

State of Wisconsin



1997 Assembly Bill 139

Date of enactment: April 16, 1998
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1997 WISCONSIN ACT 115

AN ACT to renumber and amend 45.25 (4) (b), 45.356 (6), 45.396 (6) and 45.74 (6); to amend 45.356 (2); and to create 45.25 (4) (b) 1. and 2., 45.356 (6) (a) to (c), 45.396 (6) (a) and (b) and 45.74 (6) (a) and (b) of the statutes; relating to: veterans benefits for veterans who are delinquent in child or spousal support, maintenance, medical expenses or birth expenses.

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

SECTION 1. 45.25 (4) (b) of the statutes is renumbered 45.25 (4) (b) (intro.) and amended to read:

45.25 (4) (b) (intro.) The department may not provide reimbursement under sub. (2) to an individual who is delinquent in child support or maintenance payments or who owes past support, medical expenses or birth expenses, as established by the receipt by the department of a certification under s. 49.855, only if the individual provides the department with one of the following:

SECTION 2. 45.25 (4) (b) 1. and 2. of the statutes are created to read:

45.25 (4) (b) 1. A repayment agreement that the individual has entered into, that has been accepted by the county child support agency under s. 59.53 (5) and that has been kept current for the 6-month period immediately preceding the date of the application.

2. A statement that the individual is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the clerk of circuit court within 7 working days before the date of the application.

SECTION 5m. 45.356 (2) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

45.356 (2) The department may lend a veteran, a veteran's unmarried spouse or a deceased veteran's child who meets the requirements of s. 45.35 (5m) (a) 2. not more than \$15,000 or a lesser amount established by the department by rule for the purchase of a mobile home, business or business property, the education of the veteran or his or her spouse or children, the payment of medical or funeral expenses, the payment under sub. (6) (c) or the consolidation of debt. The department may prescribe loan conditions, but the term of the loan may not exceed 10 years. The department shall ensure that the proceeds of any loan made under this section shall first be applied to pay any delinquent child support or maintenance payments and to pay any past support, medical expenses or birth expenses.

SECTION 6. 45.356 (6) of the statutes is renumbered 45.356 (6) (intro.) and amended to read:

45.356 (6) (intro.) ~~No person may receive~~ The department may provide a loan under this section ~~if after~~ the department receives a certification under s. 49.855 (7) that the ~~person applicant~~ applicant is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses: only if the applicant does one of the following:

SECTION 7. 45.356 (6) (a) to (c) of the statutes are created to read:

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

45.356 (6) (a) Provides to the department a repayment agreement that the applicant has entered into, that has been accepted by the county child support agency under s. 59.53 (5) and that has been kept current for the 6-month period immediately preceding the date of the application.

(b) Provides to the department a statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the clerk of circuit court within 7 working days before the date of the application.

(c) Agrees to use the loan proceeds to pay any delinquent child support or maintenance payments and to pay any past support, medical expenses or birth expenses if the applicant fails to meet the requirements under par. (a) or (b).

SECTION 8. 45.396 (6) of the statutes is renumbered 45.396 (6) (intro.) and amended to read:

45.396 (6) (intro.) The department may not make a grant to ~~a person~~ an applicant under this section ~~if it~~ after the department receives a certification under s. 49.855 (7) that the ~~person~~ applicant is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses: only if the applicant provides the department with one of the following:

SECTION 9. 45.396 (6) (a) and (b) of the statutes are created to read:

45.396 (6) (a) A repayment agreement that the applicant has entered into, that has been accepted by the

county child support agency under s. 59.53 (5) and that has been kept current for the 6-month period immediately preceding the date of the application.

(b) A statement that the applicant is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the clerk of circuit court within 7 working days before the date of the application.

SECTION 10. 45.74 (6) of the statutes is renumbered 45.74 (6) (intro.) and amended to read:

45.74 (6) DELINQUENT SUPPORT PAYMENTS. (intro.) ~~It has received a certification under s. 49.855 (7) that the~~ The person is delinquent in child support or maintenance payments or owes past support, medical expenses or birth expenses, as evidenced by a certification under s. 49.855 (7), unless the person provides the department or authorized lender with one of the following:

SECTION 11. 45.74 (6) (a) and (b) of the statutes are created to read:

45.74 (6) (a) A repayment agreement that the person has entered into, that has been accepted by the county child support agency under s. 59.53 (5) and that has been kept current for the 6-month period immediately preceding the date of the application.

(b) A statement that the person is not delinquent in child support or maintenance payments and does not owe past support, medical expenses or birth expenses, signed by the clerk of circuit court within 7 working days before the date of the application.