



2017 SENATE BILL 467

October 18, 2017 - Introduced by Senators TESTIN and VINEHOUT, cosponsored by Representatives TUSLER, QUINN, GOYKE, ANDERSON, BERCEAU, E. BROOKS, CONSIDINE, CROWLEY, DOYLE, EDMING, GENRICH, HORLACHER, MASON, MURSAU, POPE and C. TAYLOR. Referred to Committee on Revenue, Financial Institutions and Rural Issues.

1 **AN ACT relating to:** a Public Defender Board student loan payment pilot
2 program and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill directs the Public Defender Board to establish a student loan payment pilot program for private bar attorneys who accept public defender appointments. The program would provide a payment to use to repay student loans of up to \$20,000 per year for attorneys in counties with a population of 25,000 or less who agree to accept at least 50 state public defender appointments per year. The bill provides \$250,000 GPR in each fiscal year of the 2017-19 biennium for the program.

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

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

3 **SECTION 1. Nonstatutory provisions.**

4 (1) STUDENT LOAN PAYMENT PILOT PROGRAM.

5 (a) The public defender board shall conduct a student loan payment pilot
6 program for private bar attorneys who accept public defender appointments. The

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1 program shall provide up to \$20,000 per year, or the outstanding balance on the
2 attorney's student loans, whichever is less, to eligible attorneys to use to repay
3 student loans. To be eligible to receive a payment under this paragraph in any
4 calendar year, an attorney must meet all of the following criteria:

5 1. The attorney is licensed to practice law in Wisconsin.

6 2. The attorney is certified to accept state public defender appointments.

7 3. The attorney agrees to accept a minimum of 50 state public defender
8 appointments per year.

9 4. The attorney maintains a law practice that either is headquartered or
10 performs a demonstrated majority of its legal work in a county with a population of
11 25,000 or fewer residents.

12 5. The attorney has outstanding student loans that were incurred to obtain a
13 juris doctor degree from an accredited university.

14 (b) An attorney who will meet all of the criteria under paragraph (a) may apply
15 for the student loan payment pilot program beginning on January 1 of each year to
16 qualify to receive a payment at the end of that year. Applications will be accepted
17 on a rolling basis and all payments will be disbursed in the order that applications
18 are received. At the end of the year, the attorney must certify that he or she has met
19 all of the criteria for that year and must provide proof of his or her outstanding
20 student loan balance on January 1 of that year to determine the payment amount
21 that he or she is eligible to receive under the program.

22 (c) The public defender board may promulgate emergency rules under section
23 227.24 of the statutes to implement the program under paragraph (a) for the period
24 before the effective date of permanent rules but not to exceed the period authorized
25 under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24

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1 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the
2 statutes, the board is not required to provide evidence that promulgating a rule
3 under this paragraph as an emergency rule is necessary for the preservation of the
4 public peace, health, safety, or welfare and is not required to provide a finding of
5 emergency for a rule promulgated under this paragraph.

6 **SECTION 2. Fiscal changes.**

7 (1) STUDENT LOAN PAYMENT PILOT PROGRAM. In the schedule under section 20.005
8 (3) of the statutes for the appropriation to the public defender board under section
9 20.550 (1) (a) of the statutes, the dollar amount for fiscal year 2017-18 is increased
10 by \$250,000 to conduct a student loan payment pilot program under SECTION 1 (1) of
11 this act for private bar attorneys who accept public defender appointments and who
12 meet certain additional criteria. In the schedule under section 20.005 (3) of the
13 statutes for the appropriation to the public defender board under section 20.550 (1)
14 (a) of the statutes, the dollar amount for fiscal year 2018-19 is increased by \$250,000
15 to conduct a student loan payment pilot program under SECTION 1 (1) of this act for
16 private bar attorneys who accept public defender appointments and who meet
17 certain additional criteria.

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(END)