application for the renewal of a permit or laboratory approval if the information
21 required under subd. 2. a. is not included in the application.

22 3. A permit or laboratory approval under this subsection shall be denied,
23 restricted, limited or suspended if the applicant or licensee is an individual who is
24 delinquent in making court-ordered payments of child or family support,
25 maintenance, birth expenses, medical expenses or other expenses related to the

SENATE BILL 494**SECTION 301**

1 support of a child or former spouse, or who fails to comply, after appropriate notice,
2 with a subpoena or warrant issued by the department of workforce development or
3 a county child support agency under s. 59.53 (5) and related to paternity or child
4 support proceedings, as provided in a memorandum of understanding entered into
5 under s. 49.857.

6 **SECTION 302.** 343.345 of the statutes is created to read:

7 **343.345 Restriction, limitation or suspension of operating privilege.**

8 The department shall restrict, limit or suspend a person's operating privilege if the
9 person is delinquent in making court-ordered payments of child or family support,
10 maintenance, birth expenses, medical expenses or other expenses related to the
11 support of a child or former spouse, or who fails to comply, after appropriate notice,
12 with a subpoena or warrant issued by the department of workforce development or
13 a county child support agency under s. 59.53 (5) and related to paternity or child
14 support proceedings, as provided in a memorandum of understanding entered into
15 under s. 49.857.

16 **SECTION 303.** 343.50 (8) (b) of the statutes is amended to read:

17 343.50 (8) (b) The department shall not disclose any record or other
18 information concerning or relating to an applicant or identification card holder to
19 any person other than a court, district attorney, county corporation counsel, city,
20 village or town attorney, law enforcement agency, the applicant or identification card
21 holder or, if the applicant or identification card holder is under 18 years of age, his
22 or her parent or guardian. Persons entitled to receive any record or other information
23 under this paragraph shall not disclose the record or other information to other
24 persons or agencies. This paragraph does not apply to any record or other

SENATE BILL 494**SECTION 303**

1 information requested under s. 49.22 (2m) by the department of workforce
2 development or a county child support agency under s. 59.53 (5).

3 **SECTION 304.** 343.61 (2) of the statutes is renumbered 343.61 (2) (a) and
4 amended to read:

5 343.61 (2) (a) Application for a driver school license shall be made in the form
6 and manner prescribed by the department, shall contain such information as is
7 required by the department and shall be accompanied by the required fee. If the
8 applicant is an individual, the application shall include the applicant's social
9 security number.

10 **SECTION 305.** 343.61 (2) (b) of the statutes is created to read:

11 343.61 (2) (b) The department of transportation may not disclose a social
12 security number obtained under par. (a) to any person except to the department of
13 workforce development for the sole purpose of administering s. 49.22.

14 **SECTION 306.** 343.62 (2) of the statutes is renumbered 343.62 (2) (a) and
15 amended to read:

16 343.62 (2) (a) Application for an instructor's license shall be made in the form
17 and manner prescribed by the department, shall contain such information as is
18 required by the department and shall be accompanied by the required fee. The
19 application shall include the applicant's social security number.

20 **SECTION 307.** 343.62 (2) (b) of the statutes is created to read:

21 343.62 (2) (b) The department of transportation may not disclose a social
22 security number obtained under par. (a) to any person except to the department of
23 workforce development for the sole purpose of administering s. 49.22.

24 **SECTION 308.** 343.64 of the statutes is renumbered 343.64 (1).

25 **SECTION 309.** 343.64 (2) of the statutes is created to read:

SENATE BILL 494**SECTION 309**

1 343.64 (2) The secretary shall deny the application of any individual for the
2 issuance or renewal of a driver school license if the individual has not included his
3 or her social security number in the application.

4 **SECTION 310.** 343.65 of the statutes is renumbered 343.65 (1).

5 **SECTION 311.** 343.65 (2) of the statutes is created to read:

6 343.65 (2) The secretary shall deny an application for the issuance or renewal
7 of an instructor's license if the applicant has not included his or her social security
8 number in the application.

9 **SECTION 312.** 343.66 (6) of the statutes is amended to read:

10 343.66 (6) The licensee has failed to maintain satisfactory insurance to meet
11 damage claims in the amounts specified by s. 343.64 (7) (1) (g).

12 **SECTION 313.** 343.665 of the statutes is created to read:

13 **343.665 Denial, restriction, limitation or suspension of driver school**
14 **license.** The secretary shall deny, restrict, limit or suspend any driver school license
15 issued under s. 343.61 or refuse to issue a renewal for such license if the applicant
16 or licensee is an individual who is delinquent in making court-ordered payments of
17 child or family support, maintenance, birth expenses, medical expenses or other
18 expenses related to the support of a child or former spouse, or who fails to comply,
19 after appropriate notice, with a subpoena or warrant issued by the department of
20 workforce development or a county child support agency under s. 59.53 (5) and
21 related to paternity or child support proceedings, as provided in a memorandum of
22 understanding entered into under s. 49.857.

23 **SECTION 314.** 343.675 of the statutes is created to read:

24 **343.675 Denial, restriction, limitation or suspension of instructor's**
25 **license.** The secretary shall deny, restrict, limit or suspend any instructor's license

SENATE BILL 494**SECTION 314**

1 issued under s. 343.62 or refuse to issue a renewal for such license if the applicant
2 or licensee is an individual who is delinquent in making court-ordered payments of
3 child or family support, maintenance, birth expenses, medical expenses or other
4 expenses related to the support of a child or former spouse, or who fails to comply,
5 after appropriate notice, with a subpoena or warrant issued by the department of
6 workforce development or a county child support agency under s. 59.53 (5) and
7 related to paternity or child support proceedings, as provided in a memorandum of
8 understanding entered into under s. 49.857.

9 **SECTION 315.** 343.68 of the statutes is amended to read:

10 **343.68 Renewal no bar to revocation of license.** In Except as provided in
11 ss. 343.665 and 343.675, in reviewing the renewal of a license, the secretary may
12 deny or delay such renewal for causes and violations as prescribed by ss. 343.64 to
13 343.72 occurring during any prior license period.

14 **SECTION 316.** 343.69 of the statutes is amended to read:

15 **343.69 Hearings on license denials and revocations.** Before the
16 department denies an application for a driver school license or instructor's license
17 or revokes any such license, the department shall notify the applicant or licensee of
18 the pending action and that the division of hearings and appeals will hold a hearing
19 on the pending denial or revocation. The division of hearings and appeals shall send
20 notice of the hearing by registered or certified mail to the last-known address of the
21 licensee or applicant, at least 10 days prior to the date of the hearing. This section
22 does not apply to denials of applications of licenses under s. 343.665 or 343.675.

23 **SECTION 317.** 349.19 of the statutes is amended to read:

24 **349.19 Authority to require accident reports.** Any city, village, town or
25 county may by ordinance require the operator of a vehicle involved in an accident to

SENATE BILL 494**SECTION 317**

1 file with a designated municipal department or officer a report of such accident or
2 a copy of any report required to be filed with the department. All such reports are
3 for the confidential use of such department or officer and are otherwise subject to s.
4 346.73, except that any report filed under this section may be provided under s. 49.22
5 (2m) to the department of workforce development or a county child support agency
6 under under s. 59.53 (5).

7 **SECTION 318.** 440.03 (7) of the statutes is amended to read:

8 440.03 (7) The department shall establish the style, content and format of all
9 credentials and of all forms for applying to the department for renewal of any
10 credential issued or renewed under chs. 440 to 480. ~~When establishing the format~~
11 ~~of credential renewal application forms, the department shall provide~~ All forms shall
12 include a place ~~on the form~~ for the information required under s. ~~440.08 (2g) (b) sub.~~
13 ~~(11m) (a).~~ Upon request of any person who holds a credential and payment of a \$10
14 fee, the department may issue a wall certificate signed by the governor.

15 **SECTION 319.** 440.03 (11m) of the statutes is created to read:

16 440.03 (11m) (a) Each application form for a credential issued or renewed
17 under chs. 440 to 480 shall provide a space for the department to require each of the
18 following to provide his or her social security number:

19 1. An applicant for an initial credential or credential renewal. If the applicant
20 is not an individual, the department shall require the applicant to provide its federal
21 employer identification number.

22 2. An applicant for reinstatement of an inactive license under s. 452.12 (6) (e).

23 (b) The department shall deny an application for an initial credential or deny
24 an application for credential renewal or for reinstatement of an inactive license

SENATE BILL 494**SECTION 319**

1 under s. 452.12 (6) (e) if any information required under par. (a) is not included in
2 the application form.

3 **SECTION 320.** 440.035 (5) of the statutes is created to read:

4 440.035 (5) Deny an application for an initial credential granted by the
5 examining board or affiliated credentialing board if any information required under
6 s. 440.03 (11m) (a) is not included in the application form. An examining board or
7 affiliated credentialing may not disclose a social security number included on an
8 application form except to the department of regulation and licensing or the
9 department of workforce development for purposes of administering s. 49.22, and to
10 the department of revenue for the sole purpose of making the determination required
11 under s. 440.08 (2r).

12 **SECTION 321.** 440.08 (2) (c) of the statutes is amended to read:

13 440.08 (2) (c) ~~Renewal applications shall be submitted to the department on~~
14 ~~a form provided by the department that complies with sub. (2g) and, except~~ Except
15 as provided in sub. (3), renewal applications shall include the applicable renewal fee
16 specified in pars. (a) and (b).

17 **SECTION 322.** 440.08 (2g) (title), (a) and (b) of the statutes are repealed.

18 **SECTION 323.** 440.08 (2g) (c) of the statutes is renumbered 440.03 (11m) (c) and
19 amended to read:

20 440.03 (11m) (c) ~~Neither the~~ The department ~~nor any examining board or~~
21 ~~affiliated credentialing board of regulation and licensing may not disclose~~ a social
22 security number obtained ~~from an applicant for credential renewal on a form~~
23 ~~established under par. (a) to any person except to~~ the department of workforce
24 development for purposes of administering s. 49.22 and, for a social security number

SENATE BILL 494**SECTION 323**

1 obtained under par. (a) 1., the department of revenue for the sole purpose of making
2 the determination required under ~~sub. s. 440.08~~ (2r).

3 **SECTION 324.** 440.08 (4) (a) of the statutes is amended to read:

4 440.08 (4) (a) *Generally.* If the department or the interested examining board
5 or affiliated credentialing board, as appropriate, determines that an applicant for
6 renewal has failed to comply with sub. (2) (c) or (3) or with any other applicable
7 requirement for renewal established under chs. 440 to 480 or that the denial of an
8 application for renewal of a credential is necessary to protect the public health, safety
9 or welfare, the department, examining board or affiliated credentialing board may
10 summarily deny the application for renewal by mailing to the holder of the credential
11 a notice of denial that includes a statement of the facts or conduct that warrant the
12 denial and a notice that the holder may, within 30 days after the date on which the
13 notice of denial is mailed, file a written request with the department to have the
14 denial reviewed at a hearing before the department, if the department issued the
15 credential, or before the examining board or affiliated credentialing board that
16 issued the credential. This paragraph does not apply to a denial of an application for
17 credential renewal under s. 440.13 (2) (b).

18 **SECTION 325.** 440.13 of the statutes is created to read:

19 **440.13 Delinquency in support payments; failure to comply with**
20 **subpoena or warrant. (1)** In this section:

21 (a) "Credentialing board" means an examining board or an affiliated
22 credentialing board in the department.

23 (b) "Memorandum of understanding" means a memorandum of understanding
24 entered into by the department of regulation and licensing and the department of
25 workforce development under s. 49.857.

SENATE BILL 494**SECTION 325**

1 (c) "Support" has the meaning given in s. 49.857 (1) (g).

2 (2) Notwithstanding any other provision of chs. 440 to 480 relating to issuance
3 of an initial credential or credential renewal, as provided in the memorandum of
4 understanding:

5 (a) With respect to a credential granted by the department, the department
6 shall restrict, limit or suspend a credential or deny an application for an initial
7 credential or for reinstatement of an inactive license under s. 452.12 (6) (e) if the
8 credential holder or applicant is delinquent in paying support or fails to comply, after
9 appropriate notice, with a subpoena or warrant issued by the department of
10 workforce development or a county child support agency under s. 59.53 (5) and
11 related to support or paternity proceedings.

12 (b) With respect to credential renewal, the department shall deny an
13 application for renewal if the applicant is delinquent in paying support or fails to
14 comply, after appropriate notice, with a subpoena or warrant issued by the
15 department of workforce development or a county child support agency under s.
16 59.53 (5) and related to support or paternity proceedings.

17 (c) With respect to a credential granted by a credentialing board, a
18 credentialing board shall restrict, limit or suspend a credential held by a person or
19 deny an application for an initial credential when directed to do so by the
20 department.

21 **SECTION 326.** 440.43 (5) of the statutes is amended to read:

22 440.43 (5) DEPARTMENT DISCLOSURE. The department shall not disclose
23 information under sub. (4) (c) 1. except to the extent necessary for investigative or
24 law enforcement purposes or, if requested under s. 49.22 (2m), to the department of
25 workforce development or a county child support agency under s. 59.53 (5).

SENATE BILL 494**SECTION 327**

1 **SECTION 327.** 440.44 (10) of the statutes is amended to read:

2 440.44 **(10)** NONDISCLOSURE. The department may not disclose information
3 under sub. (9) (a) 1. to any person except to the extent necessary for investigative or
4 law enforcement purposes or, if requested under s. 49.22 (2m), to the department of
5 workforce development or a county child support agency under s. 59.53 (5).

6 **SECTION 328.** 440.92 (6) (d) of the statutes is amended to read:

7 440.92 **(6)** (d) All records described under pars. (b) 2. and (c) and maintained
8 by the department are confidential and are not available for inspection or copying
9 under s. 19.35 (1). This paragraph does not apply to any information requested
10 under s. 49.22 (2m) by the department of workforce development or a county child
11 support agency under s. 59.53 (5).

12 **SECTION 329.** 440.93 (2) of the statutes is amended to read:

13 440.93 **(2)** The department shall determine in each case the period that a
14 limitation, suspension or revocation of a certificate is effective. This subsection does
15 not apply to a limitation or suspension under s. 440.13 (2) (a).

16 **SECTION 330.** 442.12 (7) of the statutes is amended to read:

17 442.12 **(7)** Upon application in writing and after hearing pursuant to notice,
18 issue a new license to a licensee whose license has been revoked, reinstate a revoked
19 certificate or modify the suspension of any license or certificate which has been
20 suspended. This subsection does not apply to a license or certificate that is
21 suspended under s. 440.13 (2) (c).

22 **SECTION 331.** 443.06 (1) (a) of the statutes is amended to read:

23 443.06 **(1)** (a) Application for registration as a land surveyor or a permit to
24 practice shall be made to the section under oath, on forms ~~prescribed by the~~
25 ~~examining board~~ and provided by the department, which shall require the applicant

SENATE BILL 494**SECTION 331**

1 to submit such information as the section deems necessary. The section may require
2 applicants to pass written or oral examinations or both. Applicants who do not have
3 an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, shall be
4 entitled to be registered or issued a permit to practice as land surveyors when
5 satisfactory evidence is submitted that the applicant has met one or more of the
6 requirements of sub. (2).

7 **SECTION 332.** 443.10 (2) (a) of the statutes is amended to read:

8 443.10 (2) (a) Applications for registration or for a certificate of record shall be
9 on forms ~~prescribed by the examining board and~~ provided by the department and
10 shall contain statements made under oath showing the applicant's education and
11 detail summary of the applicant's technical work and not less than 5 references, of
12 whom 3 or more shall have personal knowledge of the applicant's architectural,
13 landscape architectural, geological or engineering experience in the case of an
14 application for registration or of the applicant's technical education or engineering
15 work in the case of an application for a certificate of record.

16 **SECTION 333.** 445.08 (4) (a) of the statutes is renumbered 445.08 (4) and
17 amended to read:

18 445.08 (4) Applications for the examination at a time and place to be arranged
19 and conducted by the examining board for a reciprocal funeral director's license shall
20 be in writing and verified on a blank to be ~~prescribed and~~ furnished by the examining
21 board, and be accompanied by such proof of compliance with the requirements for a
22 reciprocal funeral director's license and with such other information as the
23 examining board requires and shall be accompanied by the examination fee for each
24 application.

SENATE BILL 494**SECTION 334**

1 **SECTION 334.** 445.13 (2) of the statutes, as affected by 1995 Wisconsin Act 295,
2 is amended to read:

3 445.13 (2) No reprimand or order limiting, suspending or revoking a license,
4 certificate of registration or permit, or no assessment of forfeiture, shall be made
5 until after a hearing conducted by the examining board. This subsection does not
6 apply to a license, certificate of registration or permit that is limited or suspended
7 under s. 440.13 (2) (c).

8 **SECTION 335.** 446.05 (2) of the statutes is amended to read:

9 446.05 (2) Upon application and satisfactory proof that the cause of such
10 revocation or suspension no longer exists, the examining board may reinstate any
11 license or registration suspended or revoked by it. This subsection does not apply to
12 a license or registration that is suspended under s. 440.13 (2) (c).

13 **SECTION 336.** 448.02 (3) (e) of the statutes is amended to read:

14 448.02 (3) (e) A person whose license, certificate or limited permit is limited
15 under this subchapter shall be permitted to continue practice upon condition that the
16 person will refrain from engaging in unprofessional conduct; that the person will
17 appear before the board or its officers or agents at such times and places as may be
18 designated by the board from time to time; that the person will fully disclose to the
19 board or its officers or agents the nature of the person's practice and conduct; that
20 the person will fully comply with the limits placed on his or her practice and conduct
21 by the board; that the person will obtain additional training, education or
22 supervision required by the board; and that the person will cooperate with the board.

23 **SECTION 337.** 448.05 (7) of the statutes is amended to read:

24 448.05 (7) APPLICATION. Application for any class of license or certificate shall
25 be made as a verified statement in such a form provided by the department and at

SENATE BILL 494**SECTION 337**

1 such time and place as the board may designate, and shall be accompanied by
2 satisfactory evidence setting out the qualifications imposed by this section.
3 Application for any class of license to practice medicine and surgery also shall be
4 accompanied by a verified statement that the applicant is familiar with the state
5 health laws and the rules of the department of health and family services as related
6 to communicable diseases.

7 **SECTION 338.** 449.07 (3) of the statutes is amended to read:

8 449.07 (3) Upon application and satisfactory proof that the cause of such
9 revocation or suspension no longer exists, the examining board may reinstate any
10 license or registration by it suspended or revoked. This subsection does not apply to
11 a license or registration that is suspended under s. 440.13 (2) (c).

12 **SECTION 339.** 452.12 (6) (e) (intro.) of the statutes is amended to read:

13 452.12 (6) (e) (intro.) ~~Beginning on January 1, 1996, the~~ Except as provided in
14 ss. 440.03 (11m) (b) and 440.13 (2) (a), the department shall reinstate an inactive
15 licensee's original license as follows:

16 **SECTION 340.** 454.08 (4) of the statutes is amended to read:

17 454.08 (4) The examining board shall, by rule, establish minimum standards
18 concerning the maintenance, equipment, plans and specifications for licensed
19 establishments as they relate to the public health and safety. The examining board
20 may not license an establishment under this section unless it meets the standards
21 established by the examining board. A person proposing to open an establishment
22 in a new location shall apply to the examining board for an inspection and approval
23 of the establishment, submitting an exact description and floor plan of the proposed
24 location of the establishment on a form ~~prescribed~~ provided by the ~~examining board~~
25 department.

SENATE BILL 494**SECTION 341**

1 **SECTION 341.** 459.10 (2) (a) (intro.) of the statutes is amended to read:

2 459.10 **(2)** (a) (intro.) An individual whose license or trainee permit is limited
3 by the examining board under this subchapter may continue to practice under the
4 license or permit if the individual does all of the following:

5 **SECTION 342.** 459.34 (2m) (a) (intro.) of the statutes is amended to read:

6 459.34 **(2m)** (a) (intro.) An individual whose license or limited permit is limited
7 by the examining board under this subchapter may continue to practice under the
8 license or permit if the individual does all of the following:

9 **SECTION 343.** 480.24 (3) (intro.) of the statutes is amended to read:

10 480.24 **(3)** (intro.) The board may, as a condition of removing a limitation
11 imposed under this chapter on a certificate issued under this chapter or of
12 reinstating a certificate that has been suspended or revoked under this chapter, do
13 any of the following:

14 **SECTION 344.** 551.32 (1) (bm) of the statutes is created to read:

15 551.32 **(1)** (bm) 1. In addition to the information required under par. (b), an
16 application under par. (a) by an individual shall contain the individual's social
17 security number.

18 2. The division may not disclose any information received under subd. 1. to any
19 person except the department of workforce development in accordance with a
20 memorandum of understanding under s. 49.857.

21 **SECTION 345.** 551.34 (1m) of the statutes is created to read:

22 551.34 **(1m)** (a) The division shall deny an application for the issuance or
23 renewal of a license under this subchapter if the applicant is an individual who fails
24 to provide his or her social security number, who fails to comply, after appropriate
25 notice, with a subpoena or warrant issued by the department of workforce

SENATE BILL 494**SECTION 345**

1 development or a county child support agency under s. 59.53 (5) and related to
2 paternity or child support proceedings or who is delinquent in making court-ordered
3 payments of child or family support, maintenance, birth expenses, medical expenses
4 or other expenses related to the support of a child or former spouse, as provided in
5 a memorandum of understanding entered into under s. 49.857. An applicant whose
6 application is denied under this paragraph for delinquent payments or failure to
7 comply with a subpoena or warrant is entitled to a notice and hearing only as
8 provided in a memorandum of understanding entered into under s. 49.857 and is not
9 entitled to any other notice or hearing under this section.

10 (b) The division shall restrict or suspend a license under this subchapter if the
11 licensee is an individual who fails to comply, after appropriate notice, with a
12 subpoena or warrant issued by the department of workforce development or a county
13 child support agency under s. 59.53 (5) and related to paternity or child support
14 proceedings or who is delinquent in making court-ordered payments of child or
15 family support, maintenance, birth expenses, medical expenses or other expenses
16 related to the support of a child or former spouse, as provided in a memorandum of
17 understanding entered into under s. 49.857. A licensee whose license is restricted
18 or suspended under this paragraph is entitled to a notice and hearing only as
19 provided in a memorandum of understanding entered into under s. 49.857 and is not
20 entitled to any other notice or hearing under this section.

21 **SECTION 346.** 560.15 (4) of the statutes is amended to read:

22 560.15 (4) All records received or created for the purposes of this section shall
23 be closed to public inspection if the department, a chief executive officer of a village,
24 town or city or a community response committee determines that public inspection
25 of the records could adversely affect the business, its employes or former employes,

SENATE BILL 494**SECTION 346**

1 except that information requested under s. 49.22 (2m) shall be disclosed to the
2 department of workforce development or a county child support agency under s.
3 59.53 (5).

4 **SECTION 347.** 560.15 (5) of the statutes is amended to read:

5 560.15 (5) Each employe of the department, and each member of the
6 community response committee, and each chief executive officer of a village, town or
7 city and employes of his or her office shall keep secret all facts and information
8 obtained in the course of performing their responsibilities under this section, except
9 that facts and information requested under s. 49.22 (2m) shall be disclosed to the
10 department of workforce development or a county child support agency under s.
11 59.53 (5). This subsection does not prohibit the public inspection of records to the
12 extent permitted under sub. (4) nor meetings in open session to the extent permitted
13 under s. 19.85 (1) (i).

14 **SECTION 348.** 562.05 (1c) of the statutes is created to read:

15 562.05 (1c) If the applicant for a license under this section is an individual, the
16 board may not issue or renew a license if the individual has not provided his or her
17 social security number.

18 **SECTION 349.** 562.05 (5) (a) 9. of the statutes is created to read:

19 562.05 (5) (a) 9. The person is delinquent in making court-ordered payments
20 of child or family support, maintenance, birth expenses, medical expenses or other
21 expenses related to the support of a child or former spouse, or fails to comply, after
22 appropriate notice, with a subpoena or warrant issued by the department of
23 workforce development or a county child support agency under s. 59.53 (5) and
24 relating to paternity or child support proceedings, as provided in a memorandum of
25 understanding entered into under s. 49.857.

SENATE BILL 494**SECTION 350**

1 **SECTION 350.** 562.05 (7) (am) of the statutes is created to read:

2 562.05 (7) (am) The board shall require each person who is subject to an
3 investigation under par. (a) to provide his or her social security number.

4 **SECTION 351.** 562.05 (8) (d) of the statutes is created to read:

5 562.05 (8) (d) If required in a memorandum of understanding entered into
6 under s. 49.857, the board shall suspend or restrict or not renew the license of any
7 person who is delinquent in making court-ordered payments of child or family
8 support, maintenance, birth expenses, medical expenses or other expenses related
9 to the support of a child or former spouse or who has failed to comply, after
10 appropriate notice, with a subpoena or warrant issued by the department of
11 workforce development or a county child support agency under s. 59.53 (5) and
12 relating to paternity or child support proceedings.

13 **SECTION 352.** 562.05 (8m) of the statutes is created to read:

14 562.05 (8m) The board may not disclose the social security number of any
15 applicant for a license except to the department of workforce development for the sole
16 purpose of administering s. 49.22.

17 **SECTION 353.** 563.28 of the statutes is created to read:

18 **563.28 Suspension or restriction of a supplier's license for delinquent**
19 **child support payments.** (1) If required in a memorandum of understanding
20 entered into under s. 49.857, the board shall suspend or restrict the supplier's license
21 of any person who is delinquent in making court-ordered payments of child or family
22 support, maintenance, birth expenses, medical expenses or other expenses related
23 to the support of a child or former spouse or who has failed to comply, after
24 appropriate notice, with a subpoena or warrant issued by the department of

SENATE BILL 494**SECTION 353**

1 workforce development or a county child support agency under s. 59.53 (5) and
2 relating to paternity or child support proceedings.

3 (2) The board may not disclose the social security number of any applicant for
4 a supplier's license except to the department of workforce development for the sole
5 purpose of administering s. 49.22.

6 **SECTION 354.** 565.30 (5m) of the statutes, as affected by 1997 Wisconsin Act 3,
7 is amended to read:

8 565.30 (5m) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE OR
9 FAMILY SUPPORT. The administrator shall report to the department of workforce
10 development the name, address and social security number of each winner of a
11 lottery prize that is payable in instalments. Upon receipt of the report, the
12 department of workforce development shall certify to the administrator whether any
13 payee named in the report is obligated to provide child support, spousal support,
14 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,
15 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or
16 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize
17 under s. 767.265. The administrator shall withhold the certified amount from each
18 payment made to the winner and remit the certified amount to the department of
19 ~~industry, labor and job~~ workforce development.

20 **SECTION 355.** 601.465 (intro.) of the statutes is amended to read:

21 **601.465 Nondisclosure of information.** (intro.) The Except for information
22 requested under s. 49.22 (2m) by the department of workforce development or a
23 county child support agency under s. 59.53 (5), the office may refuse to disclose and
24 may prevent any other person from disclosing any of the following:

25 **SECTION 356.** 601.59 (6) (e) of the statutes is amended to read:

SENATE BILL 494**SECTION 356**

1 601.59 (6) (e) The commission's rules shall establish conditions and procedures
2 under which the commission shall make its information and official records available
3 to the public for inspection or copying. The commission may exempt from disclosure
4 any information or official records to the extent disclosure would adversely affect
5 personal privacy rights or proprietary interests. In promulgating such rules, the
6 commission may consider any special circumstances pertaining to insurer
7 insolvencies, but shall be guided by the principles embodied in state and federal
8 freedom of information laws. The commission may promulgate additional rules
9 under which it may make available to law enforcement agencies, and to the
10 department of workforce development and county child support agencies under s.
11 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22, 49.46 and 49.47 and
12 programs carrying out the purposes of 7 USC 2011 to 2029, records and information
13 otherwise exempt from disclosure, and may enter into agreements with law
14 enforcement agencies, the department of workforce development and county child
15 support agencies under s. 59.53 (5) to receive or exchange information or records
16 subject to nondisclosure and confidentiality provisions.

17 **SECTION 357.** 628.04 (1) (intro.) of the statutes is amended to read:

18 628.04 (1) CONDITIONS AND QUALIFICATIONS. (intro.) The Except as provided in
19 s. 628.095 or 628.097, the commissioner shall issue a license to act as an agent to any
20 applicant who:

21 **SECTION 358.** 628.04 (2) of the statutes is amended to read:

22 628.04 (2) SURPLUS LINES AGENTS OR BROKERS. The Except as provided in s.
23 628.095 or 628.097, the commissioner may issue a license as an agent or broker
24 authorized to place business under s. 618.41 if the applicant shows to the satisfaction
25 of the commissioner that in addition to the qualifications necessary to obtain a

SENATE BILL 494**SECTION 358**

1 general license under sub. (1), the applicant has the competence to deal with the
2 problems of surplus lines insurance. The commissioner may by rule require an agent
3 or broker authorized to place business under s. 618.41 to supply a bond not larger
4 than \$100,000, conditioned upon proper performance of obligations as a surplus lines
5 agent or broker.

6 **SECTION 359.** 628.09 (1) of the statutes is amended to read:

7 628.09 (1) ISSUANCE OF LICENSE. The Except as provided in s. 628.095 or
8 628.097, the commissioner may issue a temporary license as an intermediary for a
9 period of not more than 3 months to the personal representative of a deceased or
10 mentally disabled intermediary, or to a person designated by an intermediary who
11 is otherwise disabled or has entered active duty in the U.S. armed forces, in order to
12 give time for more favorable sale of the goodwill of a business owned by the
13 intermediary, for the recovery or return of the intermediary, or for the orderly
14 training and licensing of new personnel for the intermediary's business. This
15 subsection does not apply to life insurance agents.

16 **SECTION 360.** 628.09 (4) of the statutes is amended to read:

17 628.09 (4) DURATION OF LICENSE. The commissioner may by order revoke a
18 temporary license if the interests of insureds or the public are endangered. ~~A~~ Except
19 as provided in s. 628.097, a temporary license may be extended beyond the initial
20 period specified under sub. (1), for additional periods of not more than 3 months each,
21 with the total period not to exceed 12 months in the aggregate. A temporary license
22 may not continue after the owner or the personal representative disposes of the
23 business.

24 **SECTION 361.** 628.095 of the statutes is created to read:

SENATE BILL 494**SECTION 361**

1 **628.095 Social security numbers on license applications or at time of**
2 **fee payment. (1) REQUIRED ON APPLICATIONS.** An application for a license issued
3 under this subchapter shall contain the social security number of the applicant if the
4 applicant is a natural person.

5 **(2) REFUSAL TO ISSUE LICENSE.** The commissioner may not issue a license,
6 including a temporary license, under this subchapter unless the applicant, if a
7 natural person provides his or her social security number.

8 **(3) REQUIRED WHEN ANNUAL FEE PAID.** At the time that the annual fee is paid
9 under s. 601.31 (1) (m), an intermediary who is a natural person shall provide his or
10 her social security number if the social security number was not provided on the
11 application for the license or previously when the annual fee was paid.

12 **(4) LIMITED DISCLOSURE.** The commissioner may disclose a social security
13 number obtained under sub. (1) or (3) only to the department of workforce
14 development in the administration of s. 49.22, as provided in a memorandum of
15 understanding entered into under s. 49.857.

16 **SECTION 362.** 628.097 of the statutes is created to read:

17 **628.097 Refusal to issue for failure to pay support or to comply with**
18 **subpoena or warrant. (1) LICENSES.** The commissioner shall refuse to issue to a
19 natural person a license, including a temporary license, under this subchapter if the
20 natural person is delinquent in court-ordered payments of child or family support,
21 maintenance, birth expenses, medical expenses or other expenses related to the
22 support of a child or former spouse, or if the natural person fails to comply, after
23 appropriate notice, with a subpoena or warrant issued by the department of
24 workforce development or a county child support agency under s. 59.53 (5) and

SENATE BILL 494**SECTION 362**

1 related to paternity or child support proceedings, as provided in a memorandum of
2 understanding entered into under s. 49.857.

3 **(2) EXTENSION OF TEMPORARY LICENSE.** The commissioner shall refuse to extend
4 a temporary license of a natural person under s. 628.09 (4) if the natural person is
5 delinquent in court-ordered payments of child or family support, maintenance, birth
6 expenses, medical expenses or other expenses related to the support of a child or
7 former spouse, or if the natural person fails to comply, after appropriate notice, with
8 a subpoena or warrant issued by the department of workforce development or a
9 county child support agency under s. 59.53 (5) and related to paternity or child
10 support proceedings, as provided in a memorandum of understanding entered into
11 under s. 49.857.

12 **SECTION 363.** 628.10 (2) (c) of the statutes is created to read:

13 628.10 **(2) (c)** *For failure to pay support or to comply with subpoena or warrant.*

14 The commissioner shall suspend or limit the license of an intermediary who is a
15 natural person, or a temporary license of a natural person under s. 628.09, if the
16 natural person is delinquent in court-ordered payments of child or family support,
17 maintenance, birth expenses, medical expenses or other expenses related to the
18 support of a child or former spouse, or if the natural person fails to comply, after
19 appropriate notice, with a subpoena or warrant issued by the department of
20 workforce development or a county child support agency under s. 59.53 (5) and
21 related to paternity or child support proceedings, as provided in a memorandum of
22 understanding entered into under s. 49.857.

23 **SECTION 364.** 628.10 (2) (d) of the statutes is created to read:

24 628.10 **(2) (d)** *For failure to provide social security number.* If an intermediary
25 who is a natural person fails to provide a social security number as required under

SENATE BILL 494**SECTION 364**

1 s. 628.095 (3), the commissioner shall suspend or limit the license of the
2 intermediary, effective the day following the last day on which the annual fee under
3 s. 601.31 (1) (m) may be paid, if the commissioner has given the intermediary
4 reasonable notice of when the fee must be paid to avoid suspension or limitation. If
5 the intermediary provides the social security number within 60 days from the
6 effective date of the suspension, the commissioner shall reinstate the intermediary's
7 license effective as of the date of suspension.

8 **SECTION 365.** 632.68 (2) (b) (intro.) of the statutes is amended to read:

9 632.68 (2) (b) (intro.) A person may apply to the commissioner for a viatical
10 settlement provider license on a form prescribed by the commissioner for that
11 purpose. The application form shall require the applicant, if a natural person, to
12 provide his or her social security number. The fee specified in s. 601.31 (1) (mm) shall
13 accompany the application. After any investigation of the applicant that the
14 commissioner determines is sufficient, the commissioner shall issue a viatical
15 settlement provider license to an applicant that satisfies all of the following:

16 **SECTION 366.** 632.68 (2) (b) 2. of the statutes is amended to read:

17 632.68 (2) (b) 2. Provides complete information on the application, including
18 his or her social security number if the applicant is a natural person.

19 **SECTION 367.** 632.68 (2) (bc) of the statutes is created to read:

20 632.68 (2) (bc) The commissioner may disclose a social security number
21 obtained under par. (b) only to the department of workforce development in the
22 administration of s. 49.22, as provided in a memorandum of understanding entered
23 into under s. 49.857.

24 **SECTION 368.** 632.68 (2) (bm) of the statutes is created to read:

SENATE BILL 494**SECTION 368**

1 632.68 (2) (bm) Notwithstanding par. (b), the commissioner may not issue a
2 license under this subsection to a natural person who is delinquent in court-ordered
3 payments of child or family support, maintenance, birth expenses, medical expenses
4 or other expenses related to the support of a child or former spouse, or who fails to
5 comply, after appropriate notice, with a subpoena or warrant issued by the
6 department of workforce development or a county child support agency under s.
7 59.53 (5) and related to paternity or child support proceedings, as provided in a
8 memorandum of understanding entered into under s. 49.857.

9 **SECTION 369.** 632.68 (2) (e) of the statutes is amended to read:

10 632.68 (2) (e) Except as provided in sub. (3), a license issued under this
11 subsection shall be renewed annually on the anniversary date upon payment of the
12 fee specified in s. 601.31 (1) (mp) and, if the license holder is a natural person, upon
13 providing his or her social security number if not previously provided on the
14 application for the license or at a previous renewal of the license.

15 **SECTION 370.** 632.68 (3) (title) of the statutes is amended to read:

16 632.68 (3) (title) VIATICAL SETTLEMENT PROVIDER LICENSE; REVOCATION,
17 SUSPENSION, LIMITATION OR REFUSAL TO RENEW.

18 **SECTION 371.** 632.68 (3) of the statutes is renumbered 632.68 (3) (a), and 632.68
19 (3) (a) (intro.), as renumbered, is amended to read:

20 632.68 (3) (a) (intro.) The Except as provided in par. (b), the commissioner may
21 revoke, suspend or refuse to renew a viatical settlement provider license if, after a
22 hearing, the commissioner finds any of the following:

23 **SECTION 372.** 632.68 (3) (b) of the statutes is created to read:

24 632.68 (3) (b) The commissioner shall suspend, limit or refuse to renew a
25 viatical settlement provider license issued to a natural person if the natural person

SENATE BILL 494**SECTION 372**

1 is delinquent in court-ordered payments of child or family support, maintenance,
2 birth expenses, medical expenses or other expenses related to the support of a child
3 or former spouse, or if the natural person fails to comply, after appropriate notice,
4 with a subpoena or warrant issued by the department of workforce development or
5 a county child support agency under s. 59.53 (5) and related to paternity or child
6 support proceedings, as provided in a memorandum of understanding entered into
7 under s. 49.857.

8 **SECTION 373.** 632.68 (4) (b) of the statutes is amended to read:

9 632.68 (4) (b) A person may apply to the commissioner for a viatical settlement
10 broker license on a form prescribed by the commissioner for that purpose. The
11 application form shall require the applicant, if a natural person, to provide his or her
12 social security number. The fee specified in s. 601.31 (1) (mr) shall accompany the
13 application. The commissioner may not issue a license under this subsection unless
14 the applicant, if a natural person, provides his or her social security number.

15 **SECTION 374.** 632.68 (4) (bc) of the statutes is created to read:

16 632.68 (4) (bc) The commissioner may disclose a social security number
17 obtained under par. (b) only to the department of workforce development in the
18 administration of s. 49.22, as provided in a memorandum of understanding entered
19 into under s. 49.857.

20 **SECTION 375.** 632.68 (4) (bm) of the statutes is created to read:

21 632.68 (4) (bm) The commissioner may not issue a license under this subsection
22 to a natural person who is delinquent in court-ordered payments of child or family
23 support, maintenance, birth expenses, medical expenses or other expenses related
24 to the support of a child or former spouse, or who fails to comply, after appropriate
25 notice, with a subpoena or warrant issued by the department of workforce

SENATE BILL 494**SECTION 375**

1 development or a county child support agency under s. 59.53 (5) and related to
2 paternity or child support proceedings, as provided in a memorandum of
3 understanding entered into under s. 49.857.

4 **SECTION 376.** 632.68 (4) (c) of the statutes is amended to read:

5 632.68 (4) (c) Except as provided in sub. (5), a license issued under this
6 subsection shall be renewed annually on the anniversary date upon payment of the
7 fee specified in s. 601.31 (1) (ms) and, if the license holder is a natural person, upon
8 providing his or her social security number if not previously provided on the
9 application for the license or at a previous renewal of the license.

10 **SECTION 377.** 632.68 (5) (title) of the statutes is amended to read:

11 632.68 (5) (title) VIATICAL SETTLEMENT BROKER LICENSE; REVOCATION, SUSPENSION,
12 LIMITATION OR REFUSAL TO RENEW.

13 **SECTION 378.** 632.68 (5) of the statutes is renumbered 632.68 (5) (a), and 632.68
14 (5) (a) (intro.), as renumbered, is amended to read:

15 632.68 (5) (a) (intro.) The Except as provided in par. (b), the commissioner may
16 revoke, suspend or refuse to renew a viatical settlement broker license if, after a
17 hearing, the commissioner finds any of the following:

18 **SECTION 379.** 632.68 (5) (b) of the statutes is created to read:

19 632.68 (5) (b) The commissioner shall suspend, limit or refuse to renew a
20 viatical settlement broker license issued to a natural person if the natural person is
21 delinquent in court-ordered payments of child or family support, maintenance, birth
22 expenses, medical expenses or other expenses related to the support of a child or
23 former spouse, or if the natural person fails to comply, after appropriate notice, with
24 a subpoena or warrant issued by the department of workforce development or a
25 county child support agency under s. 59.53 (5) and related to paternity or child

SENATE BILL 494**SECTION 379**

1 support proceedings, as provided in a memorandum of understanding entered into
2 under s. 49.857.

3 **SECTION 380.** 632.68 (8) of the statutes is amended to read:

4 632.68 (8) RECORD KEEPING. Every licensee under this section shall maintain
5 and make available for inspection by the commissioner records of all viatical
6 settlement transactions. Names and other individual identifying information
7 related to policyholders or certificate holders shall be considered confidential and
8 may not be disclosed by the commissioner, except that the commissioner shall
9 disclose information requested under s. 49.22 (2m) to the department of workforce
10 development or a county child support agency under s. 59.53 (5).

11 **SECTION 381.** 632.897 (10) (a) 3. of the statutes is amended to read:

12 632.897 (10) (a) 3. The fact that the group member or insured does not claim
13 the child as an exemption for federal income tax purposes under 26 USC 151 (c) (1)
14 (B), or as an exemption for state income tax purposes under s. 71.07 (8) (b) or under
15 the laws of another state, if a court order under s. 767.25 (4m) ~~or~~, 767.51 (3m) or
16 767.62 (4) (b) or the laws of another state assigns responsibility for the child's health
17 care expenses to the group member or insured.

18 **SECTION 382.** 633.14 (1) (d) of the statutes is created to read:

19 633.14 (1) (d) Provides his or her social security number.

20 **SECTION 383.** 633.14 (2c) of the statutes is created to read:

21 633.14 (2c) The commissioner may disclose a social security number obtained
22 under sub. (1) (d) only to the department of workforce development in the
23 administration of s. 49.22, as provided in a memorandum of understanding entered
24 into under s. 49.857.

25 **SECTION 384.** 633.14 (2m) of the statutes is created to read:

SENATE BILL 494**SECTION 384**

1 633.14 **(2m)** Notwithstanding sub. (1), the commissioner may not issue a
2 license under this section if the individual applying for the license is delinquent in
3 court-ordered payments of child or family support, maintenance, birth expenses,
4 medical expenses or other expenses related to the support of a child or former spouse,
5 or if the individual fails to comply, after appropriate notice, with a subpoena or
6 warrant issued by the department of workforce development or a county child
7 support agency under s. 59.53 (5) and related to paternity or child support
8 proceedings, as provided in a memorandum of understanding entered into under s.
9 49.857.

10 **SECTION 385.** 633.15 (1m) of the statutes is created to read:

11 633.15 **(1m)** SOCIAL SECURITY NUMBERS. At an annual renewal, an administrator
12 who is a natural person shall provide his or her social security number if the social
13 security number was not previously provided on the application for the license or at
14 a previous renewal of the license.

15 **SECTION 386.** 633.15 (2) (a) (title) of the statutes is amended to read:

16 633.15 **(2)** (a) (title) *Nonpayment of annual renewal fee or failure to provide*
17 *social security number.*

18 **SECTION 387.** 633.15 (2) (a) 1. of the statutes is amended to read:

19 633.15 **(2)** (a) 1. If an administrator fails to pay the annual renewal fee as
20 provided under sub. (1) or fails to provide a social security number as required under
21 sub. (1m), the commissioner shall suspend the administrator's license effective the
22 day following the last day when the annual renewal fee may be paid, if the
23 commissioner has given the administrator reasonable notice of when the fee must be
24 paid to avoid suspension.

25 **SECTION 388.** 633.15 (2) (a) 2. of the statutes is amended to read:

SENATE BILL 494**SECTION 388**

1 633.15 (2) (a) 2. If, within 60 days from the effective date of suspension under
2 subd. 1., an administrator pays the annual renewal fee ~~within 60 days from the~~
3 ~~effective date of suspension under subd. 1. or provides the social security number, or~~
4 both if the suspension was based upon a failure to do both, the commissioner shall
5 reinstate the administrator's license effective as of the date of suspension.

6 **SECTION 389.** 633.15 (2) (a) 3. of the statutes is amended to read:

7 633.15 (2) (a) 3. If payment is not made or the social security number is not
8 provided within 60 days from the effective date of suspension under subd. 1., the
9 commissioner shall revoke the administrator's license.

10 **SECTION 390.** 633.15 (2) (b) 1. (intro.) of the statutes is amended to read:

11 633.15 (2) (b) 1. (intro.) The Except as provided in par. (c), the commissioner
12 may revoke, suspend or limit the license of an administrator after a hearing if the
13 commissioner makes any of the following findings:

14 **SECTION 391.** 633.15 (2) (c) of the statutes is created to read:

15 633.15 (2) (c) *Failure to pay support or to comply with subpoena or warrant.*
16 The commissioner shall suspend, limit or refuse to renew a license issued under this
17 section to an individual if the individual is delinquent in court-ordered payments of
18 child or family support, maintenance, birth expenses, medical expenses or other
19 expenses related to the support of a child or former spouse, or if the individual fails
20 to comply, after appropriate notice, with a subpoena or warrant issued by the
21 department of workforce development or a county child support agency under s.
22 59.53 (5) and related to paternity or child support proceedings, as provided in a
23 memorandum of understanding entered into under s. 49.857.

24 **SECTION 392.** 751.15 of the statutes is created to read:

SENATE BILL 494**SECTION 392**

1 **751.15 Rules regarding the practice of law. (1)** The supreme court is
2 requested to enter into a memorandum of understanding with the department of
3 workforce development under s. 49.857.

4 **(2)** The supreme court is requested to promulgate rules that require each
5 person, as a condition of membership in the state bar, to provide the board of bar
6 examiners with his or her social security number and that prohibit the disclosure of
7 that number to any person except the department of workforce development for the
8 purpose of administering s. 49.22.

9 **(3)** The supreme court is requested to promulgate rules that deny, suspend,
10 restrict or refuse to renew a license to practice law if the applicant or licensee fails
11 to provide the information required under rules promulgated under sub. (2) or fails
12 to comply, after appropriate notice, with a subpoena or warrant issued by the
13 department of workforce development or a county child support agency under s.
14 59.53 (5) and related to paternity or child support proceedings or if the department
15 of workforce development certifies that the applicant or licensee has failed to pay
16 court-ordered payments of child or family support, maintenance, birth expenses,
17 medical expenses or other expenses related to the support of a child or former spouse.

18 **SECTION 393.** 757.69 (1) (n) of the statutes is created to read:

19 757.69 **(1)** (n) Hold hearings, make findings and issue orders under s. 49.856
20 (4).

21 **SECTION 394.** 765.09 (2) of the statutes is amended to read:

22 765.09 **(2)** No marriage license may be issued unless the application for it is
23 subscribed by the parties intending to intermarry, contains the social security
24 number of each party who has a social security number and is filed with the clerk who
25 issues the marriage license.

SENATE BILL 494**SECTION 395**

1 **SECTION 395.** 765.09 (3) of the statutes is amended to read:

2 765.09 (3) Each party shall present satisfactory, documentary proof of
3 identification and residence and shall swear (or affirm) to the application before the
4 clerk who is to issue the marriage license or the person authorized to accept such
5 applications in the county and state where the party resides. The application shall
6 contain ~~such~~ the social security number of each party, as well as any other
7 informational items as that the department of health and family services directs.
8 The portion of the marriage application form that is collected for statistical purposes
9 only shall indicate that the address of the marriage license applicant may be
10 provided by a county clerk to a law enforcement officer under the conditions specified
11 under s. 765.20 (2). Each applicant under 30 years of age shall exhibit to the clerk
12 a certified copy of a birth certificate, and any applicants shall submit a copy of any
13 judgments or a death certificate affecting the marital status. If such certificate or
14 judgment is unobtainable, other satisfactory documentary proof of the requisite facts
15 therein may be presented in lieu thereof. Whenever the clerk is not satisfied with
16 the documentary proof presented, he or she shall submit the same, for an opinion as
17 to the sufficiency of the proof, to a judge of a court of record in the county of
18 application.

19 **SECTION 396.** 765.13 of the statutes is amended to read:

20 **765.13 Form of marriage document.** The marriage document shall contain
21 ~~such~~ the social security number of each party, as well as any other informational
22 items as that the department of health and family services determines are necessary
23 and shall agree in the main with the standard form recommended by the federal
24 agency responsible for national vital statistics. It shall contain a notification of the
25 time limits of the authorization to marry, a notation that the issue of the marriage

SENATE BILL 494**SECTION 396**

1 license shall not be deemed to remove or dispense with any legal disability,
2 impediment or prohibition rendering marriage between the parties illegal, and the
3 signature of the county clerk, who shall acquire the information for the marriage
4 document and enter it in its proper place when the marriage license is issued.

5 **SECTION 397.** 767.027 of the statutes is created to read:

6 **767.027 Notice and service of process requirements.** In any action under
7 s. 767.02 (1) (i) to enforce a judgment or order with respect to child support, due
8 process requirements related to notice and service of process are satisfied to the
9 extent that the court finds all of the following:

10 (1) That a diligent effort was made to ascertain the location of the respondent.

11 (2) That written notice of the action to the respondent was delivered to the most
12 recent residential address or employer address provided by the respondent under s.
13 767.263 (2) to the clerk of court or support collection designee.

14 **SECTION 398.** 767.027 (2) of the statutes, as created by 1997 Wisconsin Act
15 (this act), is amended to read:

16 767.027 (2) That written notice of the action to the respondent has been
17 delivered to the most recent residential address or employer address provided by the
18 respondent under s. 767.263 (2) to the ~~clerk of court or support collection designee~~
19 county child support agency under s. 59.53 (5).

20 **SECTION 399.** 767.045 (1) (c) (intro.) of the statutes is amended to read:

21 767.045 (1) (c) (intro.) The attorney responsible for support enforcement under
22 s. 59.53 (6) (a) may request that the court or family court commissioner appoint a
23 guardian ad litem to bring an action or motion on behalf of a minor who is a
24 nonmarital child whose paternity has not been adjudicated or acknowledged for the

SENATE BILL 494**SECTION 399**

1 purpose of determining the paternity of the child, and the court or family court
2 commissioner shall appoint a guardian ad litem, if any of the following applies:

3 **SECTION 400.** 767.078 (1) (a) 1. of the statutes is amended to read:

4 767.078 (1) (a) 1. Is an action for modification of a child support order under
5 s. 767.32 or an action in which an order for child support is required under s. 767.25
6 (1) ~~or~~, 767.51 (3) or 767.62 (4) (a).

7 **SECTION 401.** 767.078 (2) of the statutes is amended to read:

8 767.078 (2) Subsection (1) does not limit the authority of a court to issue an
9 order, other than an order under sub. (1), regarding employment of a parent in an
10 action for modification of a child support order under s. 767.32 or an action in which
11 an order for child support is required under s. 767.25 (1) ~~or~~, 767.51 (3) or 767.62 (4)
12 (a).

13 **SECTION 402.** 767.085 (1) (b) of the statutes is amended to read:

14 767.085 (1) (b) The name ~~and~~, birthdate and social security number of each
15 minor child of the parties and each other child born to the wife during the marriage,
16 and whether the wife is pregnant.

17 **SECTION 403.** 767.25 (4) of the statutes is amended to read:

18 767.25 (4) The court shall order either party or both to pay for the support of
19 any child of the parties who is less than 18 years old, or any child of the parties who
20 is less than 19 years old ~~and~~ if the child is pursuing an accredited course of
21 instruction leading to the acquisition of a high school diploma or its equivalent.

22 **SECTION 404.** 767.25 (4m) (d) 2. of the statutes, as affected by 1997 Wisconsin
23 Act 27, is amended to read:

24 767.25 (4m) (d) 2. Provide family coverage of health care expenses for the child,
25 if eligible for coverage, upon application by the parent, the child's other parent, the

SENATE BILL 494**SECTION 404**

1 department or the county child support agency under s. 59.53 (5), or upon receiving
2 a notice under par. (f) 1.

3 **SECTION 405.** 767.25 (4m) (d) 2m. of the statutes is created to read:

4 767.25 (4m) (d) 2m. Notify the county child support agency under s. 59.53 (5)
5 when coverage of the child under the health benefit plan is in effect and, upon
6 request, provide copies of necessary program or policy identification to the child's
7 other parent.

8 **SECTION 406.** 767.25 (4m) (f) of the statutes is created to read:

9 767.25 (4m) (f) 1. If a parent who provides coverage of the health care expenses
10 of a child under an order under this subsection changes employers and that parent
11 has a court-ordered child support obligation with respect to the child, the county
12 child support agency under s. 59.53 (5) shall provide notice of the order to provide
13 coverage of the child's health care expenses to the new employer and to the parent.

14 2. The notice provided to the parent shall inform the parent that coverage for
15 the child under the new employer's health benefit plan will be in effect upon the
16 employer's receipt of the notice. The notice shall inform the parent that he or she
17 may, within 10 days after receiving the notice, by motion request a hearing before the
18 court on the issue of whether the order to provide coverage of the child's health care
19 expenses should remain in effect. A motion under this subdivision may be heard by
20 a family court commissioner. If the parent requests a hearing and the court or family
21 court commissioner determines that the order to provide coverage of the child's
22 health care expenses should not remain in effect, the court shall provide notice to the
23 employer that the order is no longer in effect.

24 **SECTION 407.** 767.25 (6) (intro.) of the statutes is amended to read:

SENATE BILL 494**SECTION 407**

1 767.25 (6) (intro.) A party ordered to pay child support under this section shall
2 pay simple interest at the rate of 1.5% per month on any amount unpaid,
3 commencing the first day of the ~~2nd~~ 4th month after the month in which the amount
4 was due. Interest shall not accrue on amounts not paid on time but paid on or before
5 the first day of the 4th month after the month in which the amount was due. Interest
6 under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4)
7 or 815.05 (8) and is paid to the clerk of court or support collection designee under s.
8 767.29. Except as provided in s. 767.29 (1m), the clerk of court or support collection
9 designee, whichever is appropriate, shall apply all payments received for child
10 support as follows:

11 **SECTION 408.** 767.25 (6) (intro.) of the statutes, as affected by 1997 Wisconsin
12 Acts 27 and (this act), is repealed and recreated to read:

13 767.25 (6) (intro.) A party ordered to pay child support under this section shall
14 pay simple interest at the rate of 1.5% per month on any amount unpaid,
15 commencing the first day of the 4th month after the month in which the amount was
16 due. Interest shall not accrue on amounts not paid on time but paid on or before the
17 first day of the 4th month after the month in which the amount was due. Interest
18 under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4)
19 or 815.05 (8) and is paid to the department or its designee under s. 767.29. Except
20 as provided in s. 767.29 (1m), the department or its designee, whichever is
21 appropriate, shall apply all payments received for child support as follows:

22 **SECTION 409.** 767.25 (6) (a) of the statutes is amended to read:

23 767.25 (6) (a) First, to payment of child support ~~due within the calendar month~~
24 ~~during which the payment is withheld from income under s. 767.265 or under similar~~
25 ~~laws of another state. If payment is not made through income withholding, the clerk~~

SENATE BILL 494**SECTION 409**

1 ~~or support collection designee, whichever is appropriate, shall first apply child~~
2 ~~support payments received to payment of child support due within the calendar~~
3 ~~month during which the payment is received.~~

4 **SECTION 410.** 767.253 of the statutes is amended to read:

5 **767.253 Seek-work orders.** In an action for modification of a child support
6 order under s. 767.32 or an action in which an order for child support is required
7 under s. 767.25 (1) ~~or~~, 767.51 (3) or 767.62 (4) (a), the court may order either or both
8 parents of the child to seek employment or participate in an employment or training
9 program.

10 **SECTION 411.** 767.254 (2) (intro.) of the statutes is amended to read:

11 767.254 (2) (intro.) In an action for revision of a judgment or order providing
12 for child support under s. 767.32 or an action in which an order for child support is
13 required under s. 767.25 (1) ~~or~~, 767.51 (3) or 767.62 (4) (a), the court shall order an
14 unemployed teenage parent to do one or more of the following:

15 **SECTION 412.** 767.261 (intro.) of the statutes is amended to read:

16 **767.261 Family support.** (intro.) The court may make a financial order
17 designated "family support" as a substitute for child support orders under s. 767.25
18 and maintenance payment orders under s. 767.26. A party ordered to pay family
19 support under this section shall pay simple interest at the rate of 1.5% per month on
20 any amount unpaid, commencing the first day of the 2nd 4th month after the month
21 in which the amount was due. Interest shall not accrue on amounts not paid on time
22 but paid on or before the first day of the 4th month after the month in which the
23 amount was due. Interest under this section is in lieu of interest computed under
24 s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the clerk of court or support
25 collection designee under s. 767.29. Except as provided in s. 767.29 (1m), the clerk

SENATE BILL 494**SECTION 412**

1 of court or support collection designee, whichever is appropriate, shall apply all
2 payments received for family support as follows:

3 **SECTION 413.** 767.261 (intro.) of the statutes, as affected by 1997 Wisconsin
4 Acts 27 and (this act), is repealed and recreated to read:

5 **767.261 Family support.** (intro.) The court may make a financial order
6 designated "family support" as a substitute for child support orders under s. 767.25
7 and maintenance payment orders under s. 767.26. A party ordered to pay family
8 support under this section shall pay simple interest at the rate of 1.5% per month on
9 any amount unpaid, commencing the first day of the 4th month after the month in
10 which the amount was due. Interest shall not accrue on amounts not paid on time
11 but paid on or before the first day of the 4th month after the month in which the
12 amount was due. Interest under this section is in lieu of interest computed under
13 s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the department or its designee
14 under s. 767.29. Except as provided in s. 767.29 (1m), the department or its designee,
15 whichever is appropriate, shall apply all payments received for family support as
16 follows:

17 **SECTION 414.** 767.261 (1) of the statutes is amended to read:

18 767.261 (1) First, to payment of family support due ~~within the calendar month~~
19 ~~during which the payment is withheld from income under s. 767.265 or under similar~~
20 ~~laws of another state. If payment is not made through income withholding, the clerk~~
21 ~~or support collection designee, whichever is appropriate, shall first apply family~~
22 ~~support payments received to payment of family support due within the calendar~~
23 month during which the payment is received.

24 **SECTION 415.** 767.263 (title) of the statutes is amended to read:

SENATE BILL 494**SECTION 415**

1 **767.263** (title) **Notice of change of employer; change of address; and**
2 **change in ability to pay; other information.**

3 **SECTION 416.** 767.263 of the statutes is renumbered 767.263 (1).

4 **SECTION 417.** 767.263 (1) of the statutes, as affected by 1997 Wisconsin Acts
5 27 and (this act), is repealed and recreated to read:

6 767.263 (1) Each order for child support, family support or maintenance
7 payments shall include an order that the payer and payee notify the county child
8 support agency under s. 59.53 (5) of any change of address within 10 days of such
9 change. Each order for child support, family support or maintenance payments shall
10 also include an order that the payer notify the county child support agency under s.
11 59.53 (5), within 10 days, of any change of employer and of any substantial change
12 in the amount of his or her income such that his or her ability to pay child support,
13 family support or maintenance is affected. The order shall also include a statement
14 that clarifies that notification of any substantial change in the amount of the payer's
15 income will not result in a change of the order unless a revision of the order is sought.

16 **SECTION 418.** 767.263 (2) of the statutes is created to read:

17 767.263 (2) When an order is entered under sub. (1), each party shall provide
18 to the clerk of court or support collection designee his or her social security number,
19 residential and mailing addresses, telephone number, operator's license number and
20 the name, address and telephone number of his or her employer. A party shall advise
21 the clerk of court or support collection designee of any change in the information
22 provided under this subsection within 10 days after the change.

23 **SECTION 419.** 767.263 (2) of the statutes, as created by 1997 Wisconsin Act
24 (this act), is amended to read:

SENATE BILL 494**SECTION 419**

1 767.263 (2) When an order is entered under sub. (1), each party shall provide
2 to the ~~clerk of court or support collection designee~~ county child support agency under
3 s. 59.53 (5) his or her social security number, residential and mailing addresses,
4 telephone number, operator's license number and the name, address and telephone
5 number of his or her employer. A party shall advise the ~~clerk of court or support~~
6 ~~collection designee~~ county child support agency under s. 59.53 (5) of any change in
7 the information provided under this subsection within 10 days after the change.

8 **SECTION 420.** 767.265 (1) of the statutes is amended to read:

9 767.265 (1) Each order for child support under this chapter, for maintenance
10 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
11 ordered under s. 767.51 (3) or 767.62 (4) (a), for support by a spouse under s. 767.02
12 (1) (f) or for maintenance payments under s. 767.02 (1) (g), each order for a revision
13 in a judgment or order with respect to child support, maintenance or family support
14 payments under s. 767.32, each stipulation approved by the court or the family court
15 commissioner for child support under this chapter and each order for child or spousal
16 support entered under s. 948.22 (7) constitutes an assignment of all commissions,
17 earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery
18 prizes that are payable in instalments and other money due or to be due in the future
19 to the clerk of court or support collection designee of the county where the action is
20 filed. The assignment shall be for an amount sufficient to ensure payment under the
21 order or stipulation and to pay any arrearages due at a periodic rate not to exceed
22 50% of the amount of support due under the order or stipulation so long as the
23 addition of the amount toward arrearages does not leave the party at an income
24 below the poverty line established under 42 USC 9902 (2).

SENATE BILL 494**SECTION 421**

1 **SECTION 421.** 767.265 (1) of the statutes, as affected by 1997 Wisconsin Acts
2 27 and (this act), is repealed and recreated to read:

3 767.265 (1) Each order for child support under this chapter, for maintenance
4 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
5 ordered under s. 767.51 (3) or 767.62 (4) (a), for support by a spouse under s. 767.02
6 (1) (f) or for maintenance payments under s. 767.02 (1) (g), each order for a revision
7 in a judgment or order with respect to child support, maintenance or family support
8 payments under s. 767.32, each stipulation approved by the court or the family court
9 commissioner for child support under this chapter and each order for child or spousal
10 support entered under s. 948.22 (7) constitutes an assignment of all commissions,
11 earnings, salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery
12 prizes that are payable in instalments and other money due or to be due in the future
13 to the department or its designee. The assignment shall be for an amount sufficient
14 to ensure payment under the order or stipulation and to pay any arrearages due at
15 a periodic rate not to exceed 50% of the amount of support due under the order or
16 stipulation so long as the addition of the amount toward arrearages does not leave
17 the party at an income below the poverty line established under 42 USC 9902 (2).

18 **SECTION 422.** 767.265 (2h) of the statutes is amended to read:

19 767.265 (2h) If a court-ordered assignment does not require immediately
20 effective withholding and a payer fails to make a required maintenance, child
21 support, spousal support or family support payment within 10 days after its due
22 date, within 20 days after the payment's due date the court or family court
23 commissioner shall cause the assignment to go into effect by providing notice of the
24 assignment in the manner provided under sub. (2r) and shall send a notice by regular
25 mail to the last-known address of the payer. The notice sent to the payer shall inform

SENATE BILL 494**SECTION 422**

1 the payer that an assignment is in effect and that the payer may, within a 10-day
2 period, by motion request a hearing on the issue of whether the assignment should
3 remain in effect. The court or family court commissioner shall hold a hearing
4 requested under this section subsection within 10 working days after the date of the
5 request. If at the hearing the payer establishes that the assignment is not proper
6 because of a mistake of fact, the court or family court commissioner may direct that
7 the assignment be withdrawn. ~~If the payer does not request a hearing, the court or~~
8 ~~family court commissioner shall send notice of the assignment to the person from~~
9 ~~whom the payer receives or will receive money.~~ Either party may, within 15 working
10 days after the date of ~~the a~~ decision by a family court commissioner under this section
11 subsection, seek review of the decision by the court with jurisdiction over the action.

12 **SECTION 423.** 767.265 (2r) of the statutes is amended to read:

13 767.265 (2r) Upon entry of each order for child support, maintenance, family
14 support or support by a spouse and upon approval of each stipulation for child
15 support, unless the court finds that income withholding is likely to cause the payer
16 irreparable harm or unless s. 767.267 applies, the court shall provide notice of the
17 assignment by regular mail or by facsimile machine, as defined in s. 134.72 (1) (a),
18 or other electronic means to the last-known address of the person from whom the
19 payer receives or will receive money. The notice shall provide that the amount
20 withheld may not exceed the maximum amount that is subject to garnishment under
21 15 USC 1673 (b) (2). If the clerk of court or support collection designee, whichever
22 is appropriate, does not receive the money from the person notified, the court shall
23 provide notice of the assignment to any other person from whom the payer receives
24 or will receive money. Notice under this subsection may be a notice of the court, a

SENATE BILL 494**SECTION 423**

1 copy of the executed assignment or a copy of that part of the court order directing
2 payment.

3 **SECTION 424.** 767.265 (2r) of the statutes, as affected by 1997 Wisconsin Acts
4 27 and (this act), is repealed and recreated to read:

5 767.265 (2r) Upon entry of each order for child support, maintenance, family
6 support or support by a spouse and upon approval of each stipulation for child
7 support, unless the court finds that income withholding is likely to cause the payer
8 irreparable harm or unless s. 767.267 applies, the court, family court commissioner
9 or county child support agency under s. 59.53 (5) shall provide notice of the
10 assignment by regular mail or by facsimile machine, as defined in s. 134.72 (1) (a),
11 or other electronic means to the last-known address of the person from whom the
12 payer receives or will receive money. The notice shall provide that the amount
13 withheld may not exceed the maximum amount that is subject to garnishment under
14 15 USC 1673 (b) (2). If the department or its designee, whichever is appropriate, does
15 not receive the money from the person notified, the court, family court commissioner
16 or county child support agency under s. 59.53 (5) shall provide notice of the
17 assignment to any other person from whom the payer receives or will receive money.
18 Notice under this subsection may be a notice of the court, a copy of the executed
19 assignment or a copy of that part of the court order directing payment.

20 **SECTION 425.** 767.265 (3h) of the statutes is amended to read:

21 767.265 (3h) A person who receives notice of assignment under this section or
22 s. 767.23 (1) (L), 767.25 (4m) (c) ~~or~~, 767.51 (3m) (c) or 767.62 (4) (b) 3. or similar laws
23 of another state shall withhold the amount specified in the notice from any money
24 that person pays to the payer later than one week after receipt of notice of
25 assignment. Within 5 days after the day the person pays money to the payer, the

SENATE BILL 494**SECTION 425**

1 person shall send the amount withheld to the clerk of court or support collection
2 designee, whichever is appropriate, of the jurisdiction providing notice or, in the case
3 of an amount ordered withheld for health care expenses, to the appropriate health
4 care insurer, provider or plan. With each payment sent to the clerk of court or support
5 collection designee, the person from whom the payer receives money shall report to
6 the clerk or support collection designee the payer's gross income or other gross
7 amount from which the payment was withheld. Except as provided in sub. (3m), for
8 each payment sent to the clerk of court or support collection designee, the person
9 from whom the payer receives money shall receive an amount equal to the person's
10 necessary disbursements, not to exceed \$3, which shall be deducted from the money
11 to be paid to the payer. Section 241.09 does not apply to assignments under this
12 section.

13 **SECTION 426.** 767.265 (3h) of the statutes, as affected by 1997 Wisconsin Acts
14 27 and (this act), is repealed and recreated to read:

15 767.265 (3h) A person who receives notice of assignment under this section or
16 s. 767.23 (1) (L), 767.25 (4m) (c), 767.51 (3m) (c) or 767.62 (4) (b) 3. or similar laws
17 of another state shall withhold the amount specified in the notice from any money
18 that person pays to the payer later than one week after receipt of notice of
19 assignment. Within 5 days after the day the person pays money to the payer, the
20 person shall send the amount withheld to the department or its designee, whichever
21 is appropriate, or, in the case of an amount ordered withheld for health care
22 expenses, to the appropriate health care insurer, provider or plan. With each
23 payment sent to the department or its designee, the person from whom the payer
24 receives money shall report to the department or its designee the payer's gross
25 income or other gross amount from which the payment was withheld. Except as

SENATE BILL 494**SECTION 426**

1 provided in sub. (3m), for each payment sent to the department or its designee, the
2 person from whom the payer receives money shall receive an amount equal to the
3 person's necessary disbursements, not to exceed \$3, which shall be deducted from the
4 money to be paid to the payer. Section 241.09 does not apply to assignments under
5 this section.

6 **SECTION 427.** 767.265 (3m) of the statutes is amended to read:

7 767.265 (3m) Benefits under ch. 108 may be assigned and withheld only in the
8 manner provided in s. 108.13 (4). Any order to withhold benefits under ch. 108 shall
9 be for an amount certain may be for a percentage of benefits payable or for a fixed
10 sum, or for a combination of both in the alternative by requiring the withholding of
11 the greater or lesser of either a percentage of benefits payable or a fixed sum. When
12 money is to be withheld from these benefits, no fee may be deducted from the amount
13 withheld and no fine may be levied for failure to withhold the money.

14 **SECTION 428.** 767.265 (4) of the statutes is amended to read:

15 767.265 (4) A withholding assignment or order under this section or s. 767.23
16 (1) (L), 767.25 (4m) (c) ~~or~~, 767.51 (3m) (c) or 767.62 (4) (b) 3. has priority over any other
17 assignment, garnishment or similar legal process under state law.

18 **SECTION 429.** 767.265 (6) (a) of the statutes is amended to read:

19 767.265 (6) (a) Except as provided in sub. (3m), if after receipt of notice of
20 assignment the person from whom the payer receives money fails to withhold the
21 money or send the money to the clerk of court or support collection designee or the
22 appropriate health care insurer, provider or plan as provided in this section or s.
23 767.23 (1) (L), 767.25 (4m) (c) ~~or~~, 767.51 (3m) (c) or 767.62 (4) (b) 3., the person may
24 be proceeded against under the principal action under ch. 785 for contempt of court
25 or may be proceeded against under ch. 778 and be required to forfeit not less than

SENATE BILL 494**SECTION 429**

1 \$50 nor more than an amount, if the amount exceeds \$50, that is equal to 1% of the
2 amount not withheld or sent.

3 **SECTION 430.** 767.265 (6) (a) of the statutes, as affected by 1997 Wisconsin Acts
4 27 and (this act), is repealed and recreated to read:

5 767.265 (6) (a) Except as provided in sub. (3m), if after receipt of notice of
6 assignment the person from whom the payer receives money fails to withhold the
7 money or send the money to the department or its designee or the appropriate health
8 care insurer, provider or plan as provided in this section or s. 767.23 (1) (L), 767.25
9 (4m) (c), 767.51 (3m) (c) or 767.62 (4) (b) 3., the person may be proceeded against
10 under the principal action under ch. 785 for contempt of court or may be proceeded
11 against under ch. 778 and be required to forfeit not less than \$50 nor more than an
12 amount, if the amount exceeds \$50, that is equal to 1% of the amount not withheld
13 or sent.

14 **SECTION 431.** 767.265 (6) (b) of the statutes is amended to read:

15 767.265 (6) (b) If an employer who receives an assignment under this section
16 or s. 767.23 (1) (L), 767.25 (4m) (c) ~~or~~, 767.51 (3m) (c) or 767.62 (4) (b) 3. fails to notify
17 the clerk of court or support collection designee, whichever is appropriate, within 10
18 days after an employe is terminated or otherwise temporarily or permanently leaves
19 employment, the employer may be proceeded against under the principal action
20 under ch. 785 for contempt of court.

21 **SECTION 432.** 767.265 (6) (b) of the statutes, as affected by 1997 Wisconsin Acts
22 27 and (this act), is repealed and recreated to read:

23 767.265 (6) (b) If an employer who receives an assignment under this section
24 or s. 767.23 (1) (L), 767.25 (4m) (c), 767.51 (3m) (c) or 767.62 (4) (b) 3. fails to notify
25 the department or its designee, whichever is appropriate, within 10 days after an

SENATE BILL 494**SECTION 432**

1 employe is terminated or otherwise temporarily or permanently leaves employment,
2 the employer may be proceeded against under the principal action under ch. 785 for
3 contempt of court.

4 **SECTION 433.** 767.265 (6) (c) of the statutes is amended to read:

5 767.265 (6) (c) No employer may use an assignment under this section or s.
6 767.23 (1) (L), 767.25 (4m) (c) ~~or~~, 767.51 (3m) (c) or 767.62 (4) (b) 3. as a basis for the
7 denial of employment to a person, the discharge of an employe or any disciplinary
8 action against an employe. An employer who denies employment or discharges or
9 disciplines an employe in violation of this paragraph may be fined not more than
10 \$500 and may be required to make full restitution to the aggrieved person, including
11 reinstatement and back pay. Except as provided in this paragraph, restitution shall
12 be in accordance with s. 973.20. An aggrieved person may apply to the district
13 attorney or to the department for enforcement of this paragraph.

14 **SECTION 434.** 767.265 (6m) of the statutes is created to read:

15 767.265 (6m) A county child support agency under s. 59.53 (5) may convert a
16 support amount in an order for income withholding under this section that is
17 expressed as a percentage of income to the equivalent sum certain amount for
18 purposes of enforcing a child support order in another state under subch. V or VI of
19 ch. 769.

20 **SECTION 435.** 767.27 (2m) of the statutes, as affected by 1997 Wisconsin Act 27,
21 is amended to read:

22 767.27 (2m) In every action in which the court has ordered a party to pay child
23 support under s. 767.25 ~~or~~, 767.51 or 767.62 (4) or family support under s. 767.261
24 and the circumstances specified in s. 767.075 (1) apply, the court shall require the
25 party who is ordered to pay the support to annually furnish the disclosure form

SENATE BILL 494**SECTION 435**

1 required under this section and may require that party to annually furnish a copy
2 of his or her most recently filed state and federal income tax returns to the county
3 child support agency under s. 59.53 (5) for the county in which the order was entered.
4 In any action in which the court has ordered a party to pay child support under s.
5 767.25 ~~or~~, 767.51 or 767.62 (4) or family support under s. 767.261, the court may
6 require the party who is ordered to pay the support to annually furnish the disclosure
7 form required under this section and a copy of his or her most recently filed state and
8 federal income tax returns to the party for whom the support has been awarded. A
9 party who fails to furnish the information as required by the court under this
10 subsection may be proceeded against for contempt of court under ch. 785.

11 **SECTION 436.** 767.29 (1m) (intro.) of the statutes is amended to read:

12 767.29 (1m) (intro.) Notwithstanding ss. 767.25 (6), 767.261 ~~and~~, 767.51 (5p)
13 and 767.62 (4) (g), if the clerk of court or support collection designee receives support
14 or maintenance money that exceeds the amount due in the month in which it is
15 received and that the clerk or support collection designee determines is for support
16 or maintenance due in a succeeding month, the clerk or support collection designee
17 may hold the amount of overpayment that does not exceed the amount due in the next
18 month for disbursement in the next month if any of the following applies:

19 **SECTION 437.** 767.29 (1m) (intro.) of the statutes, as affected by 1997 Wisconsin
20 Acts 27 and (this act), is repealed and recreated to read:

21 767.29 (1m) (intro.) Notwithstanding ss. 767.25 (6), 767.261, 767.51 (5p) and
22 767.62 (4) (g), if the department or its designee receives support or maintenance
23 money that exceeds the amount due in the month in which it is received and that the
24 department or its designee determines is for support or maintenance due in a
25 succeeding month, the department or its designee may hold the amount of

SENATE BILL 494

1 overpayment that does not exceed the amount due in the next month for
2 disbursement in the next month if any of the following applies:

3 **SECTION 438.** 767.29 (3) of the statutes is renumbered 767.29 (3) (a).

4 **SECTION 439.** 767.29 (3) (b) of the statutes is created to read:

5 767.29 (3) (b) If a child who is the beneficiary of support under a judgment or
6 order is placed by court order in a child caring institution, juvenile correctional
7 institution or state mental institution, the right of the child to support during the
8 period of the child's confinement, including any right to unpaid support accruing
9 during that period, is assigned to the state. If the judgment or order providing for
10 the support of a child who is placed in a child caring institution, juvenile correctional
11 institution or state mental institution includes support for one or more other
12 children, the support that is assigned to the state shall be the proportionate share
13 of the child placed in the institution, except as otherwise ordered by the court or
14 family court commissioner on the motion of a party.

15 **SECTION 440.** 767.295 (2) (a) (intro.) of the statutes is amended to read:

16 767.295 (2) (a) (intro.) In an action for modification of a child support order
17 under s. 767.32, an action in which an order for child support is required under s.
18 767.25 (1) ~~or~~, 767.51 (3) or 767.62 (4) (a) or a contempt of court proceeding to enforce
19 a child support or family support order in a county that contracts under s. 49.36 (2),
20 the court may order a parent who is not a custodial parent to register for a work
21 experience and job training program under s. 49.36 if all of the following conditions
22 are met:

23 **SECTION 441.** 767.295 (2) (c) of the statutes is amended to read:

24 767.295 (2) (c) If the court enters an order under par. (a), it shall order the
25 parent to pay child support equal to the amount determined by applying the

SENATE BILL 494**SECTION 441**

1 percentage standard established under s. 49.22 (9) to the income a person would earn
2 by working 40 hours per week for the federal minimum hourly wage under 29 USC
3 206 (a) (1) or equal to the amount of child support that the parent was ordered to pay
4 in the most recent determination of support under this chapter. The child support
5 obligation ordered under this paragraph continues until the parent makes timely
6 payment in full for 3 consecutive months or until the person participates in the
7 program under s. 49.36 for 16 weeks, whichever comes first. The court shall provide
8 in its order that the parent must make child support payments calculated under s.
9 767.25 (1j) or (1m) ~~or~~, 767.51 (4m) or (5) or 767.62 (4) (d) 1. or (e) after the obligation
10 to make payments ordered under this paragraph ceases.

11 **SECTION 442.** 767.30 (1) of the statutes, as affected by 1997 Wisconsin Act 27,
12 is amended to read:

13 767.30 (1) If the court orders any payment for support under s. 48.355 (2) (b)
14 4., 48.357 (5m), 48.363 (2), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) or 938.363 (2),
15 support or maintenance under s. 767.08, child support, family support or
16 maintenance under s. 767.23, child support under s. 767.25, maintenance under s.
17 767.26, family support under s. 767.261, attorney fees under s. 767.262, child support
18 or a child's health care expenses under s. 767.477, paternity obligations under s.
19 767.458 (3), 767.51 or 767.62 (4), support arrearages under s. 767.293 or child or
20 spousal support under s. 948.22 (7), the court may provide that any payment be paid
21 in the amounts and at the times that it considers expedient.

22 **SECTION 443.** 767.303 (1) of the statutes is amended to read:

23 767.303 (1) If a person fails to pay a payment ordered for support under s.
24 767.077, support under s. 767.08, child support or family support under s. 767.23,
25 child support under s. 767.25, family support under s. 767.261, revised child or

SENATE BILL 494**SECTION 443**

1 family support under s. 767.32, child support under s. 767.458 (3), child support
2 under s. 767.477, child support under s. 767.51, child support under s. 767.62 (4) (a),
3 child support under ch. 769 or child support under s. 948.22 (7), the payment is 90
4 or more days past due and the court finds that the person has the ability to pay the
5 amount ordered, the court may suspend the person's operating privilege, as defined
6 in s. 340.01 (40), until the person pays all arrearages in full or makes payment
7 arrangements that are satisfactory to the court, except that the suspension period
8 may not exceed 5 years. If otherwise eligible, the person is eligible for an
9 occupational license under s. 343.10 at any time.

10 **SECTION 444.** 767.305 of the statutes, as affected by 1997 Wisconsin Act 27, is
11 amended to read:

12 **767.305 Enforcement; contempt proceedings.** In all cases where a party
13 has incurred a financial obligation under s. 48.355 (2) (b) 4., 48.357 (5m), 48.363 (2),
14 767.23, 767.25, 767.255, 767.26, 767.261, 767.262, 767.293, 767.458 (3), 767.477,
15 767.51, 767.62 (4), 938.183 (4), 938.355 (2) (b) 4., 938.357 (5m) or 938.363 (2) and has
16 failed within a reasonable time or as ordered by the court to satisfy such obligation,
17 and where the wage assignment proceeding under s. 767.265 and the account
18 transfer under s. 767.267 are inapplicable, impractical or unfeasible, the court may
19 on its own initiative, and shall on the application of the receiving party, issue an order
20 requiring the payer to show cause at some reasonable time therein specified why he
21 or she should not be punished for such misconduct as provided in ch. 785.

22 **SECTION 445.** 767.32 (1) (b) 4. of the statutes is amended to read:

23 767.32 (1) (b) 4. A difference between the amount of child support ordered by
24 the court to be paid by the payer and the amount that the payer would have been
25 required to pay based on the percentage standard established by the department

SENATE BILL 494**SECTION 445**

1 under s. 49.22 (9) if the court did not use the percentage standard in determining the
2 child support payments and did not provide the information required under s. 46.10
3 (14) (d), 767.25 (1n) ~~or~~, 767.51 (5d) or 767.62 (4) (f), whichever is appropriate.

4 **SECTION 446.** 767.32 (2m) of the statutes is amended to read:

5 767.32 (2m) Upon request by a party, the court may modify the amount of
6 revised child support payments determined under sub. (2) if, after considering the
7 factors listed in s. 767.25 (1m) ~~or~~, 767.51 (5) or 767.62 (4) (e), as appropriate, the court
8 finds, by the greater weight of the credible evidence, that the use of the percentage
9 standard is unfair to the child or to any of the parties.

10 **SECTION 447.** 767.32 (2s) of the statutes is amended to read:

11 767.32 (2s) In an action under sub. (1), the court may not approve a stipulation
12 for the revision of a judgment or order with respect to an amount of child support or
13 family support unless the stipulation provides for payment of an amount of child
14 support or family support that is determined in the manner required under s. 46.10
15 (14), 767.25 ~~or~~, 767.51 or 767.62 (4), whichever is appropriate.

16 **SECTION 448.** 767.37 (1) (a) of the statutes is amended to read:

17 767.37 (1) (a) In any action affecting the family, if the court orders maintenance
18 payments or other allowances for a party or children or retains jurisdiction in such
19 matters, the written judgment shall include a provision that disobedience of the
20 court order with respect to the same is punishable under ch. 785 by commitment to
21 the county jail or house of correction until such judgment is complied with and the
22 costs and expenses of the proceedings are paid or until the party committed is
23 otherwise discharged, according to law. The written judgment in any action affecting
24 the family shall include the social security numbers of the parties and of any child
25 of the parties. The findings of fact and conclusions of law and the written judgment

SENATE BILL 494**SECTION 448**

1 shall be drafted by the attorney for the moving party, and shall be submitted to the
2 court and filed with the clerk of the court within 30 days after judgment is granted;
3 but if the respondent has been represented by counsel, the findings, conclusions and
4 judgment shall first be submitted to respondent's counsel for approval and if the
5 family court commissioner has appeared at the trial of the action, such papers shall
6 also be sent to the family court commissioner for approval. After any necessary
7 approvals are obtained, the findings of fact, conclusions of law and judgment shall
8 be submitted to the court. Final stipulations of the parties may be appended to the
9 judgment and incorporated by reference therein.

10 **SECTION 449.** 767.45 (1) (intro.) of the statutes is amended to read:

11 767.45 (1) (intro.) The following persons may bring an action or motion,
12 including an action or motion for declaratory judgment, for the purpose of
13 determining the paternity of a child or for the purpose of rebutting the presumption
14 of paternity under s. 891.405 or 891.41 (1):

15 **SECTION 450.** 767.45 (1) (c) of the statutes is amended to read:

16 767.45 (1) (c) ~~A~~ Unless s. 767.62 (1) applies, a man presumed to be the child's
17 father under s. 891.405 or 891.41 (1).

18 **SECTION 451.** 767.45 (1) (k) of the statutes is amended to read:

19 767.45 (1) (k) In conjunction with the filing of a petition for visitation with
20 respect to the child under s. 767.245 (3), a parent of a person who has filed a
21 declaration of paternal interest under s. 48.025 ~~or~~ with respect to the child or a
22 parent of a person who, before April 1, 1998, signed and filed a statement
23 acknowledging paternity under s. 69.15 (3) (b) 3. with respect to the child.

24 **SECTION 452.** 767.45 (5) (b) of the statutes is amended to read:

SENATE BILL 494**SECTION 452**

1 767.45 (5) (b) An action under this section may be joined with any other action
2 for child support and shall be governed by the procedures specified in s. 767.05
3 relating to child support, except that the title of the action shall be “In re the
4 paternity of A.B.” The petition shall state the name and date of birth of the child if
5 born or that the mother is pregnant if the child is unborn, the name of any alleged
6 father, whether or not an action by any of the parties to determine the paternity of
7 the child or rebut the presumption of paternity to the child has at any time been
8 commenced, or is pending before any judge or court commissioner, in this state or
9 elsewhere. If a paternity judgment has been rendered, or if a paternity action has
10 been dismissed, the petition shall state the court which rendered the judgment or
11 dismissed the action, and the date and the place the judgment was granted if known.
12 The petition shall also give notice of a party’s right to request a genetic test under
13 s. 49.225 or 767.48.

14 **SECTION 453.** 767.45 (5m) of the statutes is amended to read:

15 767.45 (5m) Except as provided in ss. 767.458 (3), 767.465 (2) and (2m),
16 767.477, 767.62 and 769.401, unless a man is either presumed the child’s father
17 under s. 891.41 ~~or~~ (1), is adjudicated the child’s father either under s. 767.51 or by
18 final order or judgment of a court of competent jurisdiction in another state or has
19 acknowledged himself to be the child’s father, no order or temporary order may be
20 entered for child support, legal custody or physical placement until the man is
21 adjudicated the father using the procedure set forth in ss. 767.45 to 767.60. Except
22 as provided in ss. 767.477, 767.62 and 769.401, the exclusive procedure for
23 establishment of child support obligations, legal custody or physical placement
24 rights for a man who is ~~neither~~ not presumed the child’s father under s. 891.41 ~~nor~~
25 (1), adjudicated the father or acknowledged to be the father is by an action under ss.

SENATE BILL 494

1 767.45 to 767.60 or under s. 769.701. No person may waive the use of this procedure.
2 If a presumption under s. 891.41 (1) exists, a party denying paternity has the burden
3 of rebutting the presumption.

4 **SECTION 454.** 767.45 (6m) of the statutes is amended to read:

5 767.45 **(6m)** The attorney designated under sub. (6) (a) shall commence an
6 action under this section on behalf of the state within 6 months after receiving
7 notification under s. 69.03 (15) that no father is named on the birth certificate of a
8 child who is a resident of the county if paternity has not been adjudicated or
9 acknowledged, except in situations under s. 69.14 (1) (g) and (h) and as provided by
10 the department by rule.

11 **SECTION 455.** 767.45 (6p) of the statutes is repealed.

12 **SECTION 456.** 767.455 (5g) (form) 2. of the statutes is amended to read:

13 767.455 **(5g)** (form) 2. You have the right to be represented by an attorney. If
14 you are unable to afford an attorney, the court will appoint one for you only ~~upon one~~
15 ~~or more of the genetic tests taken during the proceedings showing~~ if the results of one
16 or more genetic tests show that you are excluded as the father and that the statistical
17 probability of your being the father is less than 99.0%. In order to determine whether
18 you are entitled to have an attorney appointed for you, you may call the following
19 telephone number

20 **SECTION 457.** 767.455 (5g) (form) 3. of the statutes is amended to read:

21 767.455 **(5g)** (form) 3. You may request genetic tests which will indicate the
22 probability that you are or are not the father of the child. The court or county child
23 support agency will order genetic tests on request by you, the state or any other party.
24 Any person who refuses to take court-ordered genetic tests may be punished for
25 contempt of court.

SENATE BILL 494**SECTION 458**

1 **SECTION 458.** 767.455 (5g) (form) 7. of the statutes is amended to read:

2 767.455 **(5g)** (form) 7. If you fail to appear at any stage of the proceeding,
3 including a scheduled court-ordered genetic test, the court will enter a default
4 judgment finding you to be the father. A default judgment will take effect 30 days
5 after it is served on or mailed to you at your address on file with the court, unless
6 within those 30 days you present to the court evidence of good cause for your failure
7 to appear or your failure to have undergone a court-ordered genetic test. You need
8 not appear at the time and place specified in the summons if you complete the
9 attached waiver of first appearance statement and deliver it to the court by the date
10 specified in the waiver of first appearance statement.

11 **SECTION 459.** 767.455 (5r) (form) 2. of the statutes is amended to read:

12 767.455 **(5r)** (form) 2. I understand that I will be notified by the court of all
13 future stages in the proceeding and agree to appear at those stages. If I fail to appear
14 at any stage, including a scheduled court-ordered genetic test, the court will enter
15 a default judgment finding me to be the father. A default judgment will take effect
16 30 days after it is served on or mailed to me, unless within those 30 days I present
17 to the court evidence of good cause for my failure to appear or my failure to have
18 undergone a court-ordered genetic test.

19 **SECTION 460.** 767.458 (1) (d) of the statutes is amended to read:

20 767.458 **(1)** (d) Except as provided ~~under sub. in subs.~~ (1m) and (2), the court
21 will order genetic tests upon the request of any party; and

22 **SECTION 461.** 767.458 (2) of the statutes is amended to read:

23 767.458 **(2)** At the first appearance, if it appears from a sufficient petition or
24 affidavit of the child's mother or an alleged father, or from sworn testimony of the
25 child's mother or an alleged father, that there is probable cause to believe that any

SENATE BILL 494**SECTION 461**

1 of the males named has had sexual intercourse with the mother during a possible
2 time of the child's conception, the court may, or upon the request of any party shall,
3 order any of the named persons to submit to genetic tests. The tests shall be
4 conducted in accordance with s. 767.48. The court is not required to order a person
5 who has undergone a genetic test under s. 49.225 to submit to another genetic test
6 under this subsection unless a party requests additional tests under s. 767.48 (2).

7 **SECTION 462.** 767.458 (3) of the statutes is amended to read:

8 767.458 (3) At the first appearance, if a statement acknowledging paternity
9 under s. 69.15 (3) (b) 1. or 3. that was signed and filed before April 1, 1998, is on file,
10 the court may enter an order for child support, legal custody or physical placement
11 and, if the respondent who filed the statement does not dispute his paternity, may
12 enter a judgment of paternity.

13 **SECTION 463.** 767.465 (1m) of the statutes is created to read:

14 767.465 (1m) JUDGMENT WHEN MOTHER FAILS TO APPEAR. Notwithstanding sub.
15 (1), a court may enter an order adjudicating the alleged father, or man alleging that
16 he is the father, to be the father of the child under s. 767.51 if the mother of the child
17 fails to appear at the first appearance, unless the first appearance is not required
18 under s. 767.457 (2), scheduled genetic test, pretrial hearing or trial if sufficient
19 evidence exists to establish the man as the father of the child.

20 **SECTION 464.** 767.465 (2) (a) of the statutes is amended to read:

21 767.465 (2) (a) Except as provided in sub. (2m), if a respondent is the alleged
22 father and fails to appear at the first appearance, unless the first appearance is not
23 required under s. 767.457 (2), scheduled court-ordered genetic test, pretrial hearing
24 or trial, the court shall enter an order adjudicating the respondent to be the father
25 and appropriate orders for support, legal custody and physical placement. The

SENATE BILL 494**SECTION 464**

1 orders shall be either served on the respondent or mailed by regular, registered or
2 certified mail, to the last-known address of the respondent. The orders shall take
3 effect 30 days after service or 30 days after the date on which the orders were mailed
4 unless, within that time, the respondent presents to the court or court commissioner
5 under s. 757.69 (3) (g) evidence of good cause for failure to appear or failure to have
6 undergone a court-ordered genetic test.

7 **SECTION 465.** 767.466 (intro.) of the statutes is amended to read:

8 **767.466 Motion to reopen judgment based on statement**
9 **acknowledging paternity.** (intro.) A judgment which adjudicates a person to be
10 the father of a child and which was based upon a statement acknowledging paternity
11 that was signed and filed before April 1, 1998, may, if no trial was conducted, be
12 reopened under any of the following circumstances:

13 **SECTION 466.** 767.47 (1) (c) of the statutes is amended to read:

14 767.47 (1) (c) Genetic test results under ss. 49.225, 767.48 or 885.23.

15 **SECTION 467.** 767.47 (3) of the statutes is amended to read:

16 767.47 (3) ~~In~~ Except as provided in s. 767.48 (4), in an action against an alleged
17 father, evidence offered by him with respect to an identified man who is not subject
18 to the jurisdiction of the court concerning that man's sexual intercourse with the
19 mother at or about the presumptive time of conception of the child is admissible in
20 evidence only after the alleged father has undergone genetic tests and made the
21 results available to the court ~~genetic tests as provided in s. 767.48.~~

22 **SECTION 468.** 767.47 (8) of the statutes is amended to read:

23 767.47 (8) The party bringing an action for the purpose of determining
24 paternity or for the purpose of declaring the nonexistence of paternity presumed

SENATE BILL 494**SECTION 468**

1 under s. 891.405 or 891.41 (1) shall have the burden of proving the issues involved
2 by clear and satisfactory preponderance of the evidence.

3 **SECTION 469.** 767.47 (11) of the statutes is created to read:

4 767.47 (11) Bills for services or articles related to the pregnancy, childbirth or
5 genetic testing may be admitted into evidence and are prima facie evidence of the
6 costs incurred for such services or articles.

7 **SECTION 470.** 767.475 (2) of the statutes is amended to read:

8 767.475 (2) Presumption of paternity shall be as provided in ss. 891.39, 891.405
9 and 891.41 (1).

10 **SECTION 471.** 767.477 of the statutes is created to read:

11 **767.477 Temporary orders. (1)** At any time during the pendency of an action
12 to establish the paternity of a child, if genetic tests show that the alleged father is
13 not excluded and that the statistical probability of the alleged father's parentage is
14 99.0% or higher, on the motion of a party, the court shall make an appropriate
15 temporary order for the payment of child support and may make a temporary order
16 assigning responsibility for and directing the manner of payment of the child's health
17 care expenses.

18 **(2)** Before making any temporary order under sub. (1), the court shall consider
19 those factors that the court is required under s. 767.51 to consider when granting a
20 final judgment on the same subject matter. If the court makes a temporary child
21 support order that deviates from the amount of support that would be required by
22 using the percentage standard established by the department under s. 49.22 (9), the
23 court shall comply with the requirements of s. 767.51 (5d).

24 **SECTION 472.** 767.48 (1) (a) of the statutes is amended to read:

SENATE BILL 494**SECTION 472**

1 767.48 (1) (a) The court may, and upon request of a party shall, require the
2 child, mother, any male for whom there is probable cause to believe that he had
3 sexual intercourse with the mother during a possible time of the child's conception,
4 or any male witness who testifies or will testify about his sexual relations with the
5 mother at a possible time of conception to submit to genetic tests. Probable cause of
6 sexual intercourse during a possible time of conception may be established by a
7 sufficient petition or affidavit of the child's mother or an alleged father, filed with the
8 court, or after an examination under oath of a complainant party or witness, when
9 the court determines such an examination is necessary. The court is not required to
10 order a person who has undergone a genetic test under s. 49.225 to submit to another
11 test under this paragraph unless a party requests additional tests under sub. (2).

12 **SECTION 473.** 767.48 (1m) of the statutes is amended to read:

13 767.48 (1m) ~~Under sub. (1), if the~~ If genetic tests ordered under this section or
14 s. 49.225 show that the alleged father is not excluded and that the statistical
15 probability of the alleged father's parentage is 99.0% or higher, the alleged father
16 shall be rebuttably presumed to be the child's parent.

17 **SECTION 474.** 767.48 (4) of the statutes is amended to read:

18 767.48 (4) Whenever the results of the genetic tests exclude the an alleged
19 father as the father of the child, this evidence shall be conclusive evidence of
20 nonpaternity and the court shall dismiss the any paternity action with respect to that
21 alleged father. Whenever the results of the genetic tests exclude any male witness
22 from possible paternity, the tests shall be conclusive evidence of nonpaternity of the
23 male witness. Testimony relating to sexual intercourse or possible sexual
24 intercourse of the mother with any person excluded as a possible father, as a result
25 of a genetic test, is inadmissible as evidence. If any party refuses to submit to a

SENATE BILL 494**SECTION 474**

1 genetic test, this fact shall be disclosed to the fact finder. ~~This refusal~~ Refusal to
2 submit to a genetic test ordered by the court is a contempt of the court for failure to
3 produce evidence under s. 767.47 (5). If the action was brought by the child's mother
4 but she refuses to submit herself or the child to genetic tests, the action shall be
5 dismissed.

6 **SECTION 475.** 767.48 (5) (a) of the statutes is amended to read:

7 767.48 (5) (a) ~~At~~ Except as provided in par. (b), at the close of the proceeding
8 the court may order either or both parties to reimburse the county if the court finds
9 that they have sufficient resources to pay the costs of the genetic tests.

10 **SECTION 476.** 767.48 (5) (b) of the statutes is amended to read:

11 767.48 (5) (b) If 2 or more identical series of genetic tests are performed upon
12 the same person, regardless of whether the tests were ordered under this section or
13 s. 49.225 or 767.458 (2), the court ~~may~~ shall require the person requesting the 2nd
14 or subsequent series of tests to pay for it in advance, unless the court finds that the
15 person is indigent.

16 **SECTION 477.** 767.51 (1) of the statutes is amended to read:

17 767.51 (1) The A judgment or order of the court determining the existence or
18 nonexistence of paternity is determinative for all purposes.

19 **SECTION 478.** 767.51 (2) of the statutes is amended to read:

20 767.51 (2) The clerk of court shall file with the state registrar, within 30 days
21 after the entry of the order or judgment, a report showing the names, dates and birth
22 places of the child and the father, the social security numbers of the mother, father
23 and child and the maiden name of the mother on a form designated by the state
24 registrar, along with the fee set forth in s. 69.22 (5), which the clerk of court shall
25 collect.

SENATE BILL 494**SECTION 479**

1 **SECTION 479.** 767.51 (2) of the statutes is amended to read:

2 767.51 (2) The clerk of court shall file with the state registrar, within 30 days
3 after the entry of ~~the order or a judgment~~ or order determining paternity, a report
4 showing the names, dates and birth places of the child and the father and the maiden
5 name of the mother on a form designated by the state registrar, along with the fee
6 set forth in s. 69.22 (5), which the clerk of court shall collect.

7 **SECTION 480.** 767.51 (3) of the statutes is amended to read:

8 767.51 (3) ~~The~~ A judgment or order determining paternity may contain any
9 other provision directed against the appropriate party to the proceeding, concerning
10 the duty of support, the legal custody and guardianship of the child, periods of
11 physical placement, the furnishing of bond or other security for the payment of the
12 judgment, or any other matter in the best interest of the child. ~~Unless the court~~
13 ~~orders otherwise, if~~ If there is no presumption of paternity under s. 891.41 (1) and
14 the father does not request custody of the child, the mother shall have sole legal
15 custody of the child. If the father requests custody of the child, the court shall
16 determine legal custody in the manner provided in s. 767.24 (1) to (3) and (5). The
17 court shall determine physical placement rights in the manner provided in s. 767.24
18 (1), (4) and (5). The court shall order either party or both to pay for the support of
19 any child of the parties who is less than 18 years old, or any child of the parties who
20 is less than 19 years old and if the child is pursuing an accredited course of
21 instruction leading to the acquisition of a high school diploma or its equivalent. The
22 judgment or order may direct the father to pay or contribute to the reasonable
23 expenses of the mother's pregnancy and confinement during pregnancy and may
24 direct either party to pay or contribute to the costs of genetic tests, attorney fees and

SENATE BILL 494**SECTION 480**

1 other costs. Contributions to the costs of genetic tests shall be paid to the county
2 which paid for the genetic tests.

3 **SECTION 481.** 767.51 (3m) (d) 2. of the statutes, as affected by 1997 Wisconsin
4 Act 27, is amended to read:

5 767.51 (3m) (d) 2. Provide family coverage of health care expenses for the child,
6 if eligible for coverage, upon application by the parent, the child's other parent, the
7 department or the county child support agency under s. 59.53 (5), or upon receiving
8 a notice under par. (f) 1.

9 **SECTION 482.** 767.51 (3m) (d) 2m. of the statutes is created to read:

10 767.51 (3m) (d) 2m. Inform the county child support agency under s. 59.53 (5)
11 when coverage of the child under the health benefit plan is in effect and, upon
12 request, provide copies of necessary program or policy identification to the child's
13 other parent.

14 **SECTION 483.** 767.51 (3m) (f) of the statutes is created to read:

15 767.51 (3m) (f) 1. If a parent who provides coverage of the health care expenses
16 of a child under an order under this subsection changes employers and that parent
17 has a court-ordered child support obligation with respect to the child, the county
18 child support agency under s. 59.53 (5) shall provide notice of the order to provide
19 coverage of the child's health care expenses to the new employer and to the parent.

20 2. The notice provided to the parent shall inform the parent that coverage for
21 the child under the new employer's health benefit plan will be in effect upon the
22 employer's receipt of the notice. The notice shall inform the parent that he or she
23 may, within 10 days after receiving the notice, by motion request a hearing before the
24 court on the issue of whether the order to provide coverage of the child's health care
25 expenses should remain in effect. A motion under this subdivision may be heard by

SENATE BILL 494**SECTION 483**

1 a family court commissioner. If the parent requests a hearing and the court or family
2 court commissioner determines that the order to provide coverage of the child's
3 health care expenses should not remain in effect, the court shall provide notice to the
4 employer that the order is no longer in effect.

5 **SECTION 484.** 767.51 (5p) (intro.) of the statutes is amended to read:

6 767.51 **(5p)** (intro.) A party ordered to pay child support under this section
7 shall pay simple interest at the rate of 1.5% per month on any amount unpaid,
8 commencing the first day of the ~~2nd~~ 4th month after the month in which the amount
9 was due. Interest shall not accrue on amounts not paid on time but paid on or before
10 the first day of the 4th month after the month in which the amount was due. Interest
11 under this subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4)
12 or 815.05 (8) and is paid to the clerk of court or support collection designee under s.
13 767.29. Except as provided in s. 767.29 (1m), the clerk of court or support collection
14 designee, whichever is appropriate, shall apply all payments received for child
15 support as follows:

16 **SECTION 485.** 767.51 (5p) (intro.) of the statutes, as affected by 1997 Wisconsin
17 Acts 27 and (this act), is repealed and recreated to read:

18 767.51 **(5p)** (intro.) A party ordered to pay child support under this section
19 shall pay simple interest at the rate of 1.5% per month on any amount unpaid,
20 commencing the first day of the 4th month after the month in which the amount was
21 due. Interest shall not accrue on amounts not paid on time but paid on or before the
22 first day of the 4th month after the month in which the amount was due. Interest
23 shall not accrue on amounts not paid on time but paid on or before the first day of
24 the 4th month after the month in which the amount was due. Interest under this
25 subsection is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8)

SENATE BILL 494**SECTION 485**

1 and is paid to the department or its designee under s. 767.29. Except as provided in
2 s. 767.29 (1m), the department or its designee, whichever is appropriate, shall apply
3 all payments received for child support as follows:

4 **SECTION 486.** 767.51 (5p) (a) of the statutes is amended to read:

5 767.51 **(5p)** (a) First, to payment of child support ~~due within the calendar~~
6 ~~month during which the payment is withheld from income under s. 767.265 or under~~
7 ~~similar laws of another state. If payment is not made through income withholding,~~
8 ~~the clerk or support collection designee, whichever is appropriate, shall first apply~~
9 ~~child support payments received to payment of child support due within the calendar~~
10 month during which the payment is received.

11 **SECTION 487.** 767.52 (2m) of the statutes is amended to read:

12 767.52 **(2m)** Representation by an attorney appointed under sub. (1) shall be
13 provided only after the results of any genetic tests ~~that were ordered by the court~~
14 have been completed and only if all of the results fail to show that the alleged father
15 is excluded and fail to give rise to the rebuttable presumption under s. 767.48 (1m)
16 that the alleged father is the father of the child. ~~genetic~~

17 **SECTION 488.** 767.62 of the statutes is repealed and recreated to read:

18 **767.62 Voluntary acknowledgment of paternity. (1) CONCLUSIVE**
19 **DETERMINATION OF PATERNITY.** A statement acknowledging paternity that is on file
20 with the state registrar under s. 69.15 (3) (b) 3. after the last day on which a person
21 may timely rescind the statement, as specified in s. 69.15 (3m), is a conclusive
22 determination, which shall be of the same effect as a judgment, of paternity.

23 **(2) RESCISSION OF ACKNOWLEDGMENT.** (a) Any person who signs a statement
24 acknowledging paternity that is filed with the state registrar under s. 69.15 (3) (b)
25 3. may rescind the statement as provided in s. 69.15 (3m).

SENATE BILL 494**SECTION 488**

1 (b) If a statement acknowledging paternity is timely rescinded by either person
2 who signed the statement, a court or family court commissioner may not enter an
3 order specified in sub. (4) with respect to the man who signed the statement unless
4 the man is adjudicated the child's father using the procedures set forth in ss. 767.45
5 to 767.60.

6 **(3) ACTIONS WHEN PATERNITY ACKNOWLEDGED.** (a) An action affecting the family
7 under s. 767.02 (1) (e), (f) or (k) may be brought with respect to persons who, with
8 respect to a child, jointly signed and filed with the state registrar under s. 69.15 (3)
9 (b) 3. a statement acknowledging paternity that has not been timely rescinded.

10 (b) Except as provided in s. 767.045, in an action specified in par. (a) the court
11 or family court commissioner may appoint a guardian ad litem for the child and shall
12 appoint a guardian ad litem for a party who is a minor, unless the minor party is
13 represented by an attorney.

14 **(4) ORDERS WHEN PATERNITY ACKNOWLEDGED.** (a) In an action under sub. (3) (a),
15 if the persons who signed and filed the statement acknowledging paternity had
16 notice of the hearing, the court or family court commissioner may make an order that
17 contains any provision directed against the appropriate party to the proceeding
18 concerning the duty of support, the legal custody or guardianship of the child, periods
19 of physical placement, the furnishing of bond or other security for the payment of
20 amounts under the order or any other matter in the best interest of the child. If there
21 is no presumption of paternity under s. 891.41 (1) and the father does not request
22 custody of the child, the mother shall have sole legal custody of the child. If the father
23 requests custody of the child, the court or family court commissioner shall determine
24 legal custody in the manner provided in s. 767.24 (1) to (3) and (5). The court or family
25 court commissioner shall determine physical placement rights in the manner

SENATE BILL 494**SECTION 488**

1 provided in s. 767.24 (1), (4) and (5). The court or family court commissioner shall
2 order either party or both to pay for the support of any child of the parties who is less
3 than 18 years old, or any child of the parties who is less than 19 years old if the child
4 is pursuing an accredited course of instruction leading to the acquisition of a high
5 school diploma or its equivalent. The order may direct the father to pay or contribute
6 to the reasonable expenses of the mother's pregnancy and confinement during
7 pregnancy and may direct either party to pay or contribute to the costs of attorney
8 fees or other costs.

9 (b) 1. In this paragraph, "health insurance" does not include medical assistance
10 provided under subch. IV of ch. 49.

11 2. In addition to ordering child support for a child under par. (a), the court or
12 family court commissioner shall specifically assign responsibility for and direct the
13 manner of payment of the child's health care expenses. In assigning responsibility
14 for a child's health care expenses, the court or family court commissioner shall
15 consider whether a child is covered under a parent's health insurance policy or plan
16 at the time the court enters an order under this paragraph, the availability of health
17 insurance to each parent through an employer or other organization, the extent of
18 coverage available to a child and the costs to the parent for the coverage of the child.
19 A parent may be required to initiate or continue health care insurance coverage for
20 a child under this subdivision. If a parent is required to do so, he or she shall provide
21 copies of necessary program or policy identification to the other parent and is liable
22 for any health care costs for which he or she receives direct payment from an insurer.
23 This paragraph may not be construed to limit the authority of the court or family
24 court commissioner to enter or modify support orders containing provisions for

SENATE BILL 494**SECTION 488**

1 payment of medical expenses, medical costs, or insurance premiums that are in
2 addition to and not inconsistent with this paragraph.

3 3. a. In directing the manner of payment of a child's health care expenses, the
4 court or family court commissioner may order that payment, including payment for
5 health insurance premiums, be withheld from income and sent to the appropriate
6 health care insurer, provider or plan, as provided in s. 767.265 (3h), or sent to the
7 clerk of court or support collection designee, whichever is appropriate, for
8 disbursement to the person for whom the payment has been awarded if that person
9 is not a health care insurer, provider or plan. If the court or family court
10 commissioner orders income withholding and assignment for the payment of health
11 care expenses, the court or family court commissioner shall send notice of
12 assignment in the manner provided under s. 767.265 (2r) and may include that notice
13 of assignment with a notice of assignment under s. 767.265. The clerk of court shall
14 keep a record of all moneys received and disbursed by the clerk for health care
15 expenses that are directed to be paid to the clerk and the support collection designee
16 shall keep a record of all moneys received and disbursed by the support collection
17 designee for health care expenses that are directed to be paid to the support collection
18 designee.

19 b. If the court or family court commissioner orders a parent to initiate or
20 continue health insurance coverage for a child under a health insurance policy that
21 is available to the parent through an employer or other organization but the court
22 or family court commissioner does not specify the manner in which payment of the
23 health insurance premiums shall be made, the clerk of court may provide notice of
24 assignment in the manner provided under s. 767.265 (2r) for the withholding from
25 income of the amount necessary to pay the health insurance premiums. That notice

SENATE BILL 494

1 of assignment may be sent with or included as part of any other notice of assignment
2 under s. 767.265, if appropriate. A person who receives the notice of assignment shall
3 send the withheld health insurance premiums to the appropriate health care
4 insurer, provider or plan, as provided in s. 767.265 (3h).

5 4. If the court or family court commissioner orders a parent to provide coverage
6 of the health care expenses of the parent's child and the parent is eligible for family
7 coverage of health care expenses under a health benefit plan that is provided by an
8 employer on an insured or on a self-insured basis, the employer shall do all of the
9 following:

10 a. Permit the parent to obtain family coverage of health care expenses for the
11 child, if eligible for coverage, without regard to any enrollment period or waiting
12 period restrictions that may apply.

13 b. Provide family coverage of health care expenses for the child, if eligible for
14 coverage, upon application by the parent, the child's other parent, the department
15 or the county child support agency under s. 59.53 (5), or upon receiving a notice under
16 subd. 6.

17 bm. Inform the county child support agency under s. 59.53 (5) when coverage
18 of the child under the health benefit plan is in effect and, upon request, provide copies
19 of necessary program or policy identification to the child's other parent.

20 c. After the child has coverage under the employer's health benefit plan, and
21 as long as the parent is eligible for family coverage under the employer's health
22 benefit plan, continue to provide coverage for the child unless the employer receives
23 satisfactory written evidence that the order of the court or family court commissioner
24 is no longer in effect or that the child has coverage of health care expenses under

SENATE BILL 494**SECTION 488**

1 another health insurance policy or health benefit plan that provides comparable
2 coverage of health care expenses.

3 5. a. If a parent who has been ordered by a court or family court commissioner
4 to provide coverage of the health care expenses of a child who is eligible for medical
5 assistance under subch. IV of ch. 49 receives payment from a 3rd party for the cost
6 of services provided to the child but does not pay the health care provider for the
7 services or reimburse the department or any other person who paid for the services
8 on behalf of the child, the department may obtain a judgment against the parent for
9 the amount of the 3rd party payment.

10 b. Section 767.265 (4) applies to a garnishment based on a judgment obtained
11 under subd. 5. a.

12 6. a. If a parent who provides coverage of the health care expenses of a child
13 under an order under this paragraph changes employers and that parent has a
14 court-ordered child support obligation with respect to the child, the county child
15 support agency under s. 59.53 (5) shall provide notice of the order to provide coverage
16 of the child's health care expenses to the new employer and to the parent.

17 b. The notice provided to the parent shall inform the parent that coverage for
18 the child under the new employer's health benefit plan will be in effect upon the
19 employer's receipt of the notice. The notice shall inform the parent that he or she
20 may, within 10 days after receiving the notice, by motion request a hearing before the
21 court on the issue of whether the order to provide coverage of the child's health care
22 expenses should remain in effect. A motion under this subd. 6. b. may be heard by
23 a family court commissioner. If the parent requests a hearing and the court or family
24 court commissioner determines that the order to provide coverage of the child's

SENATE BILL 494

1 health care expenses should not remain in effect, the court shall provide notice to the
2 employer that the order is no longer in effect.

3 (c) 1. In making an order of legal custody under par. (a), the court or family court
4 commissioner shall require a parent who is not granted legal custody to provide to
5 the court medical and medical history information that is known to the parent. If the
6 court or family court commissioner orders joint legal custody, the court or family
7 court commissioner shall require each parent to provide to the court medical and
8 medical history information that is known to the parent. The court shall keep the
9 information confidential and may release it only as provided in this paragraph. The
10 information provided shall include all of the following:

11 a. The known medical history of the parent providing the information,
12 including specific information about stillbirths or congenital anomalies in the
13 parent's family, and the medical histories, if known, of the parents and siblings of the
14 parent and any sibling of the child who is a child of the parent, except that medical
15 history information need not be provided for a sibling of the child if the parent or
16 other person who is granted legal custody of the child also has legal custody,
17 including joint legal custody, of that sibling.

18 b. A report of any medical examination that the parent providing the
19 information had within one year before the date of the order.

20 2. Upon the joint written request of a physician and a parent or other person
21 with legal custody of the child, the court shall release the information provided under
22 subd. 1. to a physician designated in the request. The physician joining in the request
23 need not be the same physician designated in the request. The physician to whom
24 the information is released shall keep the information confidential, but may release
25 to the parent or other person with legal custody who made the request under this

SENATE BILL 494**SECTION 488**

1 subdivision only that portion of the information that the physician determines is
2 relevant to the child's medical condition.

3 (d) 1. Except as provided in par. (e), the court or family court commissioner shall
4 determine child support payments under par. (a) by using the percentage standard
5 established by the department under s. 49.22 (9).

6 2. In determining child support payments under par. (a), the court or family
7 court commissioner may consider all relevant financial information or other
8 information relevant to the parent's earning capacity, including information
9 reported under s. 49.22 (2m) to the department or the county child support agency
10 under s. 59.53 (5).

11 3. Support orders under par. (a) ordinarily shall be for periodic payments which
12 may vary in amount if appropriate. The payment amount may be expressed as a
13 percentage of the parent's income or as a fixed sum, or as a combination of both in
14 the alternative by requiring payment of the greater or lesser of either a percentage
15 of the parent's income or a fixed sum. The father's liability for past support of the
16 child shall be limited to support for the period after the birth of the child.

17 (e) Upon request by a party, the court or family court commissioner may modify
18 the amount of child support payments determined under par. (d) if, after considering
19 the following factors, the court or family court commissioner finds by the greater
20 weight of the credible evidence that use of the percentage standard is unfair to the
21 child or to the requesting party:

22 1. The needs of the child.

23 2. The physical, mental and emotional health needs of the child, including any
24 costs for health insurance as provided for under par. (b).

SENATE BILL 494

1 3. The standard of living and circumstances of the parents, including whether
2 a parent receives maintenance payments under s. 767.26 and the needs of each party
3 in order to support himself or herself at a level equal to or greater than that
4 established under 42 USC 9902 (2).

5 4. The relative financial means of the parents.

6 5. The earning capacity of each parent, based on each parent's education,
7 training and work experience and based on the availability of work in or near the
8 parent's community.

9 6. The need and capacity of the child for education, including higher education.

10 7. The age of the child.

11 8. The financial resources and the earning ability of the child.

12 9. Any physical custody arrangement ordered or decided upon.

13 10. Extraordinary travel expenses incurred in exercising the right to periods
14 of physical placement.

15 11. The responsibility of the parents for the support of others.

16 12. The value of services contributed by the custodial parent.

17 13. The best interests of the child.

18 14. Any other factors that the court or family court commissioner in each case
19 determines are relevant to the best interests of the child.

20 (f) If the court or family court commissioner finds under par. (e) that use of the
21 percentage standard is unfair to the child or the requesting party, the court or family
22 court commissioner shall state in writing or on the record the amount of support that
23 would be required by using the percentage standard, the amount by which the court's
24 or family court commissioner's order deviates from that amount, the reasons for

SENATE BILL 494**SECTION 488**

1 finding that use of the percentage standard is unfair to the child or the party, the
2 reasons for the amount of the modification and the basis for the modification.

3 (g) A party ordered to pay child support under this subsection shall pay simple
4 interest at the rate of 1.5% per month on any amount unpaid, commencing the first
5 day of the 4th month after the month in which the amount was due. Interest shall
6 not accrue on amounts not paid on time but paid on or before the first day of the 4th
7 month beginning after the month in which the amount was due. Interest under this
8 paragraph is in lieu of interest computed under s. 807.01 (4), 814.04 (4) or 815.05 (8)
9 and is paid to the clerk of court or support collection designee under s. 767.29. Except
10 as provided in s. 767.29 (1m), the clerk of court or support collection designee,
11 whichever is appropriate, shall apply all payments received for child support as
12 follows:

13 1. First, to payment of child support due within the calendar month during
14 which the payment is received.

15 2. Second, to payment of unpaid child support due before the payment is
16 received.

17 3. Third, to payment of interest accruing on unpaid child support.

18 **(5) VOIDING DETERMINATION.** (a) A determination of paternity that arises under
19 this section may be voided at any time upon a motion or petition stating facts that
20 show fraud, duress or a mistake of fact. Except for good cause shown, any orders
21 entered under sub. (4) shall remain in effect during the pendency of a proceeding
22 under this paragraph.

23 (b) If a court in a proceeding under par. (a) determines that the man is not the
24 father of the child, the court shall vacate any order entered under sub. (4) with
25 respect to the man. The court shall notify the state registrar, in the manner provided

SENATE BILL 494**SECTION 488**

1 in s. 69.15 (1) (b), to remove the man's name as the father of the child from the child's
2 birth certificate. No paternity action may thereafter be brought against the man
3 with respect to the child.

4 **(6) APPLICABILITY.** (a) This section does not apply unless all of the following
5 apply to the statement acknowledging paternity:

6 1. The statement is made on a form prescribed by the state registrar for use
7 beginning on April 1, 1998.

8 2. The statement was signed and filed on or after April 1, 1998.

9 3. The statement contains an attestation clause showing that both parties,
10 before signing the statement, received oral and written notice of the legal
11 consequences of, the rights and responsibilities arising from and the alternatives to,
12 signing the statement.

13 (b) Parties who signed and filed a statement acknowledging paternity before
14 April 1, 1998, may sign and file a new statement that fulfills the requirements under
15 par. (a). Such a statement supersedes any statement previously filed with the state
16 registrar and has the effects specified in this section.

17 (c) The notice requirements under s. 69.15 (3) (b) 3. apply to this section
18 beginning with forms for the acknowledgment of paternity that are prescribed by the
19 state registrar on April 1, 1998.

20 **SECTION 489.** 767.62 (4) (b) 3. a. of the statutes, as affected by 1997 Wisconsin
21 Act (this act), is repealed and recreated to read:

22 767.62 (4) (b) 3. a. In directing the manner of payment of a child's health care
23 expenses, the court or family court commissioner may order that payment, including
24 payment for health insurance premiums, be withheld from income and sent to the
25 appropriate health care insurer, provider or plan, as provided in s. 767.265 (3h), or

SENATE BILL 494**SECTION 489**

1 sent to the department or its designee, whichever is appropriate, for disbursement
2 to the person for whom the payment has been awarded if that person is not a health
3 care insurer, provider or plan. If the court or family court commissioner orders
4 income withholding and assignment for the payment of health care expenses, the
5 court or family court commissioner shall send notice of assignment in the manner
6 provided under s. 767.265 (2r) and may include that notice of assignment with a
7 notice of assignment under s. 767.265. The department or its designee, whichever
8 is appropriate, shall keep a record of all moneys received and disbursed by the
9 department or its designee for health care expenses that are directed to be paid to
10 the department or its designee.

11 **SECTION 490.** 767.62 (4) (g) (intro.) of the statutes, as affected by 1997
12 Wisconsin Act (this act), is repealed and recreated to read:

13 767.62 (4) (g) (intro.) A party ordered to pay child support under this subsection
14 shall pay simple interest at the rate of 1.5% per month on any amount unpaid,
15 commencing the first day of the 4th month after the month in which the amount was
16 due. Interest shall not accrue on amounts not paid on time but paid on or before the
17 first day of the 4th month beginning after the month in which the amount was due.
18 Interest under this paragraph is in lieu of interest computed under s. 807.01 (4),
19 814.04 (4) or 815.05 (8) and is paid to the department or its designee under s. 767.29.
20 Except as provided in s. 767.29 (1m), the department or its designee, whichever is
21 appropriate, shall apply all payments received for child support as follows:

22 **SECTION 491.** 802.12 (3) (d) 1. of the statutes is amended to read:

23 802.12 (3) (d) 1. Custody and physical placement under s. 767.24, 767.458 (3),
24 767.51 (3) or 767.62 (4) (a).

25 **SECTION 492.** 802.12 (3) (d) 3. of the statutes is amended to read:

SENATE BILL 494**SECTION 492**

1 802.12 **(3)** (d) 3. Child support under s. 767.25 ~~or s.~~ 767.458 (3), 767.51 or
2 767.62 (4) (a).

3 **SECTION 493.** 808.075 (4) (d) 9. of the statutes is amended to read:

4 808.075 **(4)** (d) 9. Enforcement of payments under s. 767.30 ~~or~~ 767.51 or 767.62
5 (4).

6 **SECTION 494.** 808.075 (4) (d) 10. of the statutes is amended to read:

7 808.075 **(4)** (d) 10. Enforcement of orders under s. 767.305 ~~or~~ 767.51 or 767.62
8 (4).

9 **SECTION 495.** 808.075 (4) (d) 11. of the statutes is amended to read:

10 808.075 **(4)** (d) 11. Enforcement or modification of assignments under s. 767.25
11 (4m), 767.265 ~~or~~ 767.51 (3m) or 767.62 (4) (b) 3.

12 **SECTION 496.** 815.19 (2) of the statutes is amended to read:

13 815.19 **(2)** If the property seized is an automobile which is appraised and can
14 be sold for more than \$1,000 or if the property seized is a tractor used in farming
15 operations which is appraised and can be sold for more than \$1,500, the officer may
16 sell such automobile or tractor and out of the proceeds of such sale the officer shall
17 pay to the debtor or the debtor's spouse the exempted value of such automobile or
18 tractor. The balance of the proceeds of such sale shall be applied on the execution or
19 attachment. This subsection does not apply to automobiles or tractors levied against
20 under s. 49.854.

21 **SECTION 497.** 815.20 (1) of the statutes is amended to read:

22 815.20 **(1)** An exempt homestead as defined in s. 990.01 (14) selected by a
23 resident owner and occupied by him or her shall be exempt from execution, from the
24 lien of every judgment and from liability for the debts of the owner to the amount of
25 \$40,000, except mortgages, laborers', mechanics' and purchase money liens, liens

SENATE BILL 494**SECTION 497**

1 under s. 49.854 and taxes and except as otherwise provided. The exemption shall not
2 be impaired by temporary removal with the intention to reoccupy the premises as a
3 homestead nor by the sale of the homestead, but shall extend to the proceeds derived
4 from the sale to an amount not exceeding \$40,000, while held, with the intention to
5 procure another homestead with the proceeds, for 2 years. The exemption extends
6 to land owned by husband and wife jointly or in common or as marital property, and
7 when they reside in the same household may be claimed by either or may be divided
8 in any proportion between them, but the exemption may not exceed \$40,000 for the
9 household. If the husband and wife fail to agree on the division of exemption, the
10 exemption shall be divided between them by the court in which the first judgment
11 was taken. The exemption extends to the interest therein of tenants in common,
12 having a homestead thereon with the consent of the cotenants, and to any estate less
13 than a fee.

14 **SECTION 498.** 852.05 (2) of the statutes is amended to read:

15 852.05 (2) Property of a nonmarital child passes in accordance with s. 852.01
16 except that the father or the father's kindred can inherit only if the father has been
17 adjudicated to be the father in a paternity proceeding under ch. 767 or has been
18 determined to be the father under s. 767.62 (1).

19 **SECTION 499.** 885.01 (5) of the statutes is created to read:

20 885.01 (5) By the department of workforce development or a county child
21 support agency under s. 59.53 (5) in the administration of ss. 49.145, 49.19, 49.22,
22 49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011 to 2029.

23 **SECTION 500.** 891.39 (1) (a) of the statutes is amended to read:

24 891.39 (1) (a) Whenever it is established in an action or proceeding that a child
25 was born to a woman while she was the lawful wife of a specified man, any party

SENATE BILL 494**SECTION 500**

1 asserting in such action or proceeding that the husband was not the father of the
2 child shall have the burden of proving that assertion by a clear and satisfactory
3 preponderance of the evidence. In all such actions or proceedings the husband and
4 the wife are competent to testify as witnesses to the facts. The court or judge in such
5 cases shall appoint a guardian ad litem to appear for and represent the child whose
6 paternity is questioned. Results of a genetic test, as defined in s. 767.001 (1m),
7 showing that a man other than the husband is not excluded as the father of the child
8 and that the statistical probability of the man's parentage is 99.0% or higher
9 constitute a clear and satisfactory preponderance of the evidence of the assertion
10 under this paragraph, even if the husband is unavailable to submit to genetic tests,
11 as defined in s. 767.001 (1m).

12 **SECTION 501.** 891.405 of the statutes is amended to read:

13 **891.405 Presumption of paternity based on acknowledgment.** A man
14 is presumed to be the natural father of a child if he and the mother have
15 acknowledged paternity under s. 69.15 (3) (b) 1. or 3. and no other man is presumed
16 to be the father under s. 891.41 (1).

17 **SECTION 502.** 891.41 of the statutes is renumbered 891.41 (1), and 891.41 (1)
18 (b), as renumbered, is amended to read:

19 891.41 (1) (b) He and the child's natural mother were married to each other
20 after the child was born but he and the child's natural mother had a relationship with
21 one another during the period of time within which the child was conceived and no
22 other man has been adjudicated to be the father or presumed to be the father of the
23 child under ~~sub. (1) par. (a)~~.

24 **SECTION 503.** 891.41 (2) of the statutes is created to read:

SENATE BILL 494**SECTION 503**

1 891.41 (2) In a legal action or proceeding, a presumption under sub. (1) is
2 rebutted by results of a genetic test, as defined in s. 767.001 (1m), that show that a
3 man other than the man presumed to be the father under sub. (1) is not excluded as
4 the father of the child and that the statistical probability of the man's parentage is
5 99.0% or higher, even if the man presumed to be the father under sub. (1) is
6 unavailable to submit to genetic tests, as defined in s. 767.001 (1m).

7 **SECTION 504.** 895.48 (title) of the statutes is amended to read:

8 **895.48 (title) Civil liability exemption; emergency care, ~~health care at~~**
9 **athletic events and health care, hazardous substances and information**
10 **concerning paternity.**

11 **SECTION 505.** 895.48 (3) of the statutes is created to read:

12 895.48 (3) Any member of the staff of a hospital who is designated by the
13 hospital and trained by the department of workforce development under s. 69.14 (1)
14 (cm) and who in good faith provides to a child's available parents written information
15 that is provided by the department of workforce development and oral information
16 or an audio or video presentation about the form that is prescribed by the state
17 registrar under s. 69.15 (3) (b) 3. and about the significance and benefits of, and
18 alternatives to, establishing paternity, under the requirements of s. 69.14 (1) (cm),
19 is immune from civil liability for his or her acts or omissions in providing that oral
20 information or audio or video presentation and written information.

21 **SECTION 506.** 938.02 (13) of the statutes is amended to read:

22 938.02 (13) "Parent" means either a biological parent, a husband who has
23 consented to the artificial insemination of his wife under s. 891.40, or a parent by
24 adoption. If the juvenile is a nonmarital child who is not adopted or whose parents
25 do not subsequently intermarry under s. 767.60, "parent" includes a person adjudged

SENATE BILL 494**SECTION 506**

1 ~~in a judicial proceeding~~ adjudicated or acknowledged to be the biological father.

2 “Parent” does not include any person whose parental rights have been terminated.

3 **SECTION 507.** 938.363 (1) of the statutes is amended to read:

4 938.363 (1) A juvenile, the juvenile’s parent, guardian or legal custodian, any
5 person or agency bound by a dispositional order or the district attorney or
6 corporation counsel in the county in which the dispositional order was entered may
7 request a revision in the order that does not involve a change in placement, including
8 a revision with respect to the amount of child support to be paid by a parent, or the
9 court may on its own motion propose such a revision. The request or court proposal
10 shall set forth in detail the nature of the proposed revision and what new information
11 is available that affects the advisability of the court’s disposition. The request or
12 court proposal shall be submitted to the court. The court shall hold a hearing on the
13 matter if the request or court proposal indicates that new information is available
14 which affects the advisability of the court’s dispositional order and prior to any
15 revision of the dispositional order, unless written waivers of objections to the revision
16 are signed by all parties entitled to receive notice and the court approves. If a hearing
17 is held, the court shall notify the juvenile, the juvenile’s parent, guardian and legal
18 custodian, all parties bound by the dispositional order, the juvenile’s foster parent,
19 treatment foster parent or other physical custodian described in s. 48.62 (2), and the
20 district attorney or corporation counsel in the county in which the dispositional order
21 was entered at least 3 days prior to the hearing. A copy of the request or proposal
22 shall be attached to the notice. If the proposed revision is for a change in the amount
23 of child support to be paid by a parent, the court shall order the juvenile’s parent to
24 provide a statement of income, assets, debts and living expenses to the court and the
25 person or agency primarily responsible for implementing the dispositional order by

SENATE BILL 494**SECTION 507**

1 a date specified by the court. The clerk of court shall provide, without charge, to any
2 parent ordered to provide a statement of income, assets, debts and living expenses
3 a document setting forth the percentage standard established by the department of
4 ~~health and family services~~ workforce development under s. ~~46.25 (9)~~ 49.22 (9) and
5 listing the factors that a court may consider under s. 46.10 (14) (c). If all parties
6 consent, the court may proceed immediately with the hearing. No revision may
7 extend the effective period of the original order, or revise an original order under s.
8 938.34 (3) (f) or (6) (am) to impose more than 30 days of detention, nonsecure custody
9 or inpatient treatment on a child.

10 **SECTION 508.** 938.396 (4) of the statutes is amended to read:

11 938.396 (4) When a court revokes, suspends or restricts a juvenile's operating
12 privilege under this chapter, the department of transportation shall not disclose
13 information concerning or relating to the revocation, suspension or restriction to any
14 person other than a court, district attorney, county corporation counsel, city, village
15 or town attorney, law enforcement agency, or the minor whose operating privilege is
16 revoked, suspended or restricted, or his or her parent or guardian. Persons entitled
17 to receive this information may not disclose the information to other persons or
18 agencies. This subsection does not apply to any information requested under s. 49.22
19 (2m) by the department of workforce development or a county child support agency
20 under s. 59.53 (5).

21 **SECTION 509.** 948.22 (4) (b) of the statutes is amended to read:

22 948.22 (4) (b) For a person not subject to a court order requiring child,
23 grandchild or spousal support payments, when the person knows or reasonably
24 should have known that he or she has a dependent, failure to provide support equal
25 to at least the amount established by rule by the department of ~~health and family~~

SENATE BILL 494**SECTION 509**

1 ~~services~~ workforce development under s. ~~46.25 (9) (a)~~ 49.22 (9) or causing a spouse,
2 grandchild or child to become a dependent person, or continue to be a dependent
3 person, as defined in s. 49.01 (2).

4 **SECTION 510.** 977.06 (4) (bm) of the statutes is created to read:

5 977.06 (4) (bm) The state public defender shall provide information from any
6 statement, affidavit or other information provided by a person regarding financial
7 eligibility under s. 977.07 in response to a request for information under s. 49.22 (2m)
8 made by the department of workforce development or a county child support agency
9 under s. 59.53 (5).

10 **SECTION 511.** 977.06 (4) (c) of the statutes is amended to read:

11 977.06 (4) (c) ~~Paragraph (b) does~~ Paragraphs (b) and (bm) do not limit the
12 authority of the state public defender to release a copy of ~~the~~ a statement, affidavit
13 or other information regarding financial eligibility under s. 977.07 under other
14 circumstances.

15 **SECTION 512.** Laws of 1937, chapter 201, section 11, as last amended by chapter
16 267, laws of 1963, is amended to read:

17 [Laws of 1937, chapter 201] Section 11. All Except as provided in section 49.852
18 of the statutes, as created by 1997 Wisconsin Act ... (this act), and subject to section
19 767.265 of the statutes, as affected by 1997 Wisconsin Act ... (this act), all moneys
20 and assets of the retirement system and all benefits and allowances, and every
21 portion thereof, both before and after payment to any beneficiary, granted under the
22 retirement system shall be exempt from any state, county or municipal tax, and from
23 attachment or garnishment process, and shall not be seized, taken, detained or
24 levied upon by virtue of any executions, or any process or proceeding whatsoever
25 issued out of or by any court of this state, for the payment and ratification in whole

SENATE BILL 494**SECTION 512**

1 or in part of any debt, claim, damage, demand or judgment against any member of
2 or beneficiary under the retirement system, and no member of or beneficiary under
3 the retirement system shall have any right to assign his benefit or allowance, or any
4 part thereof, either by way of mortgage or otherwise, provided, however, that the
5 annuity and pension board may at its option and under rules and regulations
6 promulgated by it permit retired members to assign a portion of their retirement
7 allowance for the regular monthly payment of medical, surgical and hospital care.
8 The exemption from taxation contained herein shall not apply with respect to any
9 tax on income.

10 **SECTION 513.** Laws of 1937, chapter 201, section 21b is created to read:

11 [Laws of 1937, chapter 201] Section 21b. Notwithstanding SECTION 21, no
12 county may enact an ordinance that prevents a retirement system from complying
13 with section 49.852 of the statutes, as created by 1997 Wisconsin Act ... (this act).

14 **SECTION 514.** 1997 Wisconsin Act 27, section 631 is repealed.

15 **SECTION 515.** 1997 Wisconsin Act 27, section 639b is repealed.

16 **SECTION 516.** 1997 Wisconsin Act 27, section 833 is repealed.

17 **SECTION 517.** 1997 Wisconsin Act 27, section 909b is repealed.

18 **SECTION 518.** 1997 Wisconsin Act 27, section 9426 (8) is amended to read:

19 [1997 Wisconsin Act 27] Section 9426 (8) CENTRALIZED RECEIPT AND
20 DISBURSEMENT OF SUPPORT AND MAINTENANCE. The treatment of sections 20.445 (3) (a),
21 (ja), ~~(k)~~, and (q) and ~~(r)~~, 20.855 (7) (j), ~~25.17 (1) (tm)~~, ~~25.68~~, 49.24 (1) (by SECTION
22 1882n), 49.855 (1), (2), (3) (by SECTION 1992m), (4), (4m) (b) (by SECTION 1995m) and
23 (c) and (5), 565.30 (5), 767.001 (7), 767.025 (3) and (4), 767.25 (4m) (c) 1. and (6)
24 (intro.) and (a), 767.261 (intro.) and (1), 767.262 (4) (b), 767.263, 767.265 (1), (2r),
25 (3h), (6) (a) and (b) and (7), 767.267 (1), (2) and (5), 767.29 (1m) (intro.) and (d) and

SENATE BILL 494**SECTION 518**

1 (2), 767.32 (1r), 767.51 (3m) (c) 1. and (5p) (intro.) and (a), 769.319 and 814.61 (12)
2 (cm) of the statutes, the repeal of sections 20.445 (3) (g), 59.40 (2) (h), 59.53 (5m),
3 814.61 (12) (b) and 814.612 of the statutes, the renumbering and amendment of
4 sections 59.53 (5) and 767.29 (1) of the statutes, the amendment of section 49.175 (1)
5 (intro.) of the statutes, the creation of sections 59.53 (5) (b) and 767.29 (1) (b), (d) and
6 (f) of the statutes and SECTION 9226 (1) of this act take effect on the date stated in the
7 notice published by the department of workforce development in the Wisconsin
8 Administrative Register under section 767.29 (1) (f) of the statutes, as created by this
9 act, or on October 1, 1999, whichever is earlier.

SECTION 9126. Nonstatutory provisions; workforce development.

10
11 (1) FINANCIAL RECORD MATCHING PROGRAM. The department of workforce
12 development shall submit in proposed form the rules required under section 49.853
13 of the statutes, as created by this act, to the legislative council staff under section
14 227.15 (1) of the statutes no later than the first day of the 6th month beginning after
15 the effective date of this subsection.

16 (2) STATEWIDE CONCERN. Notwithstanding chapter 201, laws of 1937, section 21,
17 as created by chapter 405, laws of 1965, the treatment of section 49.852 of the
18 statutes and chapter 201, laws of 1937, sections 11 and 21b, is a matter of statewide
19 concern and is not a matter of local affair or government, whether a retirement
20 system is affected or otherwise.

SECTION 9146. Nonstatutory provisions; supreme court.

21
22 (1) STATE BAR MEMBERSHIP; FAILURE TO PAY SUPPORT OR PROVIDE SOCIAL SECURITY
23 NUMBER. The supreme court is requested to promulgate rules under section 751.15
24 of the statutes, as created by this act, so that those rules are effective beginning on
25 April 1, 1998, or on the effective date of this subsection, whichever is later.

SENATE BILL 494**SECTION 9301****1 SECTION 9301. Initial applicability; administration.**

2 (1) LICENSE DENIAL, RESTRICTION, LIMITATION AND SUSPENSION. The treatment of
3 sections 218.11 (2) (a) and (am), (6m) and (7) (a) and 218.12 (2) (a) and (am), (3m) and
4 (5) of the statutes (with respect to information required on applications and with
5 respect to the denial of applications) first applies to license applications received by
6 the department of administration on the effective date of this subsection and the
7 treatment of sections 218.11 (6m) and (7) (a) and (b) and 218.12 (3m) and (5) of the
8 statutes (with respect to denying, restricting, limiting or suspending a license for
9 failure to comply with a subpoena or warrant) first applies to failures to comply with
10 subpoenas or warrants that are issued on the effective date of this subsection.

11 (2) GAMING LICENSES. The treatment of section 562.05 (1c) and (7) (am) of the
12 statutes first applies to applications for licenses that are received by the department
13 of administration under that section on the effective date of this subsection.

**14 SECTION 9304. Initial applicability; agriculture, trade and consumer
15 protection.**

16 (1) LICENSE DENIAL FOR FAILURE TO PAY SUPPORT. The treatment of sections 93.06
17 (8), 93.11 (1), 93.135, 93.35 (10), 94.65 (3) (c) 1., 94.66 (8), 95.72 (2) (c) 5. and 99.02
18 (1) of the statutes (with respect to information required on applications and with
19 respect to the denial of applications) first applies to applications for initial or renewal
20 licenses, registrations or registration certificates that are received on the effective
21 date of this subsection and (with respect to denial of or refusal to renew a license,
22 registration or registration certificates for failure to comply with a subpoena or
23 warrant) first applies to failures to comply with subpoenas or warrants that are
24 issued on the effective date of this subsection.

25 SECTION 9310. Initial applicability; commerce.

SENATE BILL 494**SECTION 9310**

1 (1) LICENSE DENIAL, RESTRICTION AND SUSPENSION. The treatment of section
2 101.02 (21) (b) and (c) (with respect to information required on applications and with
3 respect to refusal to issue or renew a license for failure to pay support) of the statutes
4 first applies to applications for licenses or license renewals that are received on the
5 effective date of this subsection and the treatment of section 101.02 (21) (c) and (d)
6 of the statutes (with respect to refusal to issue or renew a license and with respect
7 to license restriction or suspension for failure to comply with a subpoena or warrant)
8 first applies to failures to comply with subpoenas or warrants that are issued on the
9 effective date of this subsection.

SECTION 9311. Initial applicability; corrections.

10 (1) LICENSE WITHHOLDING, SUSPENSION OR RESTRICTION FOR FAILURE TO PAY CHILD
11 SUPPORT OR COMPLY WITH A SUBPOENA OR WARRANT. The treatment of section 48.715 (6)
12 of the statutes and the repeal and recreation of section 48.66 (1) (with respect to
13 denial of or refusal to renew a license for failure to pay expenses related to the
14 support of a child or former spouse) of the statutes first apply to applications received
15 by the department of corrections on the effective date of this subsection and (with
16 respect to denial of or refusal to renew a license for failure to comply with a subpoena
17 or warrant) first apply to failures to comply with subpoenas or warrants that are
18 issued on the effective date of this subsection.

19 (2) SOCIAL SECURITY NUMBER ON LICENSE APPLICATIONS. The treatment of section
20 48.66 (2m) of the statutes first applies to applications received by the department of
21 corrections on the effective date of this subsection.
22

SECTION 9318. Initial applicability; ethics board.

23 (1) DISCLOSURE OF SOCIAL SECURITY NUMBERS; NONISSUANCE, NONACCEPTANCE AND
24 SUSPENSION OF LICENSES AND REGISTRATIONS FOR FAILURE TO PAY SUPPORT. The treatment
25

SENATE BILL 494**SECTION 9318**

1 of sections 13.63 (1) and 13.64 (2) of the statutes (with respect to information
2 required on applications, nonissuance of licenses or nonacceptance of registration
3 statements for failure to pay support) and the treatment of sections 13.64 (1) (a) and
4 19.55 (2) (d) of the statutes first apply with respect to applications for licensure under
5 section 13.63 of the statutes and registration statements filed under section 13.64 of
6 the statutes on the effective date of this subsection.

7 (2) NONISSUANCE OF LOBBYING LICENSES AND NONACCEPTANCE OF REGISTRATION
8 STATEMENTS FOR FAILURE TO COMPLY WITH SUBPOENAS OR WARRANTS. The treatment of
9 sections 13.63 (1) and 13.64 (2) (with respect to nonissuance of licenses or
10 nonacceptance of registration statements for failure to comply with a subpoena or
11 warrant) of the statutes first applies with respect to failures to comply with
12 subpoenas or warrants that are issued on the effective date of this subsection.

13 (3) SUSPENSION OF LOBBYING LICENSES FOR FAILURE TO COMPLY WITH SUBPOENAS OR
14 WARRANTS. The treatment of sections 13.63 (1) and 13.64 (2) (with respect to
15 suspension of licenses and registrations for failure to comply with a subpoena or
16 warrant) of the statutes first applies with respect to subpoenas or warrants that are
17 issued on the effective date of this subsection.

18 **SECTION 9319. Initial applicability; financial institutions.**

19 (1) LICENSES AND LIABILITY FOR DELINQUENT SUPPORT.

20 (a) *Licensed lenders.*

21 1 The treatment of section 138.09 (3) (a) and (am) of the statutes, the
22 renumbering of section 138.09 (1m) of the statutes and the creation of section 138.09
23 (1m) (b) of the statutes first apply to applications for the issuance of a license received
24 on the effective date of this subdivision.

SENATE BILL 494**SECTION 9319**

1 2 The treatment of section 138.09 (3) (a) and (am) of the statutes, the
2 renumbering of section 138.09 (1m) and (4) of the statutes and the creation of section
3 138.09 (1m) (b) and (4) (b) of the statutes (with respect to denying, restricting or
4 suspending a license for failure to comply with a subpoena or warrant) first apply to
5 failures to comply with subpoenas or warrants that are issued on the effective date
6 of this subdivision.

7 (b) *Insurance premium finance companies.*

8 1 The treatment of section 138.12 (3) (d), (4) (a) and (b) 4. and 6. and (5) (am)
9 of the statutes (with respect to information required on applications and with respect
10 to the denial of applications) first applies to applications for the issuance or renewal
11 of a license received on the effective date of this subdivision.

12 2 The treatment of section 138.12 (3) (d), (4) (a) and (b) 4. and 6. and (5) (am)
13 of the statutes (with respect to denying, restricting or suspending a license for failure
14 to comply with a subpoena or warrant) first applies to failures to comply with
15 subpoenas or warrants that are issued on the effective date of this subdivision.

16 (c) *Sellers of checks.*

17 1 The treatment of sections 217.05 (intro.) and (1m) and 217.06 (4) and (6) of
18 the statutes and the renumbering of section 217.05 (1) to (4) of the statutes first apply
19 to applications for the issuance of a license received on the effective date of this
20 subdivision.

21 2 The treatment of sections 217.05 (intro.) and (1m), 217.06 (4) and (6) and
22 217.09 (1m) of the statutes and the renumbering of section 217.05 (1) to (4) of the
23 statutes (with respect to denying, restricting or suspending a license for failure to
24 comply with a subpoena or warrant) first apply to failures to comply with subpoenas
25 or warrants that are issued on the effective date of this subdivision.

SENATE BILL 494**SECTION 9319**

1 (d) *Sales finance companies.*

2 1 The treatment of section 218.01 (2) (ig) and (3) (am) of the statutes (with
3 respect to information required on applications and with respect to the denial of
4 applications) first applies to applications for the issuance of a license received on the
5 effective date of this subdivision.

6 2 The treatment of section 218.01 (2) (ig) and (3) (am) of the statutes (with
7 respect to denying, restricting or suspending a license for failure to comply with a
8 subpoena or warrant) first applies to failures to comply with subpoenas or warrants
9 that are issued on the effective date of this subdivision.

10 (e) *Adjustment service companies.*

11 1 The treatment of section 218.02 (3) (e) and (9) (a) of the statutes, the
12 renumbering and amendment of section 218.02 (2) (a) of the statutes and the creation
13 of section 218.02 (2) (a) 2. of the statutes (with respect to information required on
14 applications and with respect to the denial of applications) first apply to applications
15 for the issuance of a license received on the effective date of this subdivision.

16 2 The treatment of section 218.02 (3) (e) and (9) (a) of the statutes, the
17 renumbering and amendment of section 218.02 (2) (a) of the statutes, the
18 renumbering of section 218.02 (6) of the statutes and the creation of section 218.02
19 (2) (a) 2. and (6) (b) of the statutes (with respect to denying, restricting or suspending
20 a license for failure to comply with a subpoena or warrant) first apply to failures to
21 comply with subpoenas or warrants that are issued on the effective date of this
22 subdivision.

23 (f) *Collection agencies, collectors and solicitors.*

24 1 The treatment of section 218.04 (4) (a) and (am) and (9) of the statutes, the
25 renumbering and amendment of section 218.04 (3) (a) of the statutes and the creation

SENATE BILL 494**SECTION 9319**

1 of section 218.04 (3) (a) 2. of the statutes (with respect to information required on
2 applications and with respect to the denial of applications) first apply to applications
3 for the issuance or renewal of a license received on the effective date of this
4 subdivision.

5 2 The treatment of section 218.04 (4) (a) and (am), (5) (am) and (9) of the
6 statutes, the renumbering and amendment of section 218.04 (3) (a) of the statutes
7 and the creation of section 218.04 (3) (a) 2. of the statutes (with respect to denying,
8 restricting or suspending a license for failure to comply with a subpoena or warrant)
9 first apply to failures to comply with subpoenas or warrants that are issued on the
10 effective date of this subdivision.

11 (g) *Community currency exchanges.*

12 1 The treatment of section 218.05 (3) (am), (4) (b) and (c), (11) and (13) of the
13 statutes (with respect to information required on applications and with respect to the
14 denial of applications) first applies to applications for the issuance or renewal of a
15 license received on the effective date of this subdivision.

16 2 The treatment of section 218.05 (3) (am), (4) (b) and (c), (11), (12) (title) and
17 (am) and (13) of the statutes (with respect to denying, restricting or suspending a
18 license for failure to comply with a subpoena or warrant) first applies to failures to
19 comply with subpoenas or warrants that are issued on the effective date of this
20 subdivision.

21 (h) *Mortgage bankers, loan originators and loan solicitors.*

22 1 The treatment of section 224.72 (2) (c), (5) (a) and (b) 1. and 2. and (7m) of the
23 statutes (with respect to information required on applications and with respect to the
24 denial of applications) first applies to applications for the issuance or renewal of a
25 certificate of registration received on the effective date of this subdivision.

SENATE BILL 494**SECTION 9319**

1 2 The treatment of sections 224.72 (2) (c), (5) (a) and (b) 1. and 2. and (7m) and
2 224.77 (6) of the statutes (with respect to denying, restricting or suspending a license
3 for failure to comply with a subpoena or warrant) first applies to failures to comply
4 with subpoenas or warrants that are issued on the effective date of this subdivision.

5 (i) *Broker-dealers, agents and investment advisers.*

6 1 The treatment of sections 551.32 (1) (bm) and 551.34 (1m) of the statutes first
7 applies to applications for the issuance or renewal of a license received on the
8 effective date of this subdivision.

9 2 The treatment of sections 551.32 (1) (bm) and 551.34 (1m) of the statutes (with
10 respect to denying, restricting or suspending a license for failure to comply with a
11 subpoena or warrant) first applies to failures to comply with subpoenas or warrants
12 that are issued on the effective date of this subdivision.

13 **SECTION 9323. Initial applicability; health and family services.**

14 (1) CERTIFICATE, LICENSE, PERMIT, REGISTRATION AND APPROVAL DENIAL,
15 NONRENEWAL, SUSPENSION OR RESTRICTION. The treatment of sections 49.45 (2) (a) 11.,
16 49.48, 146.50 (5) (a), (b) and (g), (6) (a) (intro.), (b) 1. and (c) (intro.), (6g) (a), (7) and
17 (8) (a), (b), (c) and (f), 146.51, 250.041, 250.05 (5) and (6), 252.23 (2) and (4) (a), 252.24
18 (2) and (4) (a), 254.176 (1) and (3) (intro.) and (a), 254.178 (1) (b), (2) (intro.) and (a)
19 and (4), 254.20 (2) (d), (3) (a) and (b), (4) and (7), 254.47 (1), (2m) and (3), 254.64 (1)
20 (c) and (1p), 254.71 (2), (3) and (6) (c) and 255.08 (2) and (13) of the statutes (with
21 respect to information required on applications and with respect to the denial of
22 applications) first applies to applications for initial or renewal certificates, licenses,
23 training permits, registrations and approvals that are received by the department
24 of health and family services on the effective date of this subsection and the
25 treatment of sections 49.45 (2) (a) 11. and 12., 49.48, 146.50 (5) (a), (b) and (g), (6) (a)

SENATE BILL 494**SECTION 9323**

1 (intro.), (b) 1. and (c) (intro.), (6g) (a), (7) and (8) (a), (b), (c) and (f), 146.51, 250.041,
2 250.05 (5), (6) and (8), 252.23 (2) and (4) (a), 252.24 (2) and (4) (a), 254.176 (1) and
3 (3) (intro.) and (a), 254.178 (1) (b), (2) (intro.) and (a) and (4), 254.20 (2) (d), (3) (a) and
4 (b), (4), (6) and (7), 254.47 (1), (2m) and (3), 254.64 (1) (c) and (1p), 254.71 (2), (3) and
5 (6) (c) and 255.08 (2) and (13) of the statutes (with respect to denying, not renewing,
6 suspending or restricting a certificate, license, permit, registration or approval for
7 failure to comply with a subpoena or warrant) first applies to failures to comply with
8 subpoenas or warrants that are issued on the effective date of this subsection.

9 (2) SOCIAL SECURITY NUMBERS ON CERTAIN REPORTS, VITAL RECORDS AND LICENSE
10 APPLICATIONS.

11 (a) *Divorce reports.* The treatment of section 69.17 of the statutes first applies
12 to forms for reporting divorces that are supplied by the state registrar on the effective
13 date of this paragraph.

14 (b) *Marriage license applications.* The treatment of section 765.09 (2) and (3)
15 of the statutes first applies to marriage license applications that are received on the
16 effective date of this paragraph.

17 (c) *Marriage documents.* The treatment of section 765.13 of the statutes first
18 applies to marriage documents issued from marriage license applications that are
19 received on the effective date of this paragraph.

20 (3) LABORATORY APPROVAL AND PERMIT DENIAL, RESTRICTION, LIMITATION AND
21 SUSPENSION. The treatment of section 343.305 (6) (e) of the statutes (with respect to
22 information required on applications and with respect to the denial of applications)
23 first applies to laboratory approval and permit applications received by the
24 department of health and family services on the effective date of this subsection and
25 the treatment of section 343.305 (6) (e) of the statutes (with respect to denying,

SENATE BILL 494**SECTION 9323**

1 restricting, limiting or suspending a laboratory approval or permit for failure to
2 comply with a subpoena or warrant) first applies to failures to comply with
3 subpoenas or warrants that are issued on the effective date of this subsection.

4 (4) LICENSE OR CERTIFICATION WITHHOLDING, SUSPENSION OR RESTRICTION FOR
5 FAILURE TO PAY CHILD SUPPORT OR COMPLY WITH A SUBPOENA OR WARRANT. The treatment
6 of sections 48.66 (1), 48.69, 48.715 (6) and 48.72 of the statutes (with respect to denial
7 of or refusal to renew a license for failure to pay expenses related to the support of
8 a child or former spouse) first applies to applications received by the department of
9 health and family services on the effective date of this subsection and (with respect
10 to denial of or refusal to renew a license for failure to comply with a subpoena or
11 warrant) first applies to failures to comply with subpoenas or warrants that are
12 issued on the effective date of this subsection.

13 (5) SOCIAL SECURITY NUMBERS ON LICENSE OR CERTIFICATION APPLICATIONS. The
14 treatment of section 48.66 (2) and (2m) of the statutes first applies to license or
15 certification applications received by the department of health and family services
16 on the effective date of this subsection.

SECTION 9326. Initial applicability; workforce development.

18 (1) SOCIAL SECURITY NUMBERS ON CERTAIN REPORTS, RECORDS AND JUDGMENTS.

19 (a) *Statements acknowledging paternity.* The treatment of section 69.15 (3) (d)
20 of the statutes first applies to forms for statements acknowledging paternity that are
21 prescribed by the state registrar on the effective date of this paragraph.

22 (b) *Judgments in actions affecting the family.* The treatment of section 767.37
23 (1) (a) of the statutes first applies to written judgments that are submitted to the
24 court on the effective date of this paragraph.

SENATE BILL 494**SECTION 9326**

1 (c) *Paternity determination reports.* The treatment of section 767.51 (2) of the
2 statutes first applies to forms for reporting paternity determinations that are
3 designated by the state registrar on the effective date of this paragraph.

4 (2) LICENSE, PERMIT OR CERTIFICATE WITHHOLDING, SUSPENSION OR RESTRICTION FOR
5 FAILURE TO PAY CHILD SUPPORT OR COMPLY WITH A SUBPOENA OR WARRANT. The treatment
6 of sections 102.17 (1) (c) and (cm), 103.005 (10), 103.275 (2) (b) (intro.) and (bm) and
7 (7) (b) and (c), 103.92 (3) and (6) and 104.07 (1), (2) and (5) of the statutes, the
8 renumbering of section 103.91 (4) of the statutes, the renumbering and amendment
9 of section 105.13 of the statutes and the creation of sections 103.91 (4) (b) and 105.13
10 (2) of the statutes (with respect to denial of or refusal to renew a certificate or license
11 for failure to pay expenses related to the support of a child or former spouse) first
12 apply to license, permit or certification applications received by the department of
13 workforce development on the effective date of this subsection and (with respect to
14 denial or refusal to renew a certificate or license for failure to comply with a subpoena
15 or warrant) first apply to failures to comply with subpoenas or warrants that are
16 issued on the effective date of this subsection.

17 (3) SOCIAL SECURITY NUMBERS ON LICENSE, PERMIT OR CERTIFICATION APPLICATIONS.
18 The treatment of sections 102.17 (1) (cg), 103.275 (2) (bg), 104.07 (4) and 105.06 (1m)
19 of the statutes, the renumbering and amendment of sections 103.91 (2) and 103.92
20 (1) of the statutes and the creation of sections 103.91 (2) (b) and 103.92 (1) (b) of the
21 statutes first apply to license, permit or certification applications received by the
22 department of workforce development on the effective date of this subsection.

23 (4) MISCELLANEOUS REVISIONS TO ACTIONS AFFECTING THE FAMILY. The treatment
24 of sections 767.085 (1) (b) and 767.465 (1m) of the statutes first applies to actions
25 affecting the family, including an action to enforce or modify a judgment or order in

SENATE BILL 494**SECTION 9326**

1 an action affecting the family previously granted, that are commenced on the
2 effective date of this subsection.

3 (5) REPORTING GROSS INCOME WITH WITHHELD CHILD SUPPORT. The amendment of
4 section 767.265 (3h) with respect to reporting gross income of the statutes first
5 applies to child support payments withheld on the effective date of this subsection.

6 (6) INTEREST ON DELINQUENT CHILD SUPPORT. The amendment of sections 767.25
7 (6) (intro.), 767.261 (intro.) and 767.51 (5p) (intro.) of the statutes first applies to child
8 support amounts payable on the effective date of this subsection.

9 **SECTION 9327. Initial applicability; insurance.**

10 (1) SOCIAL SECURITY NUMBERS ON CERTAIN LICENSE APPLICATIONS OR RENEWALS.

11 (a) *Application for agent's license.* The treatment of sections 628.04 (1) (intro)
12 and (2), 628.09 (1) and 628.095 (1), (2) and (4) of the statutes first applies to license
13 applications that are received on the effective date of this paragraph.

14 (b) *Renewal of agent's license.* The treatment of sections 628.095 (3) and (4) and
15 628.10 (2) (d) of the statutes first applies to annual fees under section 601.31 (1) (m)
16 of the statutes that are payable on the effective date of this paragraph.

17 (c) *Application for viatical settlement provider's or broker's license.* The
18 treatment of section 632.68 (2) (b) (intro.) and 2. and (4) (b) of the statutes first
19 applies to license applications that are received on the effective date of this
20 paragraph.

21 (d) *Application for administrator's license.* The treatment of section 633.14 (1)
22 (d) of the statutes first applies to license applications that are received on the
23 effective date of this paragraph.

SENATE BILL 494**SECTION 9327**

1 (e) *Renewal of viatical settlement provider's or broker's license.* The treatment
2 of section 632.68 (2) (e) and (4) (c) of the statutes first applies to license renewals that
3 occur on the effective date of this paragraph.

4 (f) *Renewal of administrator's license.* The treatment of section 633.15 (1m)
5 and (2) (a) (title), 1., 2. and 3. of the statutes first applies to license renewals that
6 occur on the effective date of this paragraph.

7 (2) REFUSAL TO ISSUE OR RENEW CERTAIN LICENSES FOR FAILURE TO PAY SUPPORT OR
8 COMPLY WITH A SUBPOENA OR WARRANT.

9 (a) *Issuance of agent's license and extension of temporary license.* The treatment
10 of sections 628.09 (4) and 628.097 of the statutes first applies to license applications
11 and applications for extensions of temporary licenses that are received on the
12 effective date of this paragraph and (with respect to not issuing a license for failure
13 to comply with a subpoena or warrant) first applies to failures to comply with
14 subpoenas or warrants that are issued on the effective date of this paragraph.

15 (b) *Issuance of viatical settlement provider's or broker's license.* The treatment
16 of section 632.68 (2) (bm) and (4) (bm) of the statutes first applies to license
17 applications that are received on the effective date of this paragraph and (with
18 respect to not issuing a license for failure to comply with a subpoena or warrant) first
19 applies to failures to comply with subpoenas or warrants that are issued on the
20 effective date of this paragraph.

21 (c) *Issuance of administrator's license.* The treatment of section 633.14 (2m)
22 of the statutes first applies to license applications that are received on the effective
23 date of this paragraph and (with respect to not issuing a license for failure to comply
24 with a subpoena or warrant) first applies to failures to comply with subpoenas or
25 warrants that are issued on the effective date of this paragraph.

SENATE BILL 494**SECTION 9327**

1 (d) *Renewal of viatical settlement provider's or broker's license.* The
2 renumbering and amendment of section 632.68 (3) and (5) of the statutes (with
3 respect to renewing a license), the amendment of section 632.68 (3) (title) and (5)
4 (title) of the statutes (with respect to renewing a license) and the creation of section
5 632.68 (3) (b) and (5) (b) of the statutes (with respect to renewing a license) first apply
6 to license renewals that occur on the effective date of this paragraph and (with
7 respect to refusing to renew a license for failure to comply with a subpoena or
8 warrant) first apply to failures to comply with subpoenas or warrants that are issued
9 on the effective date of this paragraph.

10 (e) *Renewal of administrator's license.* The treatment of section 633.15 (2) (c)
11 of the statutes (with respect to renewing a license) first apply to license renewals that
12 occur on the effective date of this paragraph and (with respect to refusing to renew
13 a license for failure to comply with a subpoena or warrant) first applies to failures
14 to comply with subpoenas or warrants that are issued on the effective date of this
15 paragraph.

16 (3) SUSPENSION OF CERTAIN LICENSES FOR FAILURE TO COMPLY WITH A SUBPOENA OR
17 WARRANT.

18 (a) *Agent's license.* The treatment of section 628.10 (2) (c) of the statutes (with
19 respect to suspending or limiting a license for failure to comply with a subpoena or
20 warrant) first applies to failures to comply with subpoenas or warrants that are
21 issued on the effective date of this paragraph.

22 (b) *Viatical settlement provider's or broker's license.* The renumbering and
23 amendment of section 632.68 (3) and (5) of the statutes (with respect to suspending
24 or limiting a license for failure to comply with a subpoena or warrant), the
25 amendment of section 632.68 (3) (title) and (5) (title) of the statutes and the creation

SENATE BILL 494**SECTION 9327**

1 of section 632.68 (3) (b) and (5) (b) of the statutes (with respect to suspending or
2 limiting a license for failure to comply with a subpoena or warrant) first apply to
3 failures to comply with subpoenas or warrants that are issued on the effective date
4 of this paragraph.

5 (c) *Administrator's license.* The treatment of section 633.15 (2) (c) of the
6 statutes (with respect to suspending or limiting a license for failure to comply with
7 a subpoena or warrant) first applies to failures to comply with subpoenas or warrants
8 that are issued on the effective date of this paragraph.

9 **SECTION 9337. Initial applicability; natural resources.**

10 (1) APPROVAL DENIALS FOR SUPPORT DELINQUENCY. The treatment of sections
11 29.09 (11m), 29.1085 (3) (c) 1. and 2., 29.134 (3), 29.135 (3), 29.145 (1c) (intro.), 29.33
12 (2) (d), 29.521 (2) (a) and (c) 1., 29.544 (3), 29.574 (3), 29.575 (3) and 29.578 (4), (5)
13 and (14) (am) and (b) (intro.) of the statutes (with respect to information required on
14 applications and with respect to denial of applications) first applies to applications
15 for issuing or renewing approvals that are received on the effective date of this
16 subsection and (with respect to denial of or refusal to renew an approval for failure
17 to comply with a subpoena or warrant) first applies to failures to comply with
18 subpoenas or warrants that are issued on the effective date of this subsection.

19 (2) LICENSE DENIAL FOR FAILURE TO PAY SUPPORT. The treatment of sections 281.48
20 (3) (a) and (5) (b) and 299.08 of the statutes (with respect to information required on
21 applications and with respect to the denial of applications) first applies to
22 applications for initial or renewal licenses, registrations or certifications that are
23 received on the effective date of this subsection and (with respect to denial of or
24 refusal to renew a license, registration or certification for failure to comply with a

SENATE BILL 494**SECTION 9337**

1 subpoena or warrant) first applies to failures to comply with subpoenas or warrants
2 that are issued on the effective date of this subsection.

3 **SECTION 9340. Initial applicability; public instruction.**

4 (1) LICENSE DENIAL, RESTRICTION AND SUSPENSION.

5 (a) The treatment of section 118.19 (1r) (with respect to information required
6 on applications and with respect to refusal to renew or revalidate a license or permit
7 for failure to pay support) of the statutes first applies to applications for licenses or
8 permits, for license or permit renewals or for license revalidations that are received
9 on the effective date of this paragraph.

10 (b) The treatment of sections 115.315 and 118.19 (1r) of the statutes (with
11 respect to refusal to renew or revalidate a license or permit and with respect to
12 license suspension or restriction for failure to comply with a subpoena or warrant)
13 first applies to a failure to comply with a subpoena or warrant issued on the effective
14 date of this paragraph.

15 **SECTION 9342. Initial applicability; regulation and licensing.**

16 (1) DELINQUENCY IN PAYING SUPPORT. The treatment of sections 440.03 (7) and
17 (11m), 440.035 (5), 440.08 (2) (c), (2g) (title), (a), (b) and (c) and (4) (a), 440.13, 443.06
18 (1) (a), 443.10 (2) (a), 445.08 (4) (a), 448.05 (7), 452.12 (6) (e) (intro.) and 454.08 (4)
19 of the statutes (with respect to information required on applications and with respect
20 to the denial of applications) first applies to applications received by the department
21 of regulation and licensing or a credentialing board on the effective date of this
22 subsection.

23 (2) FAILURE TO COMPLY WITH SUBPOENA OR WARRANT. The treatment of sections
24 440.08 (4) (a), 440.13, 440.93 (2), 442.12 (7), 445.13 (2), 446.05 (2), 448.02 (3) (e),
25 449.07 (3), 452.12 (6) (e) (intro.), 459.10 (2) (a) (intro.), 459.34 (2m) (a) (intro.) and

SENATE BILL 494**SECTION 9342**

1 480.24 (3) (intro.) of the statutes (with respect to restricting, limiting or suspending
2 a credential or denying an application for issuance of an initial credential,
3 reinstatement of an inactive license or renewal of a credential) first applies to
4 failures to comply with subpoenas or warrants that are issued on the effective date
5 of this subsection.

SECTION 9349. Initial applicability; transportation.

7 (1) LICENSE, PERMIT AND REGISTRATION DENIAL, RESTRICTION, LIMITATION AND
8 SUSPENSION. The treatment of sections 218.01 (2) (ie) and (3) (ag), 218.11 (2) (a) and
9 (am), (6m) and (7) (a), 218.12 (2) (a) and (am), (3m) and (5), 218.21 (2) (ag) and (2m),
10 218.22 (3m) and (4) (a), 218.31 (1) (ag) and (1m), 218.32 (3m) and (4) (a), 218.41 (2)
11 (a) and (am), (3m) and (4), 218.51 (3) (a) and (am), (4m) and (5) (a), 341.51 (4) (am),
12 (4g) and (4m), 343.14 (2j), 343.305 (6) (e), 343.66 (6), 343.665, 343.675, 343.68 and
13 343.69 of the statutes (with respect to information required on applications and with
14 respect to the denial of applications), the renumbering of sections 343.64 and 343.65
15 of the statutes (with respect to information required on applications and with respect
16 to the denial of applications), the renumbering and amendment of sections 343.61 (2)
17 and 343.62 (2) of the statutes (with respect to information required on applications
18 and with respect to the denial of applications) and the creation of 343.61 (2) (b),
19 343.62 (2) (b), 343.64 (2) and 343.65 (2) of the statutes (with respect to information
20 required on applications and with respect to the denial of applications) first apply to
21 license, permit and registration applications received by the department of
22 transportation on the effective date of this subsection and the treatment of sections
23 218.01 (3) (ag), 218.11 (6m) and (7) (a) and (b), 218.12 (3m) and (5), 218.22 (3m) and
24 (4) (a) and (b), 218.32 (3m) and (4) (a) and (b), 218.41 (3m), (4) and (5) (d), 218.51 (4m)
25 and (5) (a) and(b), 341.51 (4m), 343.305 (6) (e), 343.345, 343.665, 343.675, 343.68 and

SENATE BILL 494**SECTION 9349**

1 343.69 of the statutes (with respect to denying, restricting, limiting or suspending
2 a license, permit or registration for failure to comply with a subpoena or warrant)
3 first applies to failures to comply with subpoenas or warrants that are issued on the
4 effective date of this subsection.

SECTION 9350. Initial applicability; treasurer.

6 (1) LOG-RAISING PERMITS.

7 (a) *Applications.* The treatment of section 170.12 (3) (em) of the statutes, the
8 renumbering of section 170.12 (8) of the statutes and the creation of section 170.12
9 (8) (b) of the statutes (with respect to information required on applications and with
10 respect to the denial of applications) first apply to applications for the issuance or
11 renewal of permits received on the effective date of this paragraph.

12 (b) *Compliance with subpoena or warrant.* The treatment of section 170.12 (3)
13 (em) of the statutes, the renumbering of section 170.12 (8) of the statutes and the
14 creation of section 170.12 (8) (b) of the statutes (with respect to denying, restricting
15 or suspending a permit for failure to comply with a subpoena or warrant) first apply
16 to failures to comply with subpoenas or warrants that are issued on the effective date
17 of this paragraph.

SECTION 9356. Initial applicability; other.

19 (1) CERTIFICATION, DECERTIFICATION OR RECERTIFICATION OF LAW ENFORCEMENT
20 OFFICERS BY LAW ENFORCEMENT STANDARDS BOARD.

21 (a) The treatment of section 165.85 (3) (cm) and (3m) of the statutes (with
22 respect to information required to be submitted with an application and with respect
23 to the refusal to certify or recertify an individual for failure to pay support) first
24 applies to applications for certification or recertification received by the law
25 enforcement standards board on the effective date of this paragraph.

SENATE BILL 494**SECTION 9356**

1 (b) The treatment of section 165.85 (3) (cm) and (3m) of the statutes (with
2 respect to the refusal to certify or recertify an individual or the decertification of an
3 individual for failure to comply with a subpoena or warrant) first applies to failures
4 to comply with subpoenas or warrants that are issued on the effective date of this
5 paragraph.

6 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
7 SECTIONS 9401 to 9456 of this act, this act takes effect on January 1, 1998, or on the
8 day after publication, whichever is later.

9 **SECTION 9401. Effective dates; administration.**

10 (1) LICENSE DENIAL, RESTRICTION, LIMITATION AND SUSPENSION. The treatment of
11 sections 218.11 (2) (a) and (am), (6m) and (7) (a) and (b) and 218.12 (2) (a) and (am),
12 (3m) and (5) of the statutes and SECTION 9301 (1) of this act take effect on April 1,
13 1998, or on the day after publication, whichever is later.

14 (2) LICENSES. The treatment of sections 227.03 (4m), 562.05 (1c), (5) (a) 9., (7)
15 (am), (8) (d) and (8m) and 563.28 of the statutes and SECTION 9301 (2) of this act take
16 effect on April 1, 1998, or on the day after publication, whichever is later.

17 **SECTION 9404. Effective dates; agriculture, trade and consumer**
18 **protection.**

19 (1) LICENSE DENIAL FOR FAILURE TO PAY SUPPORT. The treatment of sections 93.06
20 (8), 93.11 (1), 93.135, 93.35 (10), 94.65 (3) (c) 1., 94.66 (8), 95.72 (2) (c) 5., 99.02 (1) and
21 127.17 (2) (a), (b), (c) 1., (d) and (e) 1. of the statutes and SECTION 9304 (1) of this act
22 take effect on April 1, 1998, or on the day after publication, whichever is later.

23 **SECTION 9410. Effective dates; commerce.**

SENATE BILL 494**SECTION 9410**

1 (1) LICENSE DENIAL, RESTRICTION AND SUSPENSION. The treatment of section
2 101.02 (21) of the statutes and SECTION 9310 (1) of this act take effect on April 1, 1998,
3 or on the day after publication, whichever is later.

4 **SECTION 9418. Effective dates; ethics board.**

5 (1) DISCLOSURE OF SOCIAL SECURITY NUMBERS; NONISSUANCE, NONACCEPTANCE AND
6 SUSPENSION OF LICENSES AND REGISTRATIONS. The treatment of sections 13.63 (1), 13.64
7 (1) (a) and (2) and 19.55 (2) (d) of the statutes and SECTION 9318 of this act take effect
8 on April 1, 1998, or on the day after publication, whichever is later.

9 **SECTION 9419. Effective dates; financial institutions.**

10 (1) LICENSES AND LIABILITY FOR DELINQUENT TAXES.

11 (a) *Licensed lenders.* The treatment of section 138.09 (3) (a) and (am) of the
12 statutes, the renumbering of section 138.09 (1m) and (4) of the statutes, the creation
13 of section 138.09 (1m) (b) and (4) (b) of the statutes and SECTION 9319 (1) (a) of this
14 act take effect on April 1, 1998, or on the day after publication, whichever is later.

15 (b) *Insurance premium finance companies.* The treatment of section 138.12 (3)
16 (d), (4) (a) and (b) 4. and 6. and (5) (am) of the statutes and SECTION 9319 (1) (b) of this
17 act take effect on April 1, 1998, or on the day after publication, whichever is later.

18 (c) *Sellers of checks.* The treatment of sections 217.05 (intro.) and (1m), 217.06
19 (4) and (6) and 217.09 (1m) of the statutes, the renumbering of section 217.05 (1) to
20 (4) of the statutes and SECTION 9319 (1) (c) of this act take effect on April 1, 1998, or
21 on the day after publication, whichever is later.

22 (d) *Sales finance companies.* The treatment of section 218.01 (2) (ig) and (3)
23 (am) of the statutes and SECTION 9319 (1) (d) of this act take effect on April 1, 1998,
24 or on the day after publication, whichever is later.

SENATE BILL 494**SECTION 9419**

1 (e) *Adjustment service companies.* The treatment of section 218.02 (3) (e) and
2 (9) (a) of the statutes, the renumbering and amendment of section 218.02 (2) (a) of
3 the statutes, the renumbering of section 218.02 (6) of the statutes, the creation of
4 section 218.02 (2) (a) 2. and (6) (b) of the statutes and SECTION 9319 (1) (e) of this act
5 take effect on April 1, 1998, or on the day after publication, whichever is later.

6 (f) *Collection agencies, collectors and solicitors.* The treatment of section 218.04
7 (4) (a) and (am), (5) (am) and (9) of the statutes, the renumbering and amendment
8 of section 218.04 (3) (a) of the statutes, the creation of section 218.04 (3) (a) 2. of the
9 statutes and SECTION 9319 (1) (f) of this act take effect on April 1, 1998, or on the day
10 after publication, whichever is later.

11 (g) *Community currency exchanges.* The treatment of section 218.05 (3) (am),
12 (4) (b) and (c), (11), (12) (title) and (am) and (13) of the statutes and SECTION 9319 (1)
13 (g) of this act take effect on April 1, 1998, or on the day after publication, whichever
14 is later.

15 (h) *Mortgage bankers, loan originators and loan solicitors.* The treatment of
16 sections 224.72 (2) (c), (5) (a) and (b) 1. and 2. and (7m) and 224.77 (6) of the statutes
17 and SECTION 9319 (1) (h) of this act take effect on April 1, 1998, or on the day after
18 publication, whichever is later.

19 (i) *Broker-dealers, agents and investment advisers.* The treatment of sections
20 551.32 (1) (bm) and 551.34 (1m) of the statutes and SECTION 9319 (1) (i) of this act take
21 effect on April 1, 1998, or on the day after publication, whichever is later.

22 **SECTION 9423. Effective dates; health and family services.**

23 (1) SOCIAL SECURITY NUMBERS ON CERTAIN REPORTS, VITAL RECORDS AND LICENSE
24 APPLICATIONS. The treatment of sections 69.17, 765.09 (2) and (3) and 765.13 of the

SENATE BILL 494**SECTION 9423**

1 statutes and SECTION 9323 (2) of this act take effect on April 1, 1998, or on the day
2 after publication, whichever is later.

3 (2) LICENSE OR CERTIFICATION WITHHOLDING, SUSPENSION OR RESTRICTION FOR
4 FAILURE TO PAY SUPPORT. The treatment of section 48.715 (6) of the statutes and
5 SECTION 9323 (4) of this act take effect on April 1, 1998, or on the day after
6 publication, whichever is later.

7 (3) LABORATORY APPROVAL AND PERMIT DENIAL, RESTRICTION, LIMITATION AND
8 SUSPENSION. The treatment of section 343.305 (6) (e) of the statutes and SECTION 9323
9 (3) of this act take effect on April 1, 1998, or on the day after publication, whichever
10 is later.

11 (4) CERTIFICATE, LICENSE, PERMIT, REGISTRATION AND APPROVAL DENIAL,
12 NONRENEWAL, SUSPENSION OR RESTRICTION. The treatment of sections 49.45 (2) (a) 11.,
13 49.48, 146.50 (5) (a), (b) and (g), (6) (a) (intro.), (b) 1. and (c) (intro.), (6g) (a), (7) and
14 (8) (a), (b), (c) and (f), 146.51, 250.041, 250.05 (5) and (6), 252.23 (2) and (4) (a), 252.24
15 (2) and (4) (a), 254.176 (1) and (3) (intro.) and (a), 254.178 (1) (b), (2) (intro.) and (a)
16 and (4), 254.20 (2) (d), (3) (a) and (b), (4) and (7), 254.47 (1), (2m) and (3), 254.64 (1)
17 (c) and (1p), 254.71 (2), (3) and (6) (c) and 255.08 (2) and (13) of the statutes and
18 SECTION 9323 (1) of this act take effect on April 1, 1998, or on the day after
19 publication, whichever is later.

20 **SECTION 9426. Effective dates; workforce development.**

21 (1) SOCIAL SECURITY NUMBERS ON CERTAIN REPORTS, RECORDS AND JUDGMENTS. The
22 treatment of sections 69.15 (3) (d), 767.37 (1) (a) and 767.51 (2) (by SECTION 478) of
23 the statutes and SECTION 9326 (1) of this act take effect on April 1, 1998, or on the
24 day after publication, whichever is later.

SENATE BILL 494**SECTION 9426**

1 (2) LICENSE, PERMIT OR CERTIFICATE WITHHOLDING, SUSPENSION OR RESTRICTION FOR
2 FAILURE TO PAY SUPPORT. The treatment of sections 102.17 (1) (c) and (cm), 103.005
3 (10), 103.275 (2) (b) (intro.) and (bm) and (7) (b) and (c), 103.92 (3) and (6) and 104.07
4 (1), (2) and (5) of the statutes, the renumbering of section 103.91 (4) of the statutes,
5 the renumbering and amendment of section 105.13 of the statutes, the creation of
6 sections 103.91 (4) (b) and 105.13 (2) of the statutes and SECTION 9326 (2) of this act
7 take effect on April 1, 1998, or on the day after publication, whichever is later.

8 (3) SOCIAL SECURITY NUMBERS ON LICENSE, PERMIT OR CERTIFICATE APPLICATIONS.
9 The treatment of sections 102.17 (1) (cg), 103.275 (2) (bg), 104.07 (4) and 105.06 (1m)
10 of the statutes, the renumbering and amendment of sections 103.91 (2) and 103.92
11 (1) of the statutes, the creation of sections 103.91 (2) (b) and 103.92 (1) (b) of the
12 statutes and SECTION 9326 (3) of this act take effect on April 1, 1998, or on the day
13 after publication, whichever is later.

14 (4) FINANCIAL RECORD MATCHING PROGRAM AND CHILD SUPPORT LIENS. The
15 treatment of sections 20.445 (1) (L), 25.17 (1) (tm), 49.853, 49.854, 224.092, 224.093,
16 224.40, 815.19 (2) and 815.20 (1) and chapter 224 (title) of the statutes, the
17 renumbering of subchapter II of chapter 224 of the statutes and the creation of
18 sections 20.445 (3) (k) and (r) and 25.68 and subchapter II (title) of chapter 224 of the
19 statutes take effect on April 1, 1998.

20 (5) CENTRALIZED RECEIPT AND DISBURSEMENT OF CHILD SUPPORT. The repeal and
21 recreation of sections 20.445 (3) (k) and (r) and 25.68 of the statutes takes effect on
22 the date stated in the notice published by the department of workforce development
23 in the Wisconsin Administrative Register under section 767.29 (1) (f) of the statutes,
24 as created by 1997 Wisconsin Act 27, or on October 1, 1999, whichever is earlier.

SENATE BILL 494**SECTION 9426**

1 (6) MODIFICATIONS RELATED TO CENTRALIZED RECEIPT AND DISBURSEMENT. The
2 amendment of sections 767.027 (2) and 767.263 (2) of the statutes and the repeal and
3 recreation of sections 767.25 (6) (intro.), 767.261 (intro.), 767.263 (1), 767.265 (1),
4 (2r), (3h) and (6) (a) and (b), 767.29 (1m) (intro.), 767.51 (5p) (intro.) and 767.62 (4)
5 (b) 3. a. (by SECTION 490) and (g) (intro.) (by SECTION 489) of the statutes take effect
6 on the date stated in the notice published by the department of workforce
7 development in the Wisconsin Administrative Register under section 767.29 (1) (f)
8 of the statutes, or on October 1, 1999, whichever is earlier.

9 (7) NOTIFICATION TO NEW EMPLOYER OF PARENT'S OBLIGATION TO PROVIDE HEALTH
10 CARE COVERAGE FOR A CHILD. The treatment of sections 767.25 (4m) (d) 2. and 2m. and
11 (f) and 767.51 (3m) (d) 2. and 2m. and (f) of the statutes takes effect on April 1, 1998.

12 (8) VOLUNTARY ACKNOWLEDGMENT OF PATERNITY. The treatment of sections
13 20.921 (2) (a), 48.02 (13), 48.42 (4) (b) 2., 48.837 (4) (e), 48.91 (2), 49.25 (3) (a) 8.,
14 66.184, 69.15 (3m), 69.22 (5) (a) 3., 102.27 (2) (a), 120.13 (2) (g), 565.30 (5m), 632.897
15 (10) (a) 3., 767.045 (1) (c) (intro.), 767.078 (1) (a) 1. and (2), 767.253, 767.254 (2)
16 (intro.), 767.265 (4) and (6) (c), 767.27 (2m), 767.295 (2) (a) (intro.) and (c), 767.30 (1),
17 767.303 (1), 767.305, 767.32 (1) (b) 4., (2m) and (2s), 767.45 (1) (c) and (k), (5m), (6m)
18 and (6p), 767.458 (3), 767.466 (intro.), 767.62 (by SECTION 488), 802.12 (3) (d) 1. and
19 3., 808.075 (4) (d) 9., 10. and 11., 852.05 (2) and 938.02 (13) of the statutes and the
20 amendment of sections 767.265 (1), (3h) and (6) (a) and (b) and 767.29 (1m) (intro.)
21 of the statutes take effect on April 1, 1998.

SECTION 9427. Effective dates; insurance.

22 (1) SOCIAL SECURITY NUMBERS ON LICENSE APPLICATIONS. The treatment of
23 sections 628.095, 632.68 (2) (b) (intro.) and 2., (bc) and (e) and (4) (b), (bc) and (c),
24 633.14 (1) (d) and (2c) and 633.15 (1m) and (2) (a) (title), 1., 2. and 3. of the statutes
25

SENATE BILL 494**SECTION 9427**

1 and SECTION 9327 (1) of this act take effect on April 1, 1998, or on the day after
2 publication, whichever is later.

3 (2) LICENSE WITHHOLDING, SUSPENSION OR RESTRICTION FOR FAILURE TO PAY SUPPORT
4 OR COMPLY WITH A SUBPOENA OR WARRANT. The treatment of sections 628.04 (1) (intro.)
5 and (2), 628.09 (1) and (4), 628.097, 628.10 (2) (c) and (d), 632.68 (2) (bm) and (4) (bm),
6 633.14 (2m) and 633.15 (2) (b) 1. (intro.) and (c) of the statutes, the renumbering and
7 amendment of section 632.68 (3) and (5) of the statutes, the amendment of section
8 632.68 (3) (title) and (5) (title) of the statutes, the creation of section 632.68 (3) (b)
9 and (5) (b) of the statutes and SECTION 9327 (2) and (3) of this act take effect on April
10 1, 1998, or on the day after publication, whichever is later.

SECTION 9437. Effective dates; natural resources.

11 (1) APPROVAL DENIALS FOR SUPPORT DELINQUENCY. The treatment of sections
12 29.09 (11m), 29.1085 (3) (c) 1. and 2., 29.134 (3), 29.135 (3), 29.145 (1c) (intro.), 29.33
13 (2) (d), 29.521 (2) (a) and (c) 1., 29.544 (3), 29.573 (2), 29.574 (3), 29.575 (3) and (4),
14 29.578 (4), (5), (11) and (14) (am) and (b) (intro.) and 29.585 (1) and (3) of the statutes
15 and SECTION 9337 (1) of this act take effect on April 1, 1998, or on the day after
16 publication, whichever is later.

17 (2) LICENSE DENIAL FOR FAILURE TO PAY SUPPORT. The treatment of sections 280.13
18 (4), 281.48 (3) (a) and (5) (b) and 299.08 of the statutes and SECTION 9337 (2) of this
19 act take effect on April 1, 1998, or on the day after publication, whichever is later.
20

SECTION 9440. Effective dates; public instruction.

21 (1) LICENSE DENIAL, RESTRICTION AND SUSPENSION. The treatment of sections
22 115.315 and 118.19 (1r) of the statutes and SECTION 9340 (1) of this act take effect on
23 April 1, 1998, or on the day after publication, whichever is later.
24

SECTION 9442. Effective dates; regulation and licensing.

SENATE BILL 494**SECTION 9442**

1 (1) DELINQUENCY IN PAYING SUPPORT. The treatment of sections 440.03 (7) and
2 (11m), 440.035 (5), 440.08 (2) (c) and (2g) (title), (a), (b) and (c), 443.06 (1) (a), 443.10
3 (2) (a), 445.08 (4) (a), 448.02 (3) (e), 448.05 (7), 454.08 (4), 459.10 (2) (a) (intro.), 459.34
4 (2m) (a) (intro.) and 480.24 (3) (intro.) of the statutes and SECTION 9342 (1) of this act
5 take effect on April 1, 1998, or on the day after publication, whichever is later.

6 **SECTION 9449. Effective dates; transportation.**

7 (1) LICENSE, PERMIT AND REGISTRATION DENIAL, RESTRICTION, LIMITATION AND
8 SUSPENSION. The treatment of sections 218.01 (2) (ie) and (3) (ag), 218.21 (2) (ag) and
9 (2m), 218.22 (3m) and (4) (a) and (b), 218.31 (1) (ag) and (1m), 218.32 (3m) and (4)
10 (a) and (b), 218.41 (2) (a) and (am), (3m), (4) and (5) (d), 218.51 (3) (a) and (am), (4m)
11 and (5) (a) and (b), 341.51 (4) (am), (4g) and (4m), 343.14 (2j), 343.345, 343.66 (6),
12 343.665, 343.675, 343.68 and 343.69 of the statutes, the renumbering of sections
13 343.64 and 343.65 of the statutes, the renumbering and amendment of sections
14 343.61 (2) and 343.62 (2) of the statutes, the creation of sections 343.61 (2) (b), 343.62
15 (2) (b), 343.64 (2) and 343.65 (2) of the statutes and SECTION 9349 (1) of this act take
16 effect on April 1, 1998, or on the day after publication, whichever is later.

17 **SECTION 9450. Effective dates; treasurer.**

18 (1) LOG-RAISING PERMITS. The treatment of section 170.12 (3) (em) of the
19 statutes, the renumbering of section 170.12 (8) of the statutes, the creation of section
20 170.12 (8) (b) of the statutes and SECTION 9350 (1) of this act take effect on April 1,
21 1998, or on the day after publication, whichever is later.

22 **SECTION 9456. Effective dates; other.**

23 (1) CERTIFICATION, DECERTIFICATION OR RECERTIFICATION OF LAW ENFORCEMENT
24 OFFICERS BY LAW ENFORCEMENT STANDARDS BOARD. The treatment of section 165.85 (3)

SENATE BILL 494

SECTION 9456

1 (c) and (cm), (3m) and (4) (d) and (f) of the statutes and SECTION 9356 (1) of this act
2 take effect on April 1, 1998, or on the day after publication, whichever is later.

3 (END)