

1999 DRAFTING REQUEST

Bill

Received: **11/30/1999**

Received By: **kunkemd**

Wanted: **As time permits**

Identical to LRB :

For: **Frank Lasee (608) 266-9870**

By/Representing: **Mark Wadium**

This file may be shown to any legislator: NO

Drafter: **nelsorpl**

May Contact:

Alt. Drafters: **kunkemd**

Subject: **Occupational Reg. - misc**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Professional credential revocation based on failure to pay student loans

Instructions:

Include all professional licenses (teachers, lawyers, etc.). If 120 days past due, allow 90 days within which to pay past due, enter into payment agreement or revoke license.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Reauired</u>
/?	kunkemd 12/20/1999 nelsorp 1 1212311999	chanaman 12/30/1999		_____			
/P1	nelsorp 1 01/04/2000	chanaman 01/04/2000	mclark 01/03/2000 kfollet 0 1/05/2000	_____	lrb-docadmin 01/05/2000		State
/1	nelsorp 1	chanaman	hhagen	_____	lrb-docadmin	lrb-docadmin	

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	01/13/2000	01/14/2000	01/18/2000	_____	01/18/2000	02/02/2000	

FE Sent For:

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2/8/00

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Pre Topic:

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Topic:

Professional credential revocation based on failure to pay student loans

Instructions:

Include all professional licenses (teachers, lawyers, etc.). If 120 days past due, allow 90 days within which to pay past due, enter into payment agreement or revoke license.

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FE Sent For:

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For: Frank Lasee (608) 266-9870

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This file may be shown to any legislator: NO

Drafter: nelsorpl

May Contact:

Alt. Drafters: kunkemd

Subject: Occupational Reg. - misc

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Professional credential revocation based on failure to pay student loans

Including teachers

Instructions:

Include all professional licenses (teachers, lawyers, etc.). If 120 days past due, allow 90 days within which to pay past due, enter into payment agreement or revoke license.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	kunkemd	cmk /p1 12/23	1/3 mrc Kjf 1/4	MRC/JF 1/3 Kjf/km 1/5 <END>			
FE Sent For:							

1997 ASSEMBLY BILL 143

February 24, 1997 - Introduced by Representatives LADWIG, SCHAFFER, AINSWORTH, ALBERS, GOETSCH, GUNDERSON, HAHN, JENSEN, KREIBICH, F. LASEE, MUSSER, NASS, OLSEN, OTTE, OWENS, PORTER, SERATTI, SKINDRUD, SPRINGER, SYKORA, URBAN and WASSERMAN, cosponsored by Senators WIRCH, DARLING, DRZEWIECKI, FARROW and ROSENZWEIG. Referred to Committee on Consumer Affairs.

*refer
cat*

1 **AN ACT to amend** 440.03 (7) and 440.08 (2g) (c); and **to create** 440.01 (2) (ce),
2 440.01 (2) (e), 440.03 (13), 440.08 (2g) (b) 3., 440.08 (2w) and 440.08 (4) (c) of the
3 statutes; **relating to:** denial by the department of regulation and licensing of
4 applications for renewal of a health care credential based on the credential
5 holder's default on a student loan.

two **Analysis by the Legislative Reference Bureau**

Under current law, the department of regulation and licensing (DORL) and examining and affiliated credentialing boards (boards) issue certain professional and occupational credentials. A person who holds a credential issued by DORL or a board (a credential holder) must renew his or her credential periodically (generally every 2 years). As part of the renewal process, a credential holder must provide DORL with his or her social security number (or, if the credential holder is not a natural person, its federal employer identification number) on the application form for renewal. The department of revenue (DOR) uses this information to determine whether the credential holder is liable for any delinquent taxes owed to this state. If so, DORL may not renew the credential unless the credential holder shows at a hearing conducted by DOR that DOR's determination is mistaken.

This bill requires DORL to deny an application to renew a health care credential if the applicant is in default on a student loan made, insured or guaranteed by a federal or state governmental entity. "Health care credential" is defined as any credential issued by DORL or a board to an audiologist, chiropractor,

ASSEMBLY BILL 143

dental hygienist, dentist, dietitian, marriage and family therapist, nurse, nurse-midwife, occupational therapist, occupational therapy assistant, optometrist, pharmacist, physical therapist, physician, physician assistant, podiatrist, professional counselor, psychologist, respiratory care practitioner, social worker or speech-language pathologist.

The bill also requires DORL to establish a procedure for determining whether an applicant to renew a health care credential is in default on a student loan. In establishing this procedure, DORL may contract with a private credit reporting agency or bureau. The bill prohibits DORL from disclosing any information obtained from a private credit reporting agency or bureau except to the applicant and except as necessary in the course of judicial proceedings. If DORL determines that the applicant is in default on a student loan, DORL may not renew the applicant's health care credential unless he or she shows to DORL's satisfaction at a hearing that either: 1) the applicant is not in default; or 2) the applicant has made satisfactory arrangements to repay any student loan on which the applicant is in default.

The bill requires an applicant for renewal of a health care credential to sign a statement attesting whether or not he or she is in default on a student loan and allowing DORL to release any information provided by the applicant on the application form (including the applicant's social security number) to a private credit reporting agency or bureau, if the release of the information is necessary to determine whether the applicant is in default on a student loan.

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:

INSEK 1-1

1 SECTION 1. 440.01 (2) (ce) of the statutes is created to read:

2 440.01 (2) (ce) "Health care credential" means a license, permit, or certificate
3 of certification or registration that is issued under chs. 441, 446 to 450, 455, 457 or
4 459, but does not include a license issued to a hearing instrument specialist under
5 subch. I of ch. 459.

6 SECTION 2. 440.01 (2)(c) of the statutes is created to read:

7 440.01 (2)(c) "Student loan" means a loan to provide educational assistance
8 to a borrower that is made, insured or guaranteed by a federal or state governmental
9 entity.

10 SECTION 3. 440.03 (7) of the statutes is amended to read:

INSEK 1-9

ASSEMBLY BILL 143

1 ~~440.03 (7) The department shall establish the style, content and format of all~~
2 ~~credentials and of all forms for applying to the department for renewal of any~~
3 ~~credential issued under chs. 440 to 480. When establishing the format of credential~~
4 ~~renewal application forms, the department shall provide a place on the form for the~~
5 ~~information required under s. 440.08 (2g) (b) 1. and 2. and. for health care credential~~
6 ~~renewal applications, the information required under s. 440.08 (2g) (b) 3. Upon~~
7 ~~request of any person who holds a credential and payment of a \$10 fee, the~~
8 ~~department may issue a wall certificate signed by the governor.~~

9 **SECTION 4.** 440.03 (13) of the statutes is created to read:

10 440.03 (13) The department shall establish a procedure for making the
11 determination under s. 440.08 (2w) concerning whether a health care credential
12 holder is in default on a student loan. In establishing the procedure under this
13 subsection, the department may contract with a private credit reporting agency or
14 bureau to provide information that assists the department in making the
15 determination. The department may not disclose any information obtained from a
16 private credit reporting agency or bureau except to the applicable credential holder
17 or except as necessary in the course of judicial proceedings.

18 **SECTION 5.** 440.08 (2g) (b) 3. of the statutes is created to read:

19 440.08 (2g) (b) 3. If the application is for renewal of a health care credential,
20 sign a statement attesting whether or not the applicant is in default on a student loan
21 and authorizing the department to release to a private credit reporting agency or
22 bureau any information provided by the applicant on the application form if the
23 department determines that the release of the information is necessary to assist the
24 department in making the determination required under sub. (2w).

25 **SECTION 6.** 440.08 (2g) (c) of the statutes is amended to read:

ASSEMBLY BILL 143

1 440.08 (2g) (c) Neither the department nor any examining board or affiliated
2 credentialing board may disclose a social security number obtained from an
3 applicant for credential renewal on a form established under par. (a) to any person
4 except to the department of revenue for the sole purpose of making the determination
5 required under sub. (2r) or to a private credit reporting agency or bureau for the sole
6 purpose of making: the determination required under sub. (2w).

7 **SECTION 7.** 440.08 (2w) of the statutes is created to read:

8 **440.08 (2w) DETERMINATION CONCERNING DEFAULT ON STUDENT LOAN.** Before
9 granting an application to renew a health care credential, the department shall
10 determine, in accordance with the procedure established under s. 440.03 (13),
11 whether the applicant for the health care credential renewal is in default on any
12 student loan.

13 **SECTION 8.** 440.08 (4) (c) of the statutes is created to read:

14 **440.08 (4) (c) Default on student loan.** 1. If the department determines under
15 sub. (2w) that an applicant for renewal of a health care credential is in default on any
16 student loan, or if an applicant for renewal of a health care credential does not
17 complete the information on the credential renewal application form that is required
18 under sub. (2g) (b) 3., the department shall deny the applicant's application for
19 health care credential renewal unless the applicant shows to the satisfaction of the
20 department that he or she has made satisfactory arrangements to repay any student
21 loan on which the applicant is in default.

22 2. The department shall notify an applicant for health care credential renewal
23 that his or her application has been denied under subd. 1. by mailing the holder of
24 the health care credential a notice of denial that includes a statement of the facts that
25 warrant the denial and a notice that the applicant may, within 30 days after the date

ASSEMBLY BILL 143

1 on which the notice of denial is mailed, file a written request with the department
2 to have the denial reviewed at a hearing before the department.

3 3. If the denial of an application for renewal of a health care credential is
4 reviewed at a hearing requested under subd. 2., the department shall affirm the
5 denial unless the applicant shows to the satisfaction of the department that he or she
6 is not in default on any student loan or has made satisfactory arrangements to repay
7 any student loan on which the applicant is in default.

8 **SECTION 9. Initial applicability.**

9 (1) This act first applies to the renewal of health care credentials that expire
10 on October 1, 1999.

11 (END)

**ASSEMBLY SUBSTITUTE AMENDMENT,
TO 1997 ASSEMBLY BILL 143**

1 ~~AN ACT to amend 440.03 (7) and 440.08 (2g) (c); and to create 440.01 (2) (bt),~~
2 ~~440.01 (2) (ce), 440.01 (2) (e), 440.01 (2) (f), 440.03 (14), 440.08 (2g) (bm), 440.08~~
3 ~~(2w) and 440.08 (4) (c) of the statutes; relating to: denial by the department~~
4 ~~of regulation and licensing of applications for renewal of a health care~~
5 ~~credential based on the credential holder's default on a student loan or breach~~
6 ~~of an obligation under an educational loan repayment or service-conditional~~
7 ~~scholarship program.~~

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

INSERT
1-1

8 **SECTION 1.** 440.01 (2) (bt) of the statutes is created to read:
9 440.01 (2) (bt) "Educational loan repayment program" means a program
10 administered by a federal or state governmental entity that provides educational
11 loan repayment assistance to a person who agrees to provide a specified type of
12 health care service for a specified period of time.

(END OF INSERT 1-1)

1 SECTION 2. 440.01 (2) (ce) of the statutes is created to read:

2 440.01 (2) (ce) "Health care credential" means a license, permit, or certificate
3 of certification or registration that is issued under chs. 441, 446 to 450, 455, 457 or
4 459, but does not include a license issued to a hearing instrument specialist under
5 subch. I of ch. 459.

6 SECTION 3. 440.01 (2) (e) of the statutes is created to read:

7 440.01 (2) (e) "Service-conditional scholarship program" means a scholarship
8 program administered by a federal or state governmental entity that provides
9 educational assistance to a person who agrees to provide a specified type of health
10 care service for a specified period of time.

11 SECTION 4. 440.01 (2) (f) of the statutes is created to read:

12 440.01 (2) (f) "Student loan" means a loan to provide educational assistance to
13 a borrower that is made, insured or guaranteed by a federal or state governmental
14 entity.

15 SECTION 6. 440.03 (7) of the statutes ~~was affected by 1997 Wisconsin Act 24,~~ is
16 amended to read:

17 440.03 (7) The department shall establish the style, content and format of all
18 credentials and of all forms for applying for any credential issued or renewed under
19 chs. 440 to 480. ^{plain text} When establishing the format of credential renewal application
20 forms, the department shall ^{All forms include} provide a place ^{on the form} for the information required
21 under ~~sub. (11m) (a)~~ ^{sub. (11m) (a)} and, for health care credential renewal applications, the
22 information required under ~~sub. (11m) (a)~~ ^{sub. (11m) (a)}. Upon request of any person who
23 holds a credential and payment of a \$10 fee, the department may issue a wall
24 certificate signed by the governor. (END OF INSERT 1-9)

25 SECTION 6. 440.03 (14) of the statutes is created to read:

1 440.03 (14) (a) The department shall establish a procedure for making the
2 determination under s. 440.08 (2w) concerning whether a health care credential
3 holder is in default on a student loan or has breached a repayment or service
4 obligation under an educational loan repayment or service-conditional scholarship
5 program. In making a determination under s. 440.08 (2w), the department may rely
6 on a determination by a federal or state governmental entity that a health care
7 credential holder is in default on a student loan or has breached a repayment or
8 service obligation under an educational loan repayment or service-conditional
9 scholarship program.

10 (b) In establishing the procedure under par. (a), the department may enter into
11 agreements with federal or state governmental entities for the purpose of obtaining
12 information regarding the status of a health care credential holder with respect to
13 paying student loans made, insured or guaranteed by the federal or state
14 governmental entities or satisfying repayment or service obligations under
15 educational loan repayment or service-conditional scholarship programs
16 administered by the federal or state governmental entities. The department may
17 also contract with a private credit reporting agency or bureau to provide information
18 that assists the department in making a determination under s. 440.08 (2w). The
19 department may not disclose any information obtained from 'a federal or state
20 governmental entity or private credit reporting agency or bureau except to the
21 applicable credential holder or except as necessary in the course of judicial
22 proceedings.

23 **SECTION 7.** 440.08 (2g) (bm) of the statutes is created to read:

1 440.08 (2g) (bm) An application form established under s. 440.03 (7) for
2 renewal of a health care credential shall require an applicant to do all of the
3 following:

4 1. Identify any student loan that the applicant has not paid in full.

5 2. Describe any educational loan repayment or service-conditional scholarship
6 program that has provided assistance to the applicant.

7 3. Sign a statement attesting whether or not the applicant is in default on a
8 student loan or has breached a repayment or service obligation under an educational
9 loan repayment or service-conditional scholarship program and authorizing the
10 department to do any of the following:

11 a. Release to any federal or state governmental entity that has made, insured
12 or guaranteed a student loan or administered an educational loan repayment or
13 service-conditional scholarship program that has provided assistance to the
14 applicant any information provided by the applicant on the application form if the
15 department determines that the release of the information is necessary to assist the
16 department in making the determination required under sub. (2w).

17 b. Release to a private credit reporting agency or bureau any information
18 provided by the applicant on the application form if the department determines that
19 the release of the information is necessary to assist the department in making the
20 determination required under sub. (2w).

21 **SECTION 8.** 440.08 (2g) (c) of the statutes, as affected by 1997 Wisconsin Act 27,
22 is amended to read:

23 440.08 (2g) (c) Neither the department nor any examining board or affiliated
24 credentialing board may disclose a social security number obtained from an
25 applicant for credential renewal on a form established under s. 440.03 (7) to any

1 person except to the department of revenue for the sole purpose of making the
2 determination required under sub. (2r) or to a federal or state governmental entity
3 or private credit reporting agency or bureau for the sole purpose of making the
4 determination required under sub. (2w).

5 SECTION 9. 440.08 (2w) of the statutes is created to read:

6 440.08 (2w) DETERMINATION CONCERNING EDUCATIONAL ASSISTANCE OBLIGATIONS.

7 Before granting an application to renew a health care credential, the department
8 shall determine, in accordance with the procedure established under s. 440.03 (14),
9 whether the applicant for the health care credential renewal is in default on any
10 student loan or has breached a repayment or service obligation under any
11 educational loan repayment or service-conditional scholarship program.

12 SECTION 10. 440.08 (4) (c) of the statutes is created to read:

13 440.08 (4) (c) *Educational assistance obligations.* 1. If the department
14 determines under sub. (2w) that an applicant for renewal of a health care credential
15 is in default on any student loan or has breached a repayment or service obligation
16 under any educational loan repayment or service-conditional scholarship program,
17 or if an applicant for renewal of a health care credential does not complete the
18 information on the credential renewal application form that is required under sub.
19 (2g)(bm), the department shall notify the applicant that the department intends to
20 deny the applicant's application for health care credential renewal.

21 2. The department shall make a notification under subd. 1. by mailing a holder
22 of a health care credential a notice of intention to deny the credential that includes
23 a statement of the facts that warrant the denial and a notice that the applicant may,
24 within 30 days after the date on which the notice of intention to deny is mailed, file
25 a written request with the department to have the denial reviewed at a hearing

1 before the department. If a written request for a hearing is not filed within 30 days
2 after the date on which a notice is mailed, the department shall deny the application
3 for renewal.

4 3. If an applicant files a written request for a hearing under subd. 2., the
5 department shall deny the applicant's renewal application unless the applicant
6 shows to the satisfaction of the department that he or she is not in default on any
7 student loan or has not breached any obligation under an educational loan
8 repayment or service-conditional scholarship program or that he or she has made
9 satisfactory arrangements to repay any student loan on which the applicant is in
10 default or to satisfy any obligation under an educational loan repayment or
11 service-conditional scholarship program that he or she has breached.

12 4. The department shall assess a fee against an applicant for renewal of a
13 health care credential if the department determines under sub. (2w) that the
14 applicant is in default on any student loan or has breached any obligation under an
15 educational loan repayment or service-conditional scholarship program. A fee
16 assessed under this subdivision shall be in amount necessary to reimburse the
17 department for the cost of making a determination under sub. (2w) and shall not
18 exceed \$34. Notwithstanding any provision of this chapter or ch. 441,446 to 450,455,
19 457 or 459, the department may not renew the health care credential of an applicant
20 who does not pay a fee that is assessed under this subdivision.

21 5. Notwithstanding any provision of this chapter or ch. 441, 446 to 450,455,
22 457 or 459, the department or an examining board or affiliated credentialing board
23 may not reinstate a health care credential for which renewal has been denied under
24 subd. 3. unless the applicant for reinstatement has paid a fee that is assessed under
25 subd. 4. and the department has determined that the applicant has made

1 satisfactory arrangements to pay a student loan on which the applicant has
2 defaulted or to satisfy an obligation under an educational loan repayment or
3 service-conditional scholarship program that the applicant has breached.

4 6. In determining whether an applicant has satisfactorily made the showing
5 specified in subd. 3. or in making the determination under subd. 5., the department
6 may rely on a determination by a federal or state governmental entity that the
7 applicant has made satisfactory arrangements to pay a student loan or to satisfy an
8 obligation under an educational loan repayment or service-conditional scholarship
9 program.

10 **SECTION 11. Initial applicability.**

11 (1) This act first applies to the renewal of health care credentials that expire
12 on October 1, 1999.

13 (END)

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**SENATE SUBSTITUTE AMENDMENT 2,
TO 1997 SENATE BILL 494**

This is Act 191

March 19, 1998 - Offered by Senator WIRCH.

regen.

1 **AN ACT to repeal 440.08 (2g) (title), 440.08 (2g) (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 **224.701, 343.64, 343.65, 767.263 and 767.29 (3); to renumber and amend**
5 **49.145 (2) (f) 1., 49.22 (2m), 49.22 (11), 103.91 (2), 103.92 (1), 105.13, 218.02 (2)**
6 **(a), 218.04 (3) (a), 343.61 (2), 343.62 (2), 440.08 (2g) (c), 632.632(6), (5),**
7 **767.475 (1), 767.48 (1) (b) and 891.41; to amend 13.63 (1), 13.64 (1) (a), 13.64**
8 **(2), 19.55 (2) (b), 20.445 (1) (L), 20.921 (2) (a), 29.1085 (3) (c) 1., 29.1085 (3) (c)**
9 **2., 29.134 (3), 29.135 (3), 29.145 (1c) 29.521 (2) (a), 29.521**
10 **(2) (c) 1., 29.544 (3), 29.573 (2), 29.574 (3), 29.575 (3), 29.575 (4), 29.578 (4),**
11 **29.578 (5), 29.578 (II), 29.578 (14) (am), 29.578 (14) (b) (intro.), 29.585 (1),**
12 **29.585(3), 48.02 (13), 48.396(2)(dm), 48.42 (4) (b) 2., 48.66 (1), 48.66 (2), 48.69,**
13 **48.72, 48.837 (4) (e), 48.91 (2), 49.124 (1g) (a), 49.145 (2) (f) 2., 49.22 (6), 49.25**

1 (3) (a) 8., 49.45 (2) (a) 11., 49.45(2) (a) 12., 49.45(19) (a) 1., 59.40 (2) (h) , 59.53
2 (5m) (a), 59.53 (5m) (am), 59.53 (5m) (b) 1., 59.53 (5m) (b) 2., 66.184, 66.81, 69.14
3 (1) (cm), 69.15 (3) (b) 3., 69.17, 69.20 (3) (d), 69.22 (5) (a) 3., 73.03 (50), 85.24 (4)
4 (b), 85.24 (4) (c), 93.06 (8), 93.11 (1), 93.35 (10), 94.65 (3) (d), 94.66 (8), 95.72
5 (2) (c) 5., 99.02 (1), 100.06 (lg) (c), 102.17 (1)(c), 102.27 (2)(a), 103.005(10),
6 103.275 (2) (b) (intro.), 103.275 (7)(b), 103.275 (7)(c), 103.92 (3), 104.07 (1),
7 104.07 (2), 118.19 (10) (f), 120.13 (2) (g), 127.17 (2) (a), 127.17 (2) (b), 127.17 (2)
8 (c) 1., 127.17 (2) (d), 127.17 (2) (e) 1., 138.09 (3) (a), 138.12 (4) (a), 146.50 (5) (a),
9 146.50 (5) (b), 146.50 (5) (g), 146.50 (6) (a) (intro.), 146.50 (6) (b) 1., 146.50 (6)
10 (c) (intro.), 146.50 (6g) (a), 146.50 (7), 146.50 (8) (a), 146.50 (8) (b), 146.50 (8) (c),
11 146.50 (8) (f), 165.85 (3) (c), 165.85 (3) (cm), 165.85 (4) (d), 165.85 (4) (f), 217.09
12 (4), 218.01 (2) (h) 3., 218.02 (9) (a), 218.04 (4) (a), 218.04 (5) (b), 218.05 (11),
13 218.05 (12) (title), 218.11 (2) (a), 218.11 (7) (a), 218.11 (7) (b), 218.12 (2) (a),
14 218.12 (5), 218.22 (4) (a), 218.22 (4) (b), 218.32 (4) (a), 218.32 (4) (b), 218.41 (2)
15 (a), 218.41 (4), 218.51 (3) (a), 218.51 (5) (a), 218.51 (5) (b), chapter 224 (title),
16 224.72 (5) (a), 224.72 (5) (b) 1., 224.72 (5) (b) 2., 230.13 (1) (intro.), 230.13 (2),
17 250.05 (5), 250.05 (6), 250.05 (8), 252.23 (2), 252.23 (4) (a), 252.24 (2), 252.24 (4)
18 (a) 254.176 (1), 254.176 (3) (intro.), 254.176 (3) (a), 254.178 (1) (b), 254.178 (2)
19 (intro.), 254.178 (2) (a), 254.178 (4), 254.20 (2) (d), 254.20 (3) (a), 254.20 (3) (b),
20 254.20 (4), 254.20 (6), 254.20 (7), 254.47 (1), 254.47 (2m), 254.47 (3), 254.64 (1)
21 (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), 343.50 (8) (b), 343 (6), 343.68, 343.69, 349.19, 440.03(7), 440.08 (2) (c),
24 440.08 (4) (a), 440.43 (5), 440.44 (10), 440.92 (6) (d), 440.93 (2), 442.12 (7),
25 445.13 (2), 446.05 (2), 448.02 (3) (e), 449.07 (3), 452.12 (6) (e) (intro.), 459.10 (2)

1 (a) (intro.), 459.34 (2m) (a) (intro.), 480.24 (3) (intro.), 565.30 (5m), 628.04 (1)
2 (intro.), 628.04 (2), 628.09 (1), 628.09 (4), 632.68 (2) (b) (intro.), 632.68 (2) (b) 2.,
3 632.68 (2) (c), 632.68 (2) (e), 632.68 (3) (title), 632.68 (4) (b), 632.68 (4) (c), 632.68
4 (5) (title), 632.897 (10) (a) 3., 633.15 (2) (a) (title), 633.15 (2) (a) 1., 633.15 (2) (a)
5 2., 633.15 (2) (a) 3., 633.15 (2) (b) 1. (intro.), 765.09 (2), 765.09 (3), 765.13,
6 767.027 (1) (b), 767.045 (1) (c) (intro.), 767.078 (1) (a) 1., 767.078 (2), 767.085 (1)
7 (b), 767.24 (7m) (a) (intro.), 767.25 (4), 767.25 (4m) (d) 2., 767.25 (6) (intro.),
8 767.25 (6) (a), 767.253, 767.254 (2) (intro.), 767.261 (intro.), 767.261 (1), 767.263
9 (title), 767.263 (2), 767.265 (l), 767.265 (2h), 767.265 (2r), 767.265 (3h), 767.265
10 (3m), 767.265 (4), 767.265 (6) (a), 767.265 (6) (b), 767.265 (6) (c), 767.27 (2m),
11 767.29 (lm) (intro.), 767.295 (2) (a) (intro.), 767.295 (2) (c), 767.30 (1), 767.303
12 (l), 767.305, 767.32 (1) (b) 4., 767.32 (2m), 767.32 (2s), 767.37 (1) (a), 767.45 (1)
13 (intro.), 767.45 (1) (c), 767.45 (1) (k), 767.45 (5) (b), 767.45 (5m), 767.45 (6m),
14 767.455 (5g) (form) 2., 767.455 (5g) (form) 3., 767.455 (5g) (form) 7., 767.455 (5r)
15 (form) 2., 767.458 (1) (c), 767.458 (1) (d), 767.458 (2), 767.458 (3), 767.465 (2) (a),
16 767.466 (intro.), 767.47 (1) (c), 767.47 (3), 767.47 (8), 767.475 (2), 767.48 (1) (a),
17 767.48 (1m), 767.48 (4), 767.48 (5) (a), 767.48 (5) (b), 767.51 (1), 767.51 (2),
18 767.51 (2), 767.51 (3), 767.51 (3m) (d) 2., 767.51 (3r) (a) (intro.), 767.51 (5p)
19 (intro.), 767.51 (5p) (a), 767.52 (2m), 802.12 (3) (d) 1., 802.12 (3) (d) 3., 808.075
20 (4) (d) 9., 808.075 (4) (d) 10., 808.075 (4) (d) 11., 852.05 (2), 891.39 (1) (a),
21 891.405, 895.48 (title), 938.02 (13), 948.22 (4) (b) and 977.06 (4) (c); **to repeal**
22 **and recreate 20.445 (3)** (k), 20.445 (3) (r), 25.68, 767.24 (7m) (b), 767.25 (6)
23 (intro.), 767.261 (intro.), 767.263 (l), 767.265 (l), 767.265 (2r), 767.265 (3h),
24 767.265 (6) (a), 767.265 (6) (b), 767.29 (lm) (intro.), 767.51 (3r) (b), 767.51 (5p)
25 (intro.), 767.62, 767.62 (4) (b) 3. a. and 767.62 (4) (g) (intro.); **to create 19.55 (2)**

1 (d), 20.445 (3) (k), 20.445 (3) (r), 25.17 (1) (tm), 25.68, 29.09 (11m), 29.138 (5m),
 2 40.08 (1c), 40.08 (1g), 48.66(2m), 48.715(6), 49.22(2m) (am), 49.22(2m) (b),
 3 49.22(2m) (bc), 49.22(2m) (c), 49.22(2m) (d), 49.22(7g), 49.22 (11)(b), 49.22
 4 (11) (c), 49.225, 49.48, 49.852, 49.853, 49.854, 49.856, 49.857, 49.858, 69.15 (3)
 5 (d), 69.15 (3m), 69.20 (3) (f), 73.03(50m),77.61 (5) (b) 11.,93.135, 101.02(21),
 6 102.17 (1) (cg), 102.17 (1) (cm), 102.33 (2)(b) 5., 103.275 (2) (bg), 103.275 (2)
 7 (bm), 103.91 (2) (b), 103.91 (4) (b), 103.92 (1) (b), 103.92(6), 104.07(4), 104.07
 8 (5), 105.06 (1m),3(2), (1r),315,118.19 (10) (g), 134.43 (3m),
 9 138.09 (1m) (b), 138.09 (3) (am), 138.09 (4) (b), 138.12 (3) (d), 138.1(4) (b) 4.,
 10 138.12 (4) (b) 6., 138.12 (5am)46.51, 165.85(3m), 170.12 (3) (em), 170.12
 11 (8) (b), 217.05(1m), 217.06(4),06 (6), 217.09(1m), 218.01 (2) (ie), 218.01
 12 (2) (ig), 218.01 (3) (ag), 218.01 (3) (m)218.02(2) (a) 2., 218.02 (3) (e), 218.02
 13 (6) (b), 218.04 (3) (a) 2., 218.04 (4) (am), 218.04 (5) (am), 218.05 (3) (am), 218.05
 14 (4) (c), 218.05 (12) (am),220.11 (6m), 218.12 (2) (am), 218.12
 15 (3m), 218.21(2g), 218.21 (2m), 218.22 (3m)218.31 218.31 (1m),
 16 218.32 (3m), 218.41 (2) (am), 218.41 (3m), 218.41 (5) (d), 218.51 (3) (am), 218.51
 17 (4m), 220.01 (1e), subchapter II (title) of chapter 224 [precedes 224.25], 224.40,
 18 224.72 (2) (c), 224.72 (7m), 224.77 (6), 227.03 (4m), 230.13 (3), 250.041, 299.08,
 19 341.51 (4) (am), 341.51 (4g), 341.51 (4m), 342.06 (1) (eg), 342.10 (1) (bm), 343.14
 20 (2j), 343.305 (6) (e), 343.345, 343.61 (2) (b), 343.62 (2) (b), 343.64 (2), 343.65 (2),
 21 343.665, 343.675, 440.03 (11m), 440.035 (5), 440.13, 551.32 (1) (bm), 551.34
 22 (1m), 562.05(1c), 562.05 (5) (a)9., 562.05 (7) (am), 562.05(8) (d), 562.05 (8m),
 23 563.28, 628.095, 628.097, 628.10 (2) (c), 628.10 (2) (d), 632.68 (2) (bc), 632.68 (2)
 24 (bm), 632.68 (2) (cm), 632.68 (3) (b), 632.68 (4) (bc), 632.6(4) (bm), 632.68 (5)
 25 (b), 633.14 (1) (d), 633.14(2c), 633.14(2m), 633.15 (1m), 633.15(2) (c), 751.15,

1 757.69 (1) (n), 767.027, 767.24 (7m) (am); 767.25 (4m) (d) 2m., 767.25 (4m) (f),
2 767.263 (2), 767.265 (6m), 767.29 (3) (b), 767.463, 767.465 (1m), 767.47 (ll),
3 767.475 (1) (b), 767.477, 767.48 (1) (b) 2., 767.48 (1) (b) 3., 767.51 (3m) (d) 2m.,
4 767.51 (3m) (f), 767.51 (3r) (am), 885:01 (5), 891.41(2), 895.48 (3) and 977.06
5 (4) (bm) of the statutes; and **to affect** Laws of 1937, chapter 201, section 11,
6 Laws of 1937, chapter 201, section 21b, 1997 Wisconsin Act 27, section 631,
7 1997 Wisconsin Act 27, section 639b, 1997 Wisconsin Act 27, section 833, 1997
8 Wisconsin Act 27, section 909b and 1997 Wisconsin Act 27, section 9426 (8);

9 **relating to:** suspension of licenses, permits and other credentials for failure to
10 pay ~~child support~~ or to comply with a subpoena or warrant related to paternity
11 or child support proceedings and requiring social security numbers on license,
12 permit and other credential applications and on certain documents concerning
13 marriage and children; creating a record matching program to match
14 information about delinquent child support obligors with financial account
15 information of financial institutions; creating a statutory lien for delinquent
16 child support obligations; creating a mechanism for enforcing child support
17 liens; fees for the child and spousal support, establishment of paternity and
18 medical liability support program and cooperation with child support efforts
19 under Wisconsin works; income withholding for support or maintenance,
20 adjudicating paternity when the mother fails to appear and other technical
21 changes related to child support enforcement; access to certain agency records,
22 nonliability for providing information from records, issuing subpoenas,
23 ordering genetic tests; providing notice to new employers of a parent's
24 obligation to provide health care coverage for a child; providing medical and
25 medical history information in custody matters; hospital-based voluntary

1 establishment of paternity; administratively changing interstate
 2 income-withholding orders to sum certain amounts; presumption of paternity;
 3 acknowledgment of paternity; procedure, temporary orders and probable cause
 4 in paternity actions; payment for genetic tests in paternity actions; changes in
 5 departmental responsibility for support enforcement; intercepting delinquent
 6 support and certain other payments from pension plan disbursements;
 7 intercepting delinquent support from court judgments and settlements;
 8 granting rule-making authority; making appropriations; and providing a
 9 penalty. *student loans*

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

10

(b) SECTION 1. 13.63 (1) ^{as affected by 1999 Wisconsin Act 9,} of the statutes is amended to read:

11

13.63 (1) ^(b) ~~licensee~~ *licensee* application for a license to act as a lobbyist may be
 12 obtained from and filed with the board. ~~An applicant shall include his or her social~~
 13 ~~security number on the application.~~ The application shall be signed, under the
 14 ~~penalty for making false statements under s. 13.69 (6m), by the lobbyist.~~ Upon
 15 approval of the application and payment of the applicable license fee under s. 13.75
 16 (1) or (1m) to the board, the board shall issue a license which entitles the licensee to
 17 practice lobbying on behalf of each registered principal who or which has filed an
 18 authorization under s. 13.65 for that lobbyist and paid the authorization fee under
 19 s. 13.75 (4). The license shall expire on December 31 of each even-numbered year.

20

(NOT) The board shall not issue a license to an applicant who does not provide his or her
 21 social security number. The board shall refuse to issue a license or shall suspend any
 22 existing license for failure of an applicant or licensee to pay court-ordered payments
 23 of child or family support, maintenance, birth expenses, medical expenses or other

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Except as provided under par. (am), the

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

plain text

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

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

SECTION 3. 13.64 (2) of the statutes ^{as affected by 1999 Wisconsin Act 9,} is amended to read:

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

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Except as provided in sub. (2m), the

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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. 19.55 (2) (b) of the statutes is amended to read:

12 19.55 (2) (b) Records obtained or prepared by the board in connection with an
13 investigation, except that the board shall permit inspection of records that are made
14 public in the course of a hearing by the board to determine if a violation of this
15 subchapter or subch. III of ch. 13 has occurred. Whenever the board refers such
16 investigation and hearing records to a district attorney or to the attorney general,
17 they may be made public in the course of a prosecution initiated under this
18 subchapter. The board shall also provide information from investigation and hearing
19 records that pertains to the location of individuals and assets of individuals as
20 requested under s. 49.22 (2m) by the department of workforce development or by a
21 county child support agency under s. 59.53 (5).

22 SECTION 5. 19.55 (2) (d) of the statutes is created to read:

23 19.55 (2) (d) Records of the social security number of any individual who files
24 an application for licensure as a lobbyist under s. 13.63 or who registers as a principal

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1 under s. 13.64, except to the department of workforce development for purposes of
2 administration of s. 49.22.

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

5 20.445 (1) (L) (title) *Fees Child support-related fees*. All moneys received from
6 fees charged to counties under ss. 49.22 (8) and 108.13 (4) (f) and all moneys received
7 under s. 49.854 (1) (b) for administrative costs incurred in the enforcement of child
8 and spousal support obligations under 42 USC 654.

9 **SECTION 7.** 20.445 (3) (k) of the statutes is created to read:

10 20.445 (3) (k) *Child support transfers*. All moneys transferred from the
11 appropriation account under par. (r), to be distributed for the support of dependent
12 children in accordance with applicable federal and state statutes, federal regulations
13 and state rules.

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

16 20.445 (3) (k) *Child support transfers*. All moneys transferred from the
17 appropriation account under par. (r), to be expended under the Wisconsin works
18 program under subch. III of ch. 49 and to be distributed as provided in s. 49.24 and
19 for the support of dependent children in accordance with applicable federal and state
20 statutes, federal regulations and state rules.

21 **SECTION 9.** 20.445 (3) (r) of the statutes is created to read:

22 20.445 (3) (r) *Support receipt and disbursement program; payments*. All
23 moneys received under s. 49.854, except for moneys received under s. 49.854 (11) (b),
24 by the support collections trust fund for disbursement to the persons for whom the
25 payments are awarded, for returning seized funds under s. 49.854 (5) (f) and, if

1 assigned under s. 46.261, 48.57 (3m) (b) 2., 49.145 (2) (s) or 49.19 (4) (h) 1. b., for
2 transfer to the appropriation account under par. (k). Estimated disbursements
3 under this paragraph shall not be included in the schedule under s. 20.005.

4 **SECTION 10.** 20.445 (3) (r) of the statutes, as created by 1997 Wisconsin Act
5 (this act), is repealed and recreated to read:

6 20.445 (3) (r) *Support receipt and disbursement program; payments.* From the
7 support collections trust fund, all moneys received under s. 49.854, except for moneys
8 received under s. 49.854 (11) (b), all moneys received under ss. 767.265 and 767.29
9 for child or family support, maintenance, spousal support, health care expenses or
10 birth expenses, and all other moneys received under judgments or orders in actions
11 affecting the family, as defined in s. 767.02 (1), for disbursement to the persons for
12 whom the payments are awarded, for returning seized funds under s. 49.854 (5) (f)
13 and, if assigned under s. 46.261, 48.57 (3m) (b) 2., 49.145 (2) (s), 49.19 (4) (h) 1. b. or
14 49.775 (2) (bm), for transfer to the appropriation account under par. (k). Estimated
15 disbursements under this paragraph shall not be included in the schedule under s.
16 20.005.

17 **SECTION 11.** 20.921 (2) (a) of the statutes is amended to read:

18 20.921 (2) (a) Whenever it becomes necessary in pursuance of any federal or
19 state law or court-ordered assignment of income under s. 46.10 (14) (e), 767.23 (1)
20 (L), 767.25 (4m) (c), 767.265 or 767.51 (3m) (c) or 767.62 (4) (b) 3. to make deductions
21 from the salaries of state officers or employees or employees of the University of
22 Wisconsin Hospitals and Clinics Authority, the state agency or authority by which
23 the officers or employees are employed is responsible for making such deductions and
24 paying over the total thereof for the purposes provided by the laws or orders under
25 which they were made.

1 SECTION 12. 25.17 (1) (tm) of the statutes is created to read:

2 25.17 (1) (tm) Support collections trust fund (s. 25.68);

3 SECTION 13. 25.68 of the statutes is created to read:

4 **25.68 Support collections trust fund.** There is created a separate
5 nonlapsible trust fund designated as the support collections trust fund, to consist of
6 all moneys received by the department of workforce development under s. 49.854,
7 except for moneys received under s. 49.854 (11) (b).

8 SECTION 14. 25.68 of the statutes, as created by 1997 Wisconsin Act (this
9 act), is repealed and recreated to read:

10 **25.68 Support collections trust fund.** There is created a separate
11 nonlapsible trust fund designated as the support collections trust fund, to consist of
12 all of the following:

13 (1) All moneys received by the department of workforce development under s.
14 49.854, except for moneys received under s. 49.854 (11) (b).

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

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

20 SECTION 15. ~~29.09 (11m)~~ of the statutes is created to read:

21 ~~29.09 (11m) DENIAL AND REVOCATION OF APPROVALS BASED ON CHILD SUPPORT~~
22 ~~DELINQUENCY: (a) Social security numbers required.~~ The department shall require
23 an applicant who is an individual to provide his or her social security number as a
24 condition of applying for, or applying to renew, any of the following approvals:

25 1. Any license issued under this chapter.

1 2. Any permit issued under s. 29.38, 29.521, 29.525, 29.53 or 29.578.

2 3. A wild rice identification card issued under s. 29.544.

3 (b) *Duplicates.* For purposes of this subsection, an application for a duplicate
4 of an approval specified in par. (a) shall be considered an application for the issuance
5 of the approval.

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

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

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

24 **SECTION 16.** 29.1085 (3) (c) 1. of the statutes, as affected by 1997 Wisconsin Act
25 11, is amended to read:

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

5 **SECTION 17.** 29.1085 (3) (c) 2. of the statutes, as affected by 1997 Wisconsin Act
6 1, is amended to read:

7 29.1085 (3) (c) 2. A Class B bear license shall be issued subject to s. 29.09 (11m)
8 by the department or by a county clerk to any resident who applies for this license
9 and who pays the required fee.

10 **SECTION 18.** 29.134 (3) of the statutes is amended to read:

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

14 **SECTION 19.** 29.135 (3) of the statutes is amended to read:

15 29.135 (3) ISSUANCE. The department shall issue a wholesale fish dealer license
16 to any person 18 years of age or older who applies for this license, if that person is
17 not otherwise prohibited from being issued a license under s. 29.09 (11m), 29.99 or
18 29.995.

19 **SECTION 20.** 29.138 (5m) of the statutes is created to read:

20 29.138 (5m) DENIAL AND REVOCATION OF APPROVALS BASED ON CHILD SUPPORT
21 DELINQUENCY. (a) The band is requested to enter into a memorandum of
22 understanding with the department of workforce development under s. 49.857.

23 (b) The band is requested to enact tribal laws or ordinances that require each
24 person, as a condition of being issued an approval under this section, to provide to
25 the band his or her social security number and tribal laws or ordinances that prohibit

1 the disclosure of that number by the band to any other person except to the
2 department of workforce development for the purpose of administering s. 49.22.

3 (c) The band is requested to enact tribal laws or ordinances that deny an
4 application to issue or renew, suspend if already issued or otherwise withhold or
5 restrict an approval issued under this section if the applicant for or the holder of the
6 approval fails to provide the information required under tribal laws or ordinances
7 enacted under par. (b) or fails to comply, after appropriate notice, with a subpoena
8 or warrant issued by the department of workforce development or a county child
9 support agency under s. 59.53 (5) and related to paternity or child support
10 proceedings or if the department of workforce development certifies that the
11 applicant for or the holder of the approval has failed to pay court-ordered payments
12 of child or family support, maintenance, birth expenses, medical expenses or other
13 expenses related to the support of a child or former spouse.

14 (d) Section 29.09 (11m) does not apply to approvals issued under this section.

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

16 29.145 (1c) FISHING LICENSE FOR DISABLED PERSONS. (intro.) The department
17 shall issue, subject to s. 29.09 (11m), an annual disabled person fishing license to any
18 resident who applies for this license and who does one of the following:

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

20 29.33 (2) (d) *Transfer of license.* The department may, upon application, permit
21 the transfer of a license to any similar boat during the time a licensed boat is disabled
22 or undergoing repairs or upon the sale of a licensed boat. The department shall
23 promulgate rules governing the transfer of commercial fishing licenses between
24 individuals equally qualified to hold the licenses and to members of a licensee's
25 immediate family provided the rules assure the wise use and conservation of the fish

1 resources being harvested under the license. The rules shall relate only to those
2 waters in which the number of licenses is limited. The commercial fishing boards,
3 under sub. (7), shall approve or deny transfers of commercial fishing licenses in
4 accordance with the rules promulgated under this section. For purposes of s. 29.09
5 (11m), a transfer of a license under this section shall be considered an issuance of a
6 license to the transferee.

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

9 29.521 (2) (a) The department, subject to s. 29.09 (11m), shall issue a permit
10 under this subsection for a natural body of water specified under sub. (1) (c) 1. if the
11 department determines that no substantial public interest exists in the body of water
12 and that no public or private rights in the body of water will be damaged.

13 **SECTION 24.** 29.521 (2) (c) 1. of the statutes, as created by 1997 Wisconsin Act
14 27, is amended to read:

15 29.521 (2) (c) 1. The department, subject to s. 29.09 (11m), shall renew a permit
16 issued under this subsection unless the department determines that there has been
17 a substantial change in circumstances that is related to a determination made under
18 par. (a) for the natural body of water or that is related to the application of the criteria
19 promulgated under par. (f) to the body of water.

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

21 29.544 (3) LICENSE REQUIRED EXCEPTIONS; WILD RICE IDENTIFICATION CARD. Every
22 person over the age of 16 and under the age of 65 shall obtain the appropriate wild
23 rice license to harvest or deal in wild rice but no license to harvest is required of the
24 members of the immediate family of a licensee or of a recipient of old-age assistance
25 or members of their immediate families. The department, subject to s. 29.09 (11m),

1 shall issue a wild rice identification card to each member of a licensee's immediate
2 family, to a recipient of old-age assistance and to each member of the recipient's
3 family. The term "immediate family" includes husband and wife and minor children
4 having their abode and domicile with the parent or legal guardian.

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

6 **29.573 (2)** No license ~~shall be granted~~ may be issued unless the applicant owns
7 or has under lease the area for which the license is granted ~~Issued~~ d a r i e s o f
8 the area licensed shall be defined and posted as prescribed by the department.

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

10 **29.574 (3)** Upon the filing of such declaration the department shall forthwith
11 investigate the same and may require the applicant to produce satisfactory evidence
12 of the facts therein stated. It will be necessary for the licensee to purchase all wild
13 game within the boundaries of the proposed farm of the species designated in the
14 license, and to effect this purpose the department thereupon shall appoint one
15 member, the applicant one member, and these 2 shall select a 3rd member, the 3 to
16 act as a board to go upon the lands embraced within the proposed license and
17 determine as near as possible the number of wild birds and animals of the desired
18 species thereon at the time of the ~~granting~~ issuing of the license. The necessary
19 expenses of all of the members of such board shall be paid by the licensee. Within
20 30 days after the date of such determination as accepted by the department the
21 licensee shall pay to the department a specified sum as may be determined by the
22 department for those species of wild birds or wild animals on the lands that are
23 desired for propagation purposes, the title of which rests in the state. If upon such
24 examination it appears that the applicant is the owner or lessee of said lands, and
25 the applicant intends in good faith to establish, operate and maintain a game bird

1 and animal farm, subject to s. 29.09 (11m), the department shall issue a license to
2 the applicant describing such lands, and certifying that the licensee is lawfully
3 entitled to use the same for the breeding, propagating, killing and selling of such
4 game birds and animals thereon according to this section. When such license has
5 been ~~granted~~ issued, the licensee shall become the owner of all such game birds or
6 animals thereon of the species licensed and of all of their offspring actually produced
7 thereon and remaining thereon, subject however to the jurisdiction of the
8 department over all game.

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

10 29.575 (3) Upon the filing of such declaration the department shall investigate
11 and may require the applicant to produce satisfactory evidence of the facts stated in
12 the declaration. If it appears that the applicant is the owner or lessee of the lands,
13 and that the applicant intends in good faith to establish, operate and maintain a fur
14 animal farm, subject to s. 29.09 (11m), the department shall issue a license to the
15 applicant. The license shall describe the lands and shall certify that the licensee is
16 entitled to use the same for dealing, breeding, propagating and trapping fur animals
17 on the land described in the license.

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

19 29.575 (4) Upon issuance of the license, the ~~department~~ shall appoint one
20 person, the applicant shall appoint one person, and these 2 shall select a 3rd person
21 to enter the lands and determine the number of fur animals thereon at the time of
22 the ~~granting~~ issuing of the license. The necessary expenses of these persons shall
23 be paid by the licensee. Within 10 days after the date of such determination, the
24 licensee shall pay to the department \$2.50 for each beaver, 50 cents for each muskrat,
25 \$2.50 for each mink, \$2.50 for each otter, \$1 for each raccoon, and 50 cents for each

1 skunk so found on such lands. Only those animals to be licensed under the fur animal
2 farm are to be paid for. When such payment has been made the licensee shall become
3 owner of such fur animals on said lands and of all of their offspring remaining
4 thereon. The licensee shall have the right to manage and control said lands and the
5 licensed fur animals thereon, to take the same at any time or in any manner, subject
6 to s. 29.245, which the licensee sees fit and deems to the best advantage of the
7 licensee's business, and to sell and transport at any time said fur animals or the pelts
8 taken from them.

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

10 29.578 (4) The licensee shall pay to the department \$25 for each deer so found
11 on such lands. When such payment has been made and the license issued, the
12 licensee shall become the owner of all deer on said lands and of all their offspring.
13 The licensee shall have the right to manage and control said lands and the deer
14 thereon, to kill the deer, subject to s. 29.245, and to sell the deer as provided by this
15 section. If upon examination it shall appear that the applicant is the owner or lessee
16 of said lands, and that the applicant intends in good faith to establish, operate and
17 maintain a deer farm, the department may inform the applicant that as soon as the
18 applicant has built a suitable deer fence around the area to be included within the
19 license, it will issue the same. Said deer-tight fence shall be built in accordance with
20 specifications prescribed by the department; provided, the department may issue a
21 license for such deer farms heretofore established if the fence actually inclosing said
22 farm is in fact sufficient to hold deer therein, After the complete installation of such
23 fence and after the department has satisfied itself that it is satisfactory and complies
24 with the law, it may issue a license to the applicant describing such lands, and
25 certifying that the licensee is lawfully entitled to use the same for the breeding,

1 propagating, killing and selling of deer thereon according to this section. Section
2 29.09 (11m) applies to the issuance of licenses under this subsection.

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

4 29.578 (5) The deer farm license shall be renewed each year, subject to s. 29.09
5 (11m), if the licensee has not violated any of the provisions under which it was
6 granted issued.

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

8 29.578 (11) Each license shall be accepted by the licensee upon the condition
9 that the licensee will comply with this section and with all provisions of law and that
10 the licensee will honestly operate said deer farm for the purpose of propagating deer;
11 that the title to the deer in the inclosure for which a license has been granted issued
12 and for which the applicant has paid the state at the rate of \$25 per deer, shall be
13 conditional upon the applicant and licensee honestly and fairly complying with this
14 section and provisions of law relating to the operation of deer farms; and in the action
15 to revoke the license of said licensee, or to establish the licensee's unfitness to further
16 operate said deer farm, the court, in the judgment, in the event it is determined that
17 the applicant and licensee has violated this section and the provisions of law relating
18 to the operation of deer farms, shall provide that the title to all of the deer within said
19 inclosure together with all of the increase therefrom be forfeited to the state; that the
20 said tract of land shall not be used for a deer farm for a period of 5 years and until
21 a new license therefor, after said 5 years, has been issued by the department as
22 provided in this section; that the department shall within 30 days of the notice of
23 entry of judgment enter upon said tract and open the said fences in such a manner
24 as to give the inclosed animals free egress and may drive the said animals out of the
25 inclosure if in the opinion of the department it is for the best interests of the state;

1 said lands for which said license has been forfeited may be used by the owner thereof
2 for all lawful purposes except the propagating of deer during said time, and during
3 said 5 year period said lands shall be a sanctuary and no hunting or trapping of any
4 kind or character shall be practiced therein or thereon. The department shall in such
5 event duly post notices thereof at intervals of 10 rods around the entire tract.

6 **SECTION 33.** 29.578 (14) (am) of the statutes, as affected by 1997 Wisconsin Act
7 35, is amended to read:

8 29.578 (14) (am) T-he Subject to s. 29.09 (11m), the department may issue
9 special retail deer sale permits authorizing a person to retail venison in the carcass
10 from a deer lawfully killed under this section to any retailer of meats.

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

12 29.578 (14) (b) (intro.) Any person may serve venison obtained from a deer farm
13 licensed under this section if the person has a venison serving permit from the
14 department. The application for this permit shall be in the form and include the
15 information the department requires. If the department after investigation is
16 satisfied that the application is satisfactory it, the department, subject to s. 29.09
17 (11m), shall issue a venison serving permit conditioned as follows:

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

19 29.585 (1) The department may grant issue licenses for wildlife exhibits which
20 are defined as any place where one or more live wild animals are kept in captivity
21 for the purpose of exhibition or for advertising purposes. The form of application and
22 license shall be prescribed by the department.

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

24 29.585 (3) No wildlife exhibition license ~~shall be granted~~ may be issued by the
25 department until it is satisfied that the provisions for housing and caring for such

1 wild animals and for protecting the public are proper and adequate and in
2 accordance with the standards therefor established by the department.

3 **SECTION 37.** 40.08 (lc) of the statutes is created to read:

4 **40.08 (lc) WITHHOLDING OF ANNUITY PAYMENTS.** Notwithstanding sub. (1), any
5 monthly annuity paid under s. 40.23, 40.24, 40.25 (1), (2) or (2m) or 40.63 is subject
6 to s. 767.265. The board and any member or agent thereof and the department and
7 any employe or agent thereof are immune from civil liability for any act or omission
8 while performing official duties relating to withholding any annuity payment
9 pursuant to s. 767.265.

10 **SECTION 38.** 40.08 (lg) of the statutes is created to read:

11 **40.08 (lg) WITHHOLDING OF LUMP SUM PAYMENTS.** Notwithstanding sub. (l), any
12 lump sum payment made under s. 40.23, 40.24, 40.25 (l), (2) or (2m) or 40.63 is
13 subject to s. 49.852. The board and any member or agent thereof and the department
14 and any employe or agent thereof are immune from civil liability for any act or
15 omission while performing official duties relating to withholding any lump sum
16 payment pursuant to s. 49.852.

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

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

19 48.02 (13) "Parent" means either a biological parent, a husband who has
20 consented to the artificial insemination of his wife under s. 891.40, or a parent by
21 adoption. If the child is a nonmarital child who is not adopted or whose parents do
22 not subsequently intermarry under s. 767.60, "parent" includes a person adjudged
23 in a judicial proceeding acknowledged under s. 767.62 (1) or a substantially similar
24 law of another state or adjudicated to be the biological father. "Parent" does not
25 include any person whose parental rights have been terminated.

1 SECTION 41. 48.396 (2) (dm) of the statutes, as affected by 1997 Wisconsin Act
2 35, is amended to read:

3 48.396 (2) (dm) Upon request of a court having jurisdiction over actions
4 affecting the family, an attorney responsible for support enforcement under s. 59.53
5 (6) (a) or a party to a paternity proceeding under ss. 767.45 to 767.60, the party's
6 attorney or the guardian ad litem for the child who is the subject of that proceeding
7 to review or be provided with information from the records of the court assigned to
8 exercise jurisdiction under this chapter and ch. 938 relating to the paternity of a child
9 for the purpose of determining the paternity of the child or for the purpose of
10 rebutting the presumption of paternity under s. 891.405 or 891.41 (1), the court
11 assigned to exercise jurisdiction under this chapter and ch. 938 shall open for
12 inspection by the requester its records relating to the paternity of the child or disclose
13 to the requester those records.

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

15 48.42 (4) (b) 2. If the child is a nonmarital child who is not adopted or whose
16 parents do not subsequently intermarry under s. 767.60 and paternity has not been
17 acknowledged under s. 767.62 (1) or a substantially similar law of another state or
18 adjudicated, the court may, as provided in s. 48.422 (6) (b), order publication of a
19 notice under subd. 4.

20 SECTION 43. 48.66 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is
21 amended to read:

22 48.66 (1) The Except as provided under s. 48.715 (6), the department shall
23 license and supervise child welfare agencies, as required by s. 48.60, group homes,
24 as required by s. 48.625, shelter care facilities, as required by s. 938.22, and day care
25 centers, as required by s. 48.65. The department may license foster homes or

1 treatment foster homes, as provided by s. 48.62, and may license and supervise
2 county departments in accordance with the procedures specified in this section and
3 in ss. 48.67 to 48.74. ~~The Except as provided under s. 48.715 (6),~~ the department of
4 corrections may license a child welfare agency to operate a secured child caring
5 institution, as defined in s. 938.02 (15g), for holding in secure custody children who
6 have been convicted under s. 938.183 or adjudicated delinquent under s. 938.34 (4d),
7 (4h) or (4m) and referred to the child welfare agency by the court or the department
8 of corrections and to provide supervision, care and maintenance for those children.
9 A license issued under this subsection, other than a license to operate a foster home,
10 treatment foster home or secured child caring institution, is valid until revoked or
11 suspended. A license issued under this subsection to operate a foster home,
12 treatment foster home or secured child caring institution may be for any term not to
13 exceed 2 years from the date of issuance. No license issued under this subsection is
14 transferable.

15 **SECTION 44.** 48.66 (2) of the statute is amended to read:

16 48.66 (2) The department shall prescribe application forms to be used by all
17 applicants for licenses from it. The application forms prescribed by the department
18 shall require that the social security numbers of all applicants for a license to operate
19 a child welfare agency, group home, shelter care facility or day care center who are
20 individuals be provided.

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

22 48.66 (2m) (a) The department of health and family services shall require each
23 applicant for a license under sub. (1) to operate a child welfare agency, group home,
24 shelter care facility or day care center who is an individual, and the department of
25 corrections shall require each applicant for a license under sub. (1) to operate a

1 secured child caring institution who is an individual, to provide that department
2 with his or her social security number when initially applying for or applying to
3 renew the license.

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

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

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

12 **48.69 Probationary licenses.** If Except as provided under s. 48.715 (6), if any
13 child welfare agency, shelter care facility, group home or day care center that has not
14 been previously issued a license under s. 48.66 (1) applies for a license, meets the
15 minimum requirements for a license established under s. 48.67 and pays the
16 applicable fee referred to in s. 48.68 (1), the department shall issue a probationary
17 license to that child welfare agency, shelter care facility, group home or day care
18 center. A probationary license is valid for up to 6 months after the date of issuance
19 unless renewed under this section or suspended or revoked under s. 48.715. Before
20 a probationary license expires, the department shall inspect the child welfare
21 agency, shelter care facility, group home or day care center holding the probationary
22 license and, except as provided under s. 48.715 (6), if the child welfare agency, shelter
23 care facility, group home or day care center meets the minimum requirements for a
24 license established under s. 48.67, the department shall issue a license under s. 48.66

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. 49.8 . 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, as affected by 1997 Wisconsin Act 27, is
20 amended to read:

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

1 department a written request for a hearing under s. 227.44 within 10 days after the
2 date of the department's refusal or failure to issue, renew or continue a license or the
3 department's action taken under s. 48.715. The department shall hold an
4 administrative hearing under s. 227.44 within 30 days after receipt of the request
5 for the administrative hearing unless the aggrieved person consents to an extension
6 of that time period. Judicial review of the department's decision may be had as
7 provided in ch. 227.

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

9 48.837 (4) (e) Shall, before hearing the petitions under subs. (2) and (3),
10 ascertain whether the child's paternity has been acknowledged under s. 767.62 (1)
11 or a substantially similar law of another state or adjudicated in this state or another
12 jurisdiction. If any person has filed a declaration of paternal interest under s. 48.025,
13 the court shall determine the rights of that person. If the child's paternity has not
14 been acknowledged or adjudicated and if no person has filed a declaration under s.
15 48.025, the court shall attempt to ascertain the paternity of the child. The court may
16 not proceed with the hearing on the petitions under this section unless the parental
17 rights of the nonpetitioning parent, whether known or unknown, have been
18 terminated.

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

20 48.91 (2) In an adoption proceeding for a nonmarital child who is not adopted
21 or whose parents do not subsequently intermarry under s. 767.60, the court shall
22 establish whether the rights of any persons who have filed declarations of paternal
23 interest under s. 48.025 have been determined or whether paternity has been
24 acknowledged under s. 767.62 (1) or a substantially similar law of another state or
25 adjudicated in this state or in another jurisdiction. If the court finds that no such

1 determination has been made, the court shall proceed, prior to any action on the
2 petition for adoption, to attempt to ascertain the paternity of the child and the rights
3 of any person who has filed a declaration under s. 48.025.

4 SECTION 51. 49.124 (lg) (a) of the statutes, as created by 1997 Wisconsin Act
5 27, is amended to read:

6 49.124 (1g) (a) The individual is a custodial parent of a child who is under the
7 age of 18 and who has an absent parent, or the individual lives with and exercises
8 parental control over a child who is under the age of 18 and who has an absent parent,
9 and the individual does not fully cooperate in good faith with efforts directed at
10 establishing the paternity of the child, if necessary, and obtaining support payments,
11 if any, or other payments or property, if any, to which that individual or the child may
12 have rights. This paragraph does not apply if the individual has good cause for
13 refusing to cooperate, as determined by the department in accordance with federal
14 law and regulations.

15 SECTION 52. 49.145 (2) (f) 1. of the statutes is renumbered 49.145 (2) (f) 1.
16 (intro.) and amended to read:

17 49.145 (2) (f) 1. (intro.) Subject to subd. 2, the individual all of the following
18 conditions are met:

19 a. Every narent in the individual's Wisconsin works group fully cooperates in
20 good faith with efforts directed at establishing the paternity of the dependent any
21 minor child and of that narent regardless of whether the parent is the custodial or
22 noncustodial narent of that child. Such cooperation shall be in accordance with
23 federal law and regulations and rules promulgated by the department applicable to
24 paternity establishment and may not be required if the parent has good cause for

1 refusing to cooperate, as determined by the department in accordance with federal
2 law and regulations.

3 b. Every parent in the individual's Wisconsin works group fully cooperates in
4 good faith with efforts directed at obtaining support payments or any other payments
5 or property to which that individual parent and the dependent any minor child of
6 that parent may have rights or for which that parent may be responsible, regardless
7 of whether the parent is the custodial or noncustodial parent of the minor child. Such
8 cooperation shall be in accordance with federal law and regulations and rules
9 promulgated by the department applicable to paternity establishment and collection
10 of support payments and may not be required if the parent has good cause for
11 refusing to cooperate, as determined by the department in accordance with federal
12 law and regulations.

13 **SECTION 53.** 49.145 (2) (f) 2. of the statutes is amended to read:

14 49.145 (2) (f) 2. An individual who is a member of a Wisconsin works group that
15 fails 3 times to meet the requirements under subd. 1. remains ineligible until the
16 individual cooperates all of the members of Wisconsin works group cooperate or for
17 a period of 6 months, whichever is later.

18 **SECTION 54.** 49.22 (2m) of the statutes, as affected by 1997 Wisconsin Act 27,
19 is renumbered 49.22 (2m) (a) and amended to read:

20 49.22 (2m) (a) The department may request from any person in this state any
21 information it determines appropriate and necessary for the administration of this
22 section, ss. 49.145, 49.19, 49.46, 49.468 and 49.47 and programs carrying out the
23 purposes of 7 USC 2011 to 2029. Any person in this state Unless access to the
24 information is prohibited or restricted by law, or unless the person has good cause,
25 as determined by the department in accordance with federal law and regulations, for

1 ~~refusing to cooperate, the person shall make a good faith effort to provide this~~
2 ~~information within 7 days after receiving a request under this subsection paragraph.~~
3 ~~Except as provided in sub. (2p) and subject to sub. (12), the department or the county~~
4 ~~child support agency under s. 59.53 (5) may disclose information obtained under this~~
5 ~~subsection paragraph only in the administration of this section, ss. 49.145, 49.19,~~
6 ~~49.46 and 49.47 and programs carrying out the purposes of 7 USC 2011 to 2029.~~
7 ~~Employees of the department or a county child support agency under s. 59.53 (5) are~~
8 ~~subject to s. 49.83.~~

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

10 49.22 (2m) (am) In conjunction with any request for information under par. (a),
11 including a request made by subpoena under par. (b), the department or county child
12 support agency under s. 59.53 (5) shall advise the person of the time by which the
13 information must be provided and of any consequences to the person under par. (d)
14 that may result from a failure to respond or comply with the request.

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

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

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

22 49.22 (2m) (bc) A person in this state shall comply with an administrative
23 subpoena that is issued from another state to compel the production of financial
24 information or other documentary evidence for purposes comparable to those
25 specified in par. (b).

1 **SECTION 58.** 49.22 (2m) (c) of the statutes is created to read:

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

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

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

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

14 **SECTION 59.** 49.22 (2m) (d) of the statutes is created to read:

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

19 **SECTION 60.** 49.22 (6) of the statutes, as affected by 1997 Wisconsin Act 27, is
20 amended to read:

21 49.22 (6) The department shall establish, pursuant to federal and state laws,
22 rules and regulations, a uniform system of fees for services provided under this
23 section to individuals not receiving aid under s. 46.261, 49.19 or 49.47 ~~or~~; benefits
24 under s. 49.124, 49.148 or 49.155 ~~and to individuals not receiving; foster care~~
25 maintenance payments under 42 USC 670 to 679a; or kinship care payments under

1 s. 48.57 (3m). The system of fees may take into account an individual's ability to pay.
2 Any fee paid and collected under this subsection may be retained by the county
3 providing the service except for the fee specified in 42 USC 653 (e) (2) for federal
4 parent locator services.

5 **SECTION 61.** 49.22 (7g) of the statutes is created to read:

6 49.22 (7g) The department shall provide all of the following:

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

10 (b) The written information that is required to be provided to parents under s.
11 69.14 (1) (cm).

12 **SECTION 62.** 49.22 (11) of the statutes is renumbered 49.22 (11) (a) and
13 amended to read:

14 49.22 (11) (a) The department may, ~~upon request,~~ shall disclose to a consumer
15 reporting agency, as defined under 45 CFR 303.105 (a), the amount of overdue child
16 support owed by a parent. ~~The~~ At least 20 business days before disclosing the
17 information to the consumer reporting agency, the department shall notify the
18 parent ~~prior to disclosing the information to the consumer reporting agency and~~
19 inform the parent of the methods available for contesting the accuracy of the
20 information.

21 **SECTION 63.** 49.22 (11) (b) of the statutes is created to read:

22 49.22 (11) (b) The department shall notify a consumer reporting agency within
23 30 days if any amounts reported to the consumer reporting agency under par. (a)
24 were erroneous. Within 30 days of notification under this paragraph, the consumer
25 reporting agency shall correct the erroneous amount in its records.

1 **SECTION 64.** 49.22 (11) (c) of the statutes is created to read:

2 49.22 (11) (c) The department shall notify a consumer reporting agency within
3 30 days if any amounts reported to the consumer reporting agency under par. (a) are
4 paid in full. Within 30 days of notification under this paragraph, the consumer
5 reporting agency shall indicate the payment in full in its records.

6 **SECTION 65.** 49.225 of the statutes is created to read:

7 **49.225 Ordering genetic tests. (1)** In this section, "genetic test" has the
8 meaning given in s. 767.001 (1m).

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

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

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

23 (a) The county may seek reimbursement from either the mother or male
24 alleged, or alleging himself, to be the father, or from both, if the test results show that

1 the male is not excluded as the father and that the statistical probability of the male's
2 parentage is 99.0% or higher.

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

8 **SECTION 66.** 49.25 (3) (a) 8. of the statutes is amended to read:

9 49.25 (3) (a) 8. A man who has been adjudicated or who, under s. 767.62 (1) or
10 a substantially similar law of another state, has acknowledged himself to be the
11 father of a child of a woman subject to the program under this section under subd.
12 1., 2. or 3., if the man is living with the woman.

13 **SECTION 67.** 49.45 (2) (a) 11. of the statutes is amended to read:

14 49.45 (2) (a) 11. Establish criteria for the certification of eligible providers of
15 services under Title XIX of the social security act and, except as provided in s. 49.48,
16 certify such eligible providers.

17 **SECTION 68.** 49.45 (2) (a) 12. of the statutes is amended to read:

18 49.45 (2)-(a) 12. Decertify or suspend under this subdivision a provider from
19 the medical assistance program, if after giving reasonable notice and opportunity for
20 hearing, the department finds that the provider has violated federal or state law or
21 administrative rule and such violations are by law, regulation or rule grounds for
22 decertification or suspension. No payment may be made under the medical
23 assistance program with respect to any service or item furnished by the provider
24 subsequent to decertification or during the period of suspension.

25 **SECTION 69.** 49.45 (19) (a) 1. of the statutes is amended to read:

1 49.45 **(19)** (a) 1. Fully cooperate in good faith with efforts directed at
2 establishing the paternity of a nonmarital child and obtaining support payments or
3 any other payments or property to which the person and the dependent child or
4 children may have rights. This cooperation shall be in accordance with federal law
5 and regulations applying to paternity establishment and collection of support
6 payments and may not be required if the person has good cause for refusing to
7 cooperate, as determined by the department in accordance with federal law and
8 regulations.

9 **SECTION 70.** 49.48 of the statutes is created to read:

10 **49.48 Denial, nonrenewal and suspension of certification of service**
11 **providers based on certain delinquency in payment. (1)** The department
12 shall require each applicant to provide the department with the applicant's social
13 security number, if the applicant is an individual, as a condition of issuing or
14 renewing a certification under s. 49.45 (2) (a) 11. as an eligible provider of services.

15 (2) The department of health and family services may not disclose any
16 information received under sub. (1) to any person except to the department of
17 workforce development for the purpose of making certifications required under s.
18 49.857.

19 (3) The department of health and family services shall deny an application for
20 the issuance or renewal of a certification specified in sub. (1), shall suspend a
21 certification specified in sub. (1) or may, under a memorandum of understanding
22 under s. 49.857 (2), restrict a certification specified in sub. (1) if the department of
23 workforce development certifies under s. 49.857 that the applicant for or holder of
24 the certificate is delinquent in the payment of court-ordered payments of child or
25 family support, maintenance, birth expenses, medical expenses or other expenses

1 related to the support of a child or former spouse or fails to comply, after appropriate
2 notice, with a subpoena or warrant issued by the department of workforce
3 development or a county child support agency under s. 59.53 (5) and related to
4 paternity or child support proceedings.

5 **SECTION 71. 49.852** of the statutes is created to read:

6 **49.852 Delinquent support payments; pension plans. (1)** The
7 department of workforce development may direct the department of employe trust
8 funds, the retirement system of any 1st class city, any retirement system established
9 under chapter 201, laws of 1937, or the administrator of any other pension plan to
10 withhold the amount specified in the statewide support lien docket under s. 49.854
11 (2) (b) from any lump sum payment from a pension plan that may be paid a
12 delinquent support obligor, except that the department of workforce development
13 may not direct that an amount be withheld under this subsection unless it has met
14 the notice requirements under sub. (2) and unless the amount specified has either
15 not been appealed or is no longer under appeal under s. 49.854.

16 (2) The department of workforce development shall send a notice to the
17 last-known address of the person from whom the department intends to recover the
18 amount specified in the statewide support lien docket ^a under s. 49.854 (2) (b). The
19 notice shall do all of the following:

20 (a) Inform the person that the department of employe trust funds, the
21 retirement system of any 1st class city, any retirement system established under
22 chapter 201, laws of 1937, or the administrator of any other pension plan, whichever
23 is appropriate, shall withhold the amount specified in the statewide support lien
24 docket under s. 49.854 (2) (b) from any lump sum payment from a pension plan that
25 may be paid the person.

1 (b) Inform the person that he or she may, within 20 business days after the date
2 of the notice, request a court hearing on the issue of whether the person owes the
3 amount specified in the statewide support lien docket under s. 49.854 (2) (b). The
4 request shall be in writing and the person shall mail or deliver a copy of the request
5 to the county child support agency under s. 59.53 (5).

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

9 (3) If a person has requested a hearing pursuant to sub. (2) (b), the hearing
10 shall be conducted before the circuit court that rendered the initial order to pay
11 support. The court shall schedule a hearing within 10 business days after receiving
12 a request for a hearing. The family court commissioner may conduct the hearing.
13 If the court determines that the person owes the amount specified in the statewide
14 support lien docket under s. 49.854 (2) (b), the department of workforce development
15 may direct the department of employe trust funds, the retirement system of any 1st
16 class city, any retirement system established under chapter 201, laws of 1937, or the
17 administrator of any other pension plan, whichever is appropriate, to withhold the
18 amount from any lump sum payment from a pension plan that may be paid the
19 person. If the court determines that the person does not owe the amount specified
20 in the statewide support lien docket under s. 49.854 (2) (b), the department of
21 workforce development may not direct the department of employe trust funds, the
22 retirement system of any 1st class city, any retirement system established under
23 chapter 201, laws of 1937, or the administrator of any other pension plan, whichever
24 is appropriate, to withhold the amount from any lump sum payment from a pension
25 plan that may be paid the person.

1 (4) (a) If the department of workforce development directs the department of
2 employe trust funds, the retirement system of any 1st class city, any retirement
3 system established under chapter 201, laws of 1937, or the administrator of any
4 other pension plan to withhold the amount specified in the statewide support lien
5 docket under s. 49.854 (2) (b), this directive shall constitute a lien, equal to the
6 amount specified in the statewide support lien docket, on any lump sum payment
7 from a pension plan that may be paid the person.

8 (b) If the department of workforce development directs the department of
9 employe trust funds, the retirement system of any 1st class city, any retirement
10 system established under chapter 201, laws of 1937, or the administrator of any
11 other pension plan to withhold the amount specified in the statewide support lien
12 docket under s. 49.854 (2) (b), the department of employe trust funds, the retirement
13 system of any 1st class city, any retirement system established under chapter 201,
14 laws of 1937, or the administrator of any other pension plan shall deduct from any
15 lump sum payment that may be paid the person the amount specified in the
16 statewide support lien docket, less any amount specified under par. (d). If the
17 amount specified in the statewide support lien docket under s. 49.854 (2) (b), less any
18 amount specified under par. (d), exceeds the lump sum payment, the department of
19 employe trust funds, the retirement system of any 1st class city, any retirement
20 system established under chapter 201, laws of 1937, or the administrator of any
21 other pension plan shall deduct the entire lump sum payment, less any withholdings
22 otherwise required by law. The amount deducted under this paragraph shall be
23 remitted to the department of workforce development.

24 (c) A directive to the department of employe trust funds, the retirement system
25 of any 1st class city, any retirement system established under chapter 201, laws of

1 1937, or the administrator of any other pension plan to withhold the amount
2 specified in the statewide support lien docket under s. 49.854 (2) (b) under this
3 section does not prohibit the department of workforce development from attempting
4 to recover the amount through other legal means.

5 (d) The department of workforce development shall promptly notify the
6 department of employe trust funds, the retirement system of any 1st class city, any
7 retirement system established under chapter 201, laws of 1937, or the administrator
8 of any other pension plan upon recovery of any amount previously specified in the
9 statewide support liendocket under s. 49.854 (2) (b).

10 **SECTION 72.** 49.853 of the statutes is created to read:

11 **49.853 Financial record matching program. (1) DEFINITIONS.** In this
12 section:

13 (a) "Account" means a demand deposit account, checking or negotiable
14 withdrawal order account, savings account, time deposit account or money market
15 mutual fund account.

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

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

19 (c) "Financial institution" means any of the follow&g:

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

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

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

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

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

3 6. A broker-dealer, as defined in s. 551.02 (3).

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

5 (dm) "Ownership interest" has the meaning specified by the department by
6 rule.

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

8 (2) **FINANCIAL RECORD MATCHING PROGRAM AND AGREEMENTS.** The department
9 shall operate a financial record matching program under this section. The
10 department shall promulgate rules specifying procedures under which the
11 department shall enter into agreements with financial institutions doing business
12 in this state to operate the financial record matching program under this section.
13 The agreement shall require the financial institution to participate in the financial
14 record matching program under this section by electing either the financial
15 institution matching option under sub. (3) or the state matching option under sub.
16 (4). The rules promulgated under this section shall provide for reimbursement of
17 financial institutions in an amount not to exceed their actual costs of participation
18 in the financial record matching program under this section.

19 (3) **FINANCIAL INSTITUTION MATCHING OPTION.** (a) If a financial institution with
20 which the department has an agreement under sub. (2) elects to use the financial
21 institution matching option under this subsection, the department shall provide a
22 financial institution with information regarding delinquent obligors. The
23 information shall be provided at least once each calendar quarter and shall include
24 the obligor's name and social security number. The information shall be provided to
25 the financial institution in the manner specified by rule or by agreement. To the

1 extent feasible, the information required under this paragraph shall be provided to
2 the financial institution by an automated data exchange.

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

16 (c) The financial institution participating in the financial institution matching
17 option under this subsection, and the employees, agents, officers and directors of the
18 financial institution, may use the information provided by the department under
19 par. (a) only for the purpose of matching records under par. (b). Neither the financial
20 institution nor any employe, agent, officer or director of the financial institution may
21 disclose or retain information provided under par. (a) concerning obligors who do not
22 have an interest in an account maintained at the financial institution. ^aAny person
23 who violates this paragraph may be fined not less than \$25 nor more than \$500 or
24 imprisoned in the county jail for not less than 10 days nor more than one year or both.

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

13 (b) The department shall take actions necessary to determine whether any
14 obligor has an ownership interest in an account maintained at a financial institution
15 providing information under par. (a). Upon the request of the department, the
16 financial institution shall provide the department, for each obligor who matches
17 information provided by the financial institution under par. (a), the obligor's address
18 of record, the obligor's account number and account type and the balance of the
19 account.

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

24 (d) A financial institution participating in the state matching option under this
25 subsection, and the employees, agents, officers and directors of the financial

1 institution, may use any information that is provided by the department in
2 requesting additional information under par. (b) only for the purpose of
3 administering s. 49.22 or for the purpose of providing the additional information.
4 Any person who violates this paragraph may be fined not less than \$25 nor more than
5 \$500 or imprisoned in the county jail for not less than 10 days nor more than one year
6 or both.

7 (5) DELEGATION. The department may delegate any powers and duties given
8 to the department under this section to county child support agencies. The
9 department may require financial institutions to provide county child support
10 agencies with any notices that are required under this section to be provided to the
11 department.

12 SECTION 73. 49.854 of the statutes is created to read:

13 **49.854 Liens against property for delinquent support payments. (1)**

14 **DEFINITIONS.** In this section:

15 (a) "Department" means the department of workforce development.

16 (b) "County child support agency" means the county child support agency under
17 s. 59.53 (5).

18 (c) "Levy" means all powers of distraint and seizure.

19 (d) "Obligor" means a person who is obligated to pay court-ordered support.

20 (e) "Property" includes accounts at financial institution? personal property
21 and real property, tangible and intangible property and rights to property, but is
22 limited to property and rights of the obligor to property existing at the time of levy.

23 (f) "Support" means any of the following:

24 1. Child or family support.

25 2. Maintenance.

1 3. Medical expenses of a child.

2 4. Birth expenses.

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

4 (2) ~~CREATION OF LIEN; SATISFACTION.~~ (a) **Creation.** If a person obligated to pay
5 support fails to pay any court-ordered amount of support, that amount becomes a
6 lien in favor of the department upon all property of the person. The lien becomes
7 effective when the information is entered in the statewide support lien docket under
8 par. (b) and that docket is delivered to the register of deeds in the county where the
9 property is located. A lien created under this paragraph is not effective against a
10 good-faith purchaser of titled personal property, unless the lien is recorded on that
11 title.

12 (b) **Statewide support lien docket.** The department shall maintain a statewide
13 support lien docket. The department shall provide a copy of the statewide support
14 lien docket to the register of deeds and the county child support agency of each county
15 in this state, and to each state agency that title personal property. Each entry in
16 the statewide support lien docket shall contain the name and the social security
17 number of the obligor and the date that the lien is entered in the docket, as well as
18 the amount of the lien as of the time that the entry is made.

19 (c) **Updating the statewide support lien docket.** The department shall update
20 the statewide support lien docket in response to orders issued by court or family
21 court commissioner. The department shall periodically update the, statewide
22 support lien docket to reflect changes in the amounts of the liens contained in the
23 docket.

24 (d) **Amount of lien; satisfaction.** The amount of any support obligation that is
25 a lien under this subsection may be determined by requesting that information from

1 the county child support agency or the register of deeds, as specified by the
2 department. Payment of the full amount that is delinquent at the time of payment
3 to that county child support agency extinguishes that lien. Upon request, the county
4 child support agency shall furnish to the payer of the delinquent amount a
5 satisfaction of lien showing that the amount of support owed has been paid in full and
6 that the person no longer owes the delinquent amount. The satisfaction of lien may
7 be recorded in the office of the register of deeds for any county in which real or
8 personal property of the person who owed the support is located.

9 (3) NOTIFICATION AND APPEAL OF LIEN. (a) **Notice.** When a delinquent support
10 obligation is included in the statewide support lien docket, the department shall
11 provide notice to the obligor that a lien exists with respect to the delinquent support
12 obligation. The notice shall include the amount of the delinquent child support
13 obligation and shall inform the obligor that the lien is in effect. The notice shall
14 inform the obligor of the obligor's right to request a financial records and court order
15 review under par. (ag) and the obligor's right to request a court hearing under par.
16 (ar). The notice under this paragraph shall also inform the obligor that the
17 department will not take actions to enforce the lien if the obligor pays the delinquent
18 amount in full or makes satisfactory alternative payment arrangements with the
19 department or a county child support agency. The notice shall inform the individual
20 of how he or she may pay the delinquent amount or make satisfactory alternative
21 payment arrangements.

22 (ag) **Financial records and court order review.** 1. Within 10 business days of
23 the date of the notice under par. (a), the obligor may file a written request for a
24 financial records and court order review with the county child support agency. If the
25 obligor makes a timely request for a financial records and court order review under

1 this paragraph, the department shall hold the review as soon as practicable, but in
2 no event to exceed 60 days after the date of the request. The department shall
3 conduct the financial records and court order review at no charge to the obligor. As
4 soon as practicable after conducting the financial records and court order review, the
5 department shall make a determination regarding whether the amount of the
6 delinquency contained in the notice is correct and shall provide a copy of the
7 determination to the obligor. If the department determines that the amount of the
8 delinquency is incorrect, the department shall take appropriate actions to correct the
9 inaccuracy. The notice of the determination shall include information regarding the
10 obligor's right to request a review of the determination under subd. 2.

11 2. If the obligor disagrees with the determination of the department, the obligor
12 may request a hearing with the court or a family court commissioner to review the
13 department's determination. To request a hearing under this subdivision, the
14 obligor shall make the request within 5 business days of the date of the department's
15 determination under subd. 1. The obligor shall make the request in writing and shall
16 mail or deliver a copy of the request to the county child support agency. If a timely
17 request for a hearing is made under this subdivision, the court or family court
18 commissioner shall hold the hearing within 15 business days of the request. If, at
19 the hearing, the obligor establishes that the lien is not proper because of a mistake
20 of fact, the court or family court commissioner shall ^aorder the department to remove
21 the lien from the statewide support lien docket or adjust the amount of the
22 delinquent obligation.

23 (ar) *Direct upped.* If the obligor has not requested a financial records and court
24 order review under par. (ag), the obligor may request a hearing under this paragraph
25 within 20 business days of the date of the notice under par. (a). The obligor shall

1 make the request in writing and shall mail or deliver a copy of the request to the
2 county child support agency. If a timely request for a hearing is made under this
3 paragraph, the court or family court commissioner shall schedule a hearing within
4 10 days after the date of the request. If, at the hearing, the obligor establishes that
5 the lien is not proper because of a mistake of fact, the court or family court
6 commissioner shall order the department to remove the lien from the statewide
7 support lien docket or adjust the amount of the delinquent obligation.

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

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

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

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

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

2 (b) *Notice to the financial institution.* To enforce a lien under this section by
3 levying against an account at a financial institution, the department shall send a
4 notice of levy to the financial institution instructing the financial institution to
5 prohibit the closing of or withdrawals from one or more accounts that the obligor
6 owns in whole or in part, up to a total amount that is sufficient to pay the support
7 owed, financial institution fees under par. (e) and estimated levy fees and costs under
8 sub. (11), until further notice from the department or a court. The financial
9 institution shall comply with the notice of levy and shall hold the amount specified
10 in the notice until the financial institution receives further instructions from the
11 department or a court.

12 (d) *Notice to the obligor and certain others.* No later than the next business day
13 after the department sends notice of levy to the financial institution under par. (b),
14 the department shall send a copy of the notice of levy to the obligor. The department
15 shall also send a copy of the notice of levy to any other person who has an ownership
16 interest in the account. The notices required under this paragraph shall be in the
17 form determined by the department, however the notice shall include language
18 stating all of the following:

19 1. That the obligor has been certified as delinquent in paying support.

20 2. The amount of the support owed.

21 3. The financial institution to which the department sent the notice under par.

22 (b).

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

1 6. That the obligor may request a hearing within 20 business days after the
2 date of the notice, by submitting the request in writing and by mailing or delivering
3 a copy of the request to the county child support agency

4 6m. That a person, other than the obligor, who holds the account jointly with
5 the obligor may request a hearing within 20 business days after the date of the notice,
6 to protect the portion of the jointly held account that is attributable to his or her net
7 contributions to the jointly held account.

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

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

19 (f) **Hearings.** A hearing requested under par. (d) 6. shall be conducted before
20 the circuit court rendering the order to pay support. **Within** 45 business days after
21 receiving a request for hearing under par. (d) 6., the court **shall conduct** the hearing.
22 The family court commissioner may conduct the hearing. The hearing shall be
23 limited to a review of whether the account holder owes the amount of support
24 **certified and whether any alternative payment arrangement** offered by the
25 department or the county child support agency is reasonable. If the court or family

1 court commissioner makes a written determination that an alternative payment
2 arrangement offered by the department or county child support agency is not
3 reasonable, the court or family court commissioner may order an alternative
4 payment arrangement. If the court or family court commissioner orders an
5 alternative payment arrangement, the court or family court commissioner shall
6 order the department to release all or a portion of the funds. If the court or family
7 court commissioner determines that the account holder does not owe support or owes
8 less than the amount claimed by the department, the court shall order the
9 department to return the seized funds or the excess of the seized funds over the
10 amount of the delinquency to the account holder. If a family court commissioner
11 conducts the hearing under this paragraph, the department or the obligor may,
12 within 15 business days after the date that the family court commissioner makes his
13 or her decision, request review of the decision by the court with jurisdiction over the
14 action.

15 (6) LEVYING AGAINST OTHER PERSONAL PROPERTY. (a) *When notice of seizure*
16 *required.* If the department has enforced a lien under this section by levying against
17 personal property, the department shall immediately notify the obligor that the
18 property has been seized. The department shall provide the notice of seizure under
19 this paragraph to any person having an ownership interest in the property or any
20 other person with an interest of record in the property. If the property is titled, the
21 department shall also send a copy of the notice of seizure to the state agency that
22 titles the property. A state agency receiving a notice under this paragraph may not
23 transfer title to the personal property described in the notice, except on the
24 instructions of a court or the department.

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

- 3 1. The name of the obligor and the amount of the support owed.
4 2. A description of the personal property seized.
5 3. A statement that the obligor may, within 20 business days after the date of
6 the notice, request a hearing on the questions of whether past-due support is owed
7 and whether the property was wrongfully seized.

8 3m. A statement that a person, other than the obligor, who holds the personal
9 property jointly with the obligor may request a hearing within 20 business days after
10 the date of the notice, to protect the portion of the jointly held personal property that
11 is attributable to his or her net contributions to the jointly held personal property.

12 4. A statement that the hearing may be requested by submitting the request
13 in writing and by mailing or delivering a copy of the request to the county child
14 support agency

15 (c) **Hearing.** If a hearing is requested under par. (b) 4., the court or family court
16 commissioner shall schedule a hearing within 10 business days after receiving the
17 request under par. (b) 4. The hearing shall be limited to a review of whether the
18 obligor owes the amount of support owed that is stated in the notice of seizure and
19 whether any alternative payment arrangement offered by the department or the
20 county child support agency is reasonable. If the court or family court commissioner
21 makes a written determination that an alternative payment arrangement offered by
22 the department or county child support agency is not reasonable, the court or family
23 court commissioner may order an alternative payment arrangement. If the court or
24 family court commissioner orders an alternative payment arrangement, the court or
25 family court commissioner shall order the department to return the seized property

1 within 15 business days. If the court or family court commissioner determines that
2 the obligor does not owe support or owes less than the amount claimed by the
3 department, the court shall order the department to return the seized property
4 within 15 business days or specify the amount which may be retained by the
5 department after the sale of the seized property. If a family court commissioner
6 conducts the hearing under this paragraph, the department or the obligor may,
7 within 15 business days after the date that the family court commissioner makes his
8 or her decision, request review of the decision by the court with jurisdiction over the
9 action. The court reviewing the decision may order the department to return the
10 seized property or may authorize the sale of the property by the department. If the
11 department is ordered to return seized property under this paragraph, the court
12 shall instruct any state agency responsible for titling the property that it may
13 transfer title to the property without receiving instructions from a court or the
14 department under par. (a).

1 5 (d) *Notice of sale.* As soon as practicable after seizing the personal property and
16 after any requested hearings are conducted under par. (c), the department shall send
17 a notice to the obligor stating that the department intends to issue an execution
18 requiring the sheriff to seize and sell the property within 90 days of the date of the
19 execution. The final notice shall include a notice of the obligor's right to redeem the
20 property under par. (e) 8.

21 (e) *Execution and sale.* After the department has sent the notice under par. (d),
22 the department may issue an execution on any personal property identified in the
23 notice to enforce a lien contained in the statewide support lien docket. The
24 department shall provide a copy of an execution under this paragraph to the obligor

1 and to any other person having an interest in the property. The provisions of ch. 815
2 apply to the executions issued by the department, except as follows:

3 1. References to judgments shall be read as references to liens entered in the
4 statewide support lien docket, references to debtors shall be read as references to
5 obligors and references to the court or a judge shall be read as references to the
6 department.

7 2. Sections 815.01 to 815.04 do not apply. The department may not issue an
8 execution more than 5 years after the date on which the lien was entered in the
9 statewide support lien docket.

10 3. Section 815.05 does not apply. If the department has delegated under sub.
11 (17) its authority under this subsection, the execution shall be signed by the director
12 of the child support agency that is initiating the real property seizure on behalf of the
13 department. The execution shall include all of the following information:

14 a. The date that a lien against the obligor was first entered on the child support
15 lien docket.

16 b. The amount of past due child support that is owed at the time the execution
17 is issued.

18 c. A description of the personal property.

19 d. A directive to the officer to whom the execution is addressed to seize and sell
20 the property within 90 days of the date of the execution.

21 4. The execution shall be made returnable under s. 815.06 to the department
22 within 90 days, rather than 60 days, after its receipt by the officer.,,

23 5. Sections 815.07, 815.09 to 815.12, 815.14, 815.15, 815.18 to 815.21, 815.25
24 and 815.26 do not apply.

1 6. Notwithstanding s. 815.29, the officer may not sell the personal property
2 without 20 days advance notice. In addition to the notice required under s. 815.29,
3 the officer to whom the execution is issued shall notify the obligor of the time and
4 place of the sale of the personal property.

5 7. If, prior to the sale of the personal property, the department or child support
6 agency notifies the officer that the obligor has paid the amount owed together with
7 any levy fees and costs under sub. (11) or that the custodial parent to whom the
8 support is owed has died, the officer shall discontinue the execution.

9 8. Sections 815.52 to 815.55 do not apply. The obligor may redeem the property
10 prior to the date of the sale by payment of the full amount of support owed together
11 with any levy fees and costs under sub. (11). The property may not be redeemed after
12 it is sold. If the property is redeemed, the county child support agency shall issue a
13 certificate upon redemption that includes the date of redemption, the amount of
14 money paid and a description of the property redeemed. The certificate of
15 redemption may be recorded in the office of the register of deeds. If titled property
16 is redeemed, the department shall instruct the titling agency that the agency may
17 transfer title to the property without receiving instructions from a court or the
18 department under par. (a). Upon the sale of personal property on execution, the
19 officer shall issue a certificate of sale to the purchaser within 10 days of the sale. If
20 titled property is sold, the department shall instruct the titling agency to transfer
21 title of the sold property to the purchaser.

22 (f) **Updating the lien docket.** The department shall update the statewide
23 support lien docket to remove a lien that is satisfied by an execution or sale under
24 this subsection.

1 (7) LEVYING AGAINST REAL PROPERTY. (a) ***When notice of intent to levy required.***

2 To enforce a lien under this section by levying against real property, the department
3 shall provide the obligor and all owners of the real property with a notice of intent
4 to levy under par. (b) 1. A copy of the notice under par. (b) 1. shall be provided to the
5 register of deeds in the county where the real property is located. A register of deeds
6 receiving a notice of intent to levy under this paragraph shall file the notice of intent
7 to levy. The department shall provide a notice of intent to levy under par. (b) 2. to
8 any person having an interest of record in the real property.

9 (b) *Content of notice of intent.* 1. The notice provided under par. (a) to the
10 obligor, to owners of the property and to the register of deeds shall include all of the
11 following:

12 a. The name of the obligor and the amount of the support owed.

13 b. A description of the real property against which the department intends to
14 levy.

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

17 d. A statement that a person, other than the obligor, who holds the real property
18 jointly with the obligor may request a hearing within 20 business days after the date
19 of the notice, to protect the portion of the jointly held real property that is
20 attributable to his or her net contributions to the jointly held real property.

21 e. A statement that the hearing may be requested by submitting the request
22 in writing and by mailing or delivering a copy of the request to the county child
23 support agency.

24 2. In addition to the information included under subd. 1. a. to c., the notice
25 provided under par. (a) to a person having an interest of record in the real property

1 shall include a request that the interest holder notify the department, within 10
2 business days after receiving the notice, of the amount and nature of the person's
3 interest in the property.

4 (c) *Hearing*. If a hearing is requested under par. (b) 1. c., the court or family
5 court commissioner shall schedule a hearing within 10 business days after receiving
6 the request under par. (b) 1. c. The hearing shall be limited to a review of whether
7 the obligor owes the amount of support owed that is stated in the notice of intent
8 under par. (b) and whether any alternative payment arrangement offered by the
9 department or the county child support agency is reasonable. If the court or family
10 court commissioner makes a written determination that an alternative payment
11 arrangement offered by the department or county child support agency is not
12 reasonable, the court or family court commissioner may order an alternative
13 payment arrangement. If the court or family court commissioner orders an
14 alternative payment arrangement, the court or family court commissioner shall
15 order the department not to proceed with the levy. If the court or family court
16 commissioner determines that the obligor does not owe support or owes less than the
17 amount claimed by the department, the court shall order the department not to
18 proceed with the levy or specify the amount that may be retained by the department
19 after the sale of the seized property. If a family court commissioner conducts the
20 hearing under this paragraph, the department or the obligor may, within 15 business
21 days after the date that the family court commissioner makes his or her decision,
22 request review of the decision by the court with jurisdiction over the action. The
23 court reviewing the decision may order the department not to proceed with the levy
24 of the property or may authorize the sale of the property by the department.

1 (d) *Final notice.* Unless the department has been directed not to proceed with
2 the levy in a hearing under par. (c) or unless the support owed and any levy fees and
3 costs under sub. (11) have been paid, the department may send to the obligor a final
4 notice of intent to seize and sell the property. The final notice may not be sent until
5 20 business days after the date of the notice of intent to levy under par. (a) or after
6 any requested hearings under par. (c) have been completed. The final notice shall
7 state that the department intends to issue an execution requiring the sheriff to seize
8 and sell the property within 90 days of the date of the execution and that the obligor
9 must vacate the property by the time of sale. The final notice shall include a notice
10 of the obligor's right to redeem the property under par. (e) 8. The department shall
11 provide a copy of any final notice under this paragraph to the register of deeds in the
12 county where the real property is located. A register of deeds receiving a final notice
13 under this paragraph shall file the final notice.

14 (e) *Execution and sale.* After the department has sent the final notice under
15 par. (d), the department may issue an execution on any real property identified in the
16 notice to enforce a lien contained in the statewide support lien docket. The
17 department shall provide a copy of an execution under this paragraph to the obligor
18 and to any other person having an interest in the property. The provisions of ch. 815
19 apply to the executions issued by the department, except as follows:

20 1. References to judgments shall be read as references to liens entered in the
21 statewide support lien docket, references to debtors shall be read as references to
22 obligors and references to the court or a judge shall be read as references to the
23 department.

1 2. Sections 815.01 to 815.04 do not apply. The department may not issue an
2 execution more than 5 years after the date on which the lien was entered in the
3 statewide support lien docket.

4 3. Section 815.05 does not apply. If the department has delegated under sub.
5 (17) its authority under this subsection, the execution shall be signed by the director
6 of the child support agency that is initiating the real property seizure on behalf of the
7 department. The execution shall include all of the following information:

8 a. The date that a lien against the obligor was first entered on the child support
9 lien docket.

10 b. The amount of past due child support that is owed at the time the execution
11 is issued.

12 c. A legal description of the property against which the lien is to be executed.
13 Including the location, of the property against which the lien is to be executed.

14 d. The street address or location of the property against which the lien is to be
15 executed.

16 e. A directive to the officer to whom the execution is addressed to seize and sell
17 the property within 90 days of the date of the execution.

18 4. The execution shall be made returnable under s. 815.06 to the department
19 within 90 days, rather than 60 days, after its receipt by the officer.

20 5. Sections 815.07, 815.09 to 815.12, 815.14, 815.15, 815.18 to 815.21, 815.25
21 and 815.26 do not apply.

22 6. In addition to the notice required under s. 815.31, the officer to whom the
23 execution is issued shall notify the obligor of the time and place of the sale of the real
24 property.

1 7. If, prior to the sale of the real property, the department or child support
2 agency notifies the officer that the obligor has paid the amount owed together with
3 any levy fees and costs under sub. (11) or that the custodial parent to whom the
4 support is owed has died, the officer shall discontinue the execution.

5 8. Section^a 815.38 to 815.55 do not apply. The obligor may redeem the property
6 prior to the date of the sale by payment of the full amount of support owed together
7 with any levy fees and costs under sub. (11). The property may not be redeemed after
8 it is sold. If the property is redeemed, the county child support agency shall issue a
9 certificate upon redemption that includes the date of redemption, the amount of
10 money paid and a description of the property redeemed. The certificate of
11 redemption may be recorded in the office of the register of deeds. Upon the sale of
12 the real estate on execution, the officer shall issue a deed and a certificate of sale to
13 the purchaser within 10 days of the sale.

14 9. The department may issue an administrative order directing a local law
15 official to remove the obligor from the property if property is not vacated before the
16 time of sale. A person occupying the property under claim of ownership, lease or
17 month-to-month tenancy may not be removed except by proceedings under ch. 799
18 or 843.

19 10. Sections 815.59 to 815.64 do not apply.

20 (f) **Updating the lien docket.** The department shall update the statewide
21 support lien docket to remove a lien that is satisfied by an execution or sale under
22 this subsection.

23 (7m) **JOINTLY HELD PROPERTY.** A person, other than the obligor, who holds a joint
24 interest in property levied against under this section may request a hearing, as
25 provided in subs. (5) (d) 6m., (6) (b) 3m. or (7) (b) 1. d., to determine the proportion

1 of the value of the property that is attributable to his or her net contribution to the
2 property. If a hearing is requested under this subsection, the court or family court
3 commissioner shall schedule a hearing within 10 days after receiving the request.
4 The hearing shall be limited to determining the proportion of the value of the
5 property that is attributable to the person's net contribution to the property. If more
6 than one person requests a hearing under this subsection, or if the obligor requests
7 a hearing under sub. (5) (f), (6) (c) or (7) (c), with respect to the same property, the
8 court or family court commissioner may schedule the hearings together. The person
9 requesting the hearings shall have the burden of proving his or her net contribution
10 by clear and convincing evidence. If the court determines that a portion of the jointly
11 held property is attributable to the contributions of the person, the court shall direct
12 the department or the county child support agency to pay the person, from the net
13 balance of the jointly held account or the net proceeds of the sale of the jointly held
14 real or personal property, the proportion of the gross value of the account or real or
15 personal property that is attributable to that person. If the family court
16 commissioner conducts the hearing under this subsection, the person may, within 15
17 business days after the date that the family court commissioner makes his or her
18 decision, request review of the decision by the court with jurisdiction over the action.

19 (8) DUTIES TO SURRENDER; GENERALLY. Any person in possession of or obligated
20 with respect to property or rights to property that is subject to levy under this section
21 and upon which a levy has been made shall, upon demand of the department,
22 surrender the property or rights or discharge the obligation to the department,
23 except that part of the property or rights that is, at the time of the demand, subject
24 to any prior attachment, execution under any judicial process, claim of ownership,
25 lease or month-to-month tenancy.

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

4 **(11) LEVY FEES AND COSTS.** (a) **Third parties.** Any 3rd party is entitled to a levy
5 fee of \$5 for each levy in any case where property is secured through the levy. The
6 3rd party shall deduct the fee from the proceeds of the levy.

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

13 **(12) PRIORITIES AND USE OF PROCEEDS.** (a) **Priorities.** A lien under this section
14 has the same priority, from the date that the lien is effective, as a judgment docketed
15 under s. 806.15. The lien is effective for a period of 5 years from the date the lien
16 becomes effective.

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

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

24 **(13) RELEASE OF LEVY; SUSPENSION OF PROCEEDINGS TO ENFORCE LIEN.** (a) **Release.**
25 The department may release the levy upon all or part of property levied upon to

1 facilitate the collection of the liability or to grant relief from a wrongful levy, but that
2 release does not prevent any later levy

3 (b) *Settlement*. If the obligor enters in to an alternative payment arrangement
4 in accordance with guidelines established under s. 49.858 (2) (a), the department
5 shall suspend all actions to enforce a lien under this section as long as the obligor
6 remains in compliance with the alternative payment arrangement.

7 (14) **WRONGFUL LEVY**. If the department determines that property has been
8 wrongfully levied upon, the department shall return the property or, if the property
9 has been sold, shall return an amount of money equal to the amount of money, or
10 value of the property, levied upon. This subsection does not prevent a person whose
11 property has been wrongfully levied upon from seeking relief, under other provisions
12 of the statutes, against the state for damages that have not been compensated for
13 under this subsection.

14 (15) **ACTIONS AGAINST THIS STATE**. (a) *Commencement of actions*. If the
15 department has levied upon property, any person, other than the obligor who is liable
16 to pay the support out of which the levy arose, who claims an interest in or lien on
17 that property and claims that that property was wrongfully levied upon may bring
18 a civil action against the state in the circuit court for Dane County. If the county child
19 support agency has levied upon property pursuant to delegated authority under sub.
20 (17), any person, other than the obligor who is liable to pay the support out of which
21 the levy arose, who claims an interest in or lien on that property and claims that that
22 property was wrongfully levied upon may bring a civil action against the county child
23 support agency in the circuit court for the county where the court order for the
24 payment of support, upon which the seizure is based, was first entered or last
25 modified. That action may be brought whether or not that property has been

1 surrendered to the department or the county child support agency. The court may
2 grant only the relief under par. (b). No other action to question the validity of or
3 restrain or enjoin a levy by the department or a county child support agency may be
4 maintained.

5 (b) **Remedies.** In an action under par. (a), prior to the sale of the property, if the
6 court determines that property has been improperly levied upon, the court may
7 enjoin the enforcement of the levy and order the return of the property, or may grant
8 a judgment for the amount of money obtained by levy. The court may also order relief
9 necessary to protect the interests of owners of the property, other than the obligor,
10 including, when appropriate, partition of the property. After the sale of the property,
11 if the court determines that the property has been wrongfully levied upon, it may
12 grant a judgment for the amount of money obtained by levy.

13 (c) **Validity of determination.** For purposes of an adjudication under this
14 subsection, there is a rebuttable presumption that the support obligation upon which
15 the lien is based is valid.

16 (17) **DELEGATION AND POWER TO CONTRACT.** The department may delegate any
17 duties or powers given to the department under this section to county child support
18 agencies, except that the department must approve the initiation of any levy
19 proceedings under sub. (7). The department shall promulgate rules prohibiting a
20 county child support agency from using the powers delegated under this subsection
21 to enforce a child support lien, if the value of the property that is subject to the lien
22 is below the dollar amount specified in the rules.

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

25 **SECTION 74.** 49.856 of the statutes is created to read:

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

2 (a) "Agency" means the county child support agency under s. 59.53 (5).

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

4 (c) "Obligor" means a person who owes a delinquent child support, family
5 support or maintenance payment or who owes an outstanding amount that has been
6 ordered by a court for past support, medical expenses or birth expenses and that
7 delinquent payment or outstanding amount is specified in the statewide support lien
8 docket under s. 49.854 (2) (b).

9 (2) If an obligor receives a judgment against another person or has settled a
10 lawsuit against another person that provides for the payment of money, the
11 department or agency may send a notice to any person who is ordered to pay the
12 judgment, who has agreed to the settlement or who holds the amount of the judgment
13 or settlement in trust. The notice shall inform the person that the amount of the
14 judgment or settlement due the obligor is subject to a lien by the department for the
15 payment of the delinquent payment or outstanding amount specified in the
16 statewide support lien docket under s. 49.854 (2) (b). The notification shall include
17 the name and address of the obligor and the total amount specified in the statewide
18 support lien docket under s. 49.854 (2) (b). Upon receipt of a notification, the person
19 receiving the notification shall withhold an amount equal to the amount specified in
20 the statewide support lien docket under s. 49.854 (2) (b) before making any payment
21 under the judgment or pursuant to the settlement.

22 (3) When the department or agency notifies a person under sub. (2), the
23 department or agency shall send a notice to the last-known address of the obligor.

24 The notice shall do all of the following:

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 specified in
4 the statewide support lien docket under s. 49.854 (2) (b) from any lump sum payment
5 that may be paid to the obligor as a 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 business days after receipt of this notice. The request shall be
9 in writing and the obligor shall mail or deliver a copy of the request to the agency.

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

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

16 (4) If the obligor requests a hearing under sub. (3) (b), the circuit court shall
17 schedule a hearing within 10 business days after receiving the request. The only
18 issue at the hearing shall be whether the person owes the delinquent payment or
19 outstanding amount specified in the statewide support lien docket under s. 49.854
20 (2) (b). A family court commissioner may conduct the hearing

21 (5) Receipt of a notification by a person under sub. (2) shall constitute a lien,
22 equal to the amount specified in the statewide support lien docket under s. 49.854
23 (2) (b), on any lump sum payment resulting from a judgment or settlement that may
24 be due the obligor. The department or agency shall notify the person who received
25 the notification under sub. (2) that the obligor has not requested a hearing or, if he

1 or she has requested a hearing, of the results of that hearing, and of the
2 responsibilities of the person who received the notification under sub. (2), including
3 the requirement to submit the amount specified in the statewide support lien docket
4 under s. 49.854 (2) (b). Use of the procedures under this section does not prohibit the
5 department or agency from attempting to recover the amount specified in the
6 statewide support lien docket under s. 49.854 (2) (b) through other legal means. The
7 department or agency shall promptly notify any person who receives notification
8 under sub. (2) if the amount specified in the statewide support lien docket under s.
9 49.854 (2) (b) has been recovered by some other means and no longer must be
10 withheld from the judgment or settlement under this section.

11 (6) After receipt of notification by a person under sub. (2) and before receipt of
12 notice from the department under sub. (5) that the amount specified in the statewide
13 support lien docket under s. 49.854 (2) (b) has been otherwise recovered, no release
14 of any judgment, claim or demand by the obligor shall be valid as against a lien
15 created under sub. (5), and the person making any payment to the obligor to satisfy
16 the judgment or settlement shall remain liable to the department for the amount of
17 the lien.

18 **SECTION 75.** 49.857 of the statutes is created to read:

19 **49.857 Administrative enforcement of support; denial, nonrenewal,**
20 **restriction and suspension of licenses. (1)** In this section:

21 (a) "Child support agency" means a county child support agency under s. 59.53
22 (5).

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

1 (c) "Credentialing board" means a board, examining board or affiliated
2 ~~credentialing~~ board in the department of regulation and licensing that grants a
3 ~~credential~~.

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

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

6 2. An approval specified in s. 29.09 (llm).

7 2m. A fishing approval issued under s. 29.138.

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

9 4. A certification, license, training permit, registration, approval or certificate
10 issued under s. 49.45 (2) (a) 11., 146.50 (5) (a) or (b), (6g) (a) or (8) (a), 250.05 (5),
11 252.23 (2), 252.24 (2), 254.176 (1) or (3) (a), 254.178 (2) (a), 254.20 (2), (3) or (4), 254.47
12 (1), 254.64 (1) (a) or (b), 254.71 (2) or 255.08 (2).

13 5. A business tax registration certificate issued under s. 73.03 (50).

14 6. A license, registration, registration certificate or certification specified in s.
15 93.135 (1).

16 7. A license, permit or certificate of certification or registration specified in s.
17 101.02 (21) (a).

18 8. A license issued under s. 102.17 (1) (c), 104.07 or 105.05.

19 10. A certificate issued under-s. 103.275, 103.91 or 103.92.

20 11. A license or permit issued under chs. 115 and 118.

21 12. A license or certificate of registration issued under s. 138.09, 138.12, 217.06,
22 218.01, 218.02, 218.04, 218.05 or 224.72 or subch. III of ch. 551.

23 13. A permit issued under s. 170.12.

24 14. A certification under s. 165.85.

1 15. A license, permit or registration issued under s. 218.01, 218.11, 218.12,
2 ~~218.22~~, 218.32, 218.41, 218.51, 341.51, 343.305 (6), 343.61 or 343.62.

3 16. A license, registration or certification specified in s. 299.08 (1) (a).

4 1%. A license issued under ch. 343 or, with respect to restriction, limitation or
5 suspension, an individual's operating privilege, as defined in s. 340.01 (40).

6 18. A credential.

7 19. A license issued under s. 563.24 or ch. 562.

8 20. A license issued under s. ~~628.04~~, ~~632.68~~ (2) or (4) or 633.14 or a temporary
9 license issued under's.: ~~628.09~~.

10 21. A license to practice law.

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

14 (em) "Licensing authority" means ~~to~~ supreme court or the Lac du Flambeau
15 band of the Lake Superior Chippewa.

16 (f) "Subpoena or warrant" means a subpoena or warrant issued by the
17 department of workforce development or a ~~child support~~ agency and relating to
18 paternity or support proceedings.

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

21 **(2) (a)** The department of workforce development shall establish a system, in
22 accordance with federal law, under which a licensing authority is requested, and a
23 licensing agency or credentialing board is required, to restrict, ~~limit~~, suspend,
24 withhold, deny, refuse to grant or issue or refuse to renew or revalidate a license in
25 a timely manner upon certification by and in cooperation with the department of

1 workforce development, if the individual holding or applying for the license is
2 delinquent in making court-ordered payments of support or fails to comply, after
3 appropriate notice, with a subpoena or warrant.

4 (b) Under the system, the department of workforce development shall enter
5 into a memorandum of understanding with a licensing authority, if the licensing
6 authority agrees, and with a licensing agency. A memorandum of understanding
7 under this paragraph shall address at least all of the following:

8 1. The circumstances under which the licensing authority or the licensing
9 agency must restrict, limit, suspend, withhold, deny, refuse to grant or issue or refuse
10 to renew or revalidate a license and guidelines for determining the appropriate
11 action to take. The memorandum of understanding with the department of
12 regulation and licensing shall include the **circumstances under which the**
13 department of regulation and licensing shall direct a credentialing board to restrict,
14 limit, suspend, withhold, deny or refuse to grant a credential and guidelines for
15 determining the appropriate action to take. The guidelines under this subdivision
16 for determining the appropriate action to take shall require the consideration of
17 whether the action is likely to have an adverse effect on public health, safety or
18 welfare or on the environment, and of whether the action is likely to adversely affect
19 individuals other than the individual holding or applying for the license, such as
20 employees of that individual.

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

23 a. Certifying to the licensing authority or licensing agency a delinquency in
24 support or a failure to comply with a subpoena or warrant. The memorandum of
25 understanding with the department of regulation and licensing shall include

1 procedures for the department of regulation and licensing to notify a credentialing
2 board that a certification of delinquency in support or failure to comply with a
3 subpoena or warrant has been made by the department of workforce development
4 with respect to an individual who holds or applied for a credential granted by the
5 credentialing board.

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

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

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

12 c. Notifying the licensing authority or licensing agency that an individual has
13 paid delinquent support or made satisfactory alternative payment arrangements or
14 satisfied the requirements under a subpoena or warrant. The memorandum of
15 understanding with the department of regulation and licensing shall include
16 procedures for the department of regulation and licensing to notify a credentialing
17 board that an individual who holds or applied for a credential granted by the
18 credentialing board has paid delinquent support or made satisfactory alternative
19 payment arrangements or satisfied the requirements under a subpoena or warrant.

20 3. Procedures that the licensing authority or licensing agency shall use for
21 doing all of the following:

22 a. Restricting, limiting, suspending, withholding, denying, refusing to grant or
23 issue or refusing to renew or revalidate a license. The memorandum of
24 understanding with the department of regulation and licensing shall include

1 procedures for the department of regulation and licensing to direct a credentialing
2 board to restrict, limit, suspend, withhold, deny or refuse to grant a credential.

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

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

18 d. Issuing or reinstating a license after the maximum time has elapsed if an
19 individual who was delinquent in making court-order-et payments of support does
20 not pay the delinquent support or make satisfactory alternative payment
21 arrangements and if an individual who failed to comply with a subpoena or warrant
22 fails to satisfy the requirements under the subpoena or warrant.

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

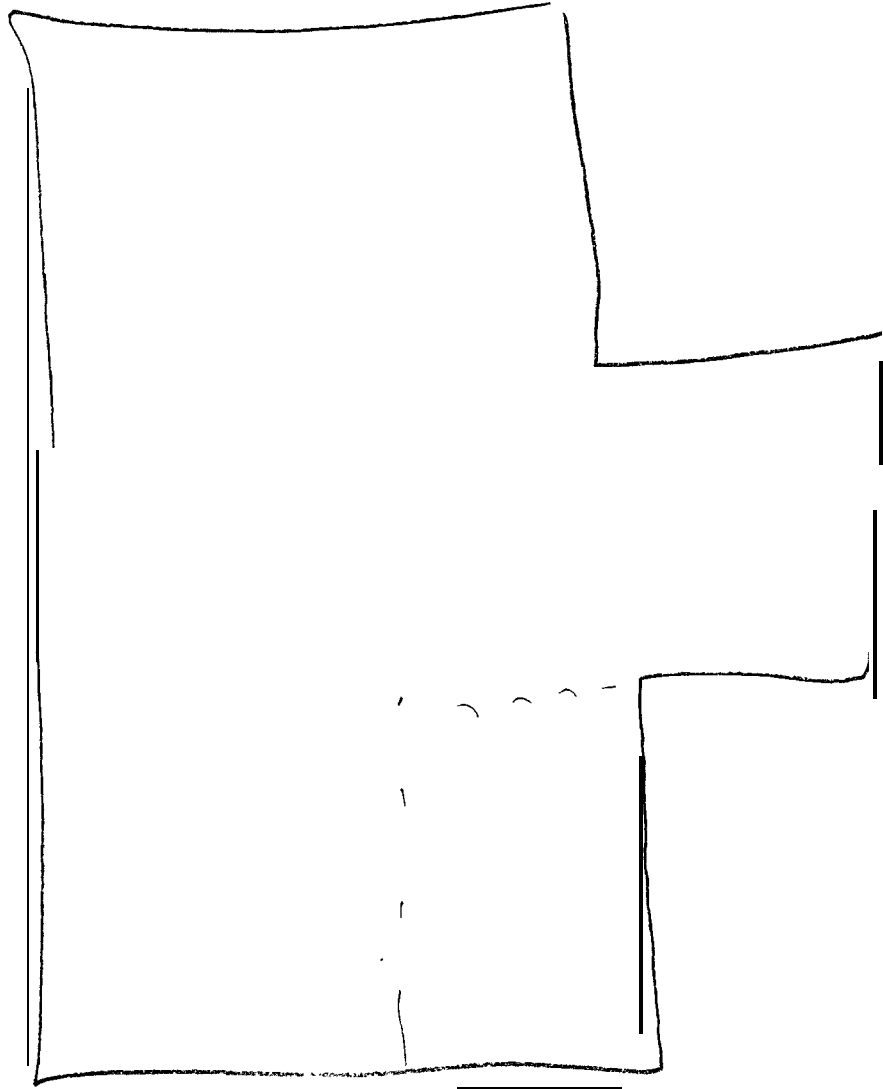
1 5. Procedures for safeguarding the confidentiality of information about an
2 individual, including social security numbers obtained by the department of
3 workforce development, the licensing authority, the licensing agency or a
4 credentialing board.

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

12 2. The system shall provide for adequate notice to an individual who fails to
13 comply with a subpoena or warrant, an opportunity for the individual to satisfy the
14 requirements under the subpoena or warrant and prompt reinstatement of the
15 individual's license upon satisfaction of the requirements under the subpoena or
16 warrant.

17 (d) Notwiths anding pars. (b) 3. c. and (c), under the system a license may not
18 be restricted, limited, suspended, withheld, denied or refused granting, issuing,
19 renewing or revalidating for a delinquency in support for more than 5 years, or for
20 a failure to comply with a subpoena or warrant for more than 6 months.

21 (3) (a) Before the department of workforce development certifies to a licensing
22 authority or a licensing agency under the system established under sub. (2) that an
23 individual is delinquent in making court-ordered payments of support, the
24 department of workforce development or a child support agency shall provide notice



1 to the individual by regular mail. The notice shall inform the individual of all of the
2 following:

3 1. That a certification of delinquency in paying support will be made to a
4 licensing authority, a licensing agency or, with respect to a credential granted by a
5 credentialing board, the department of regulation and licensing.

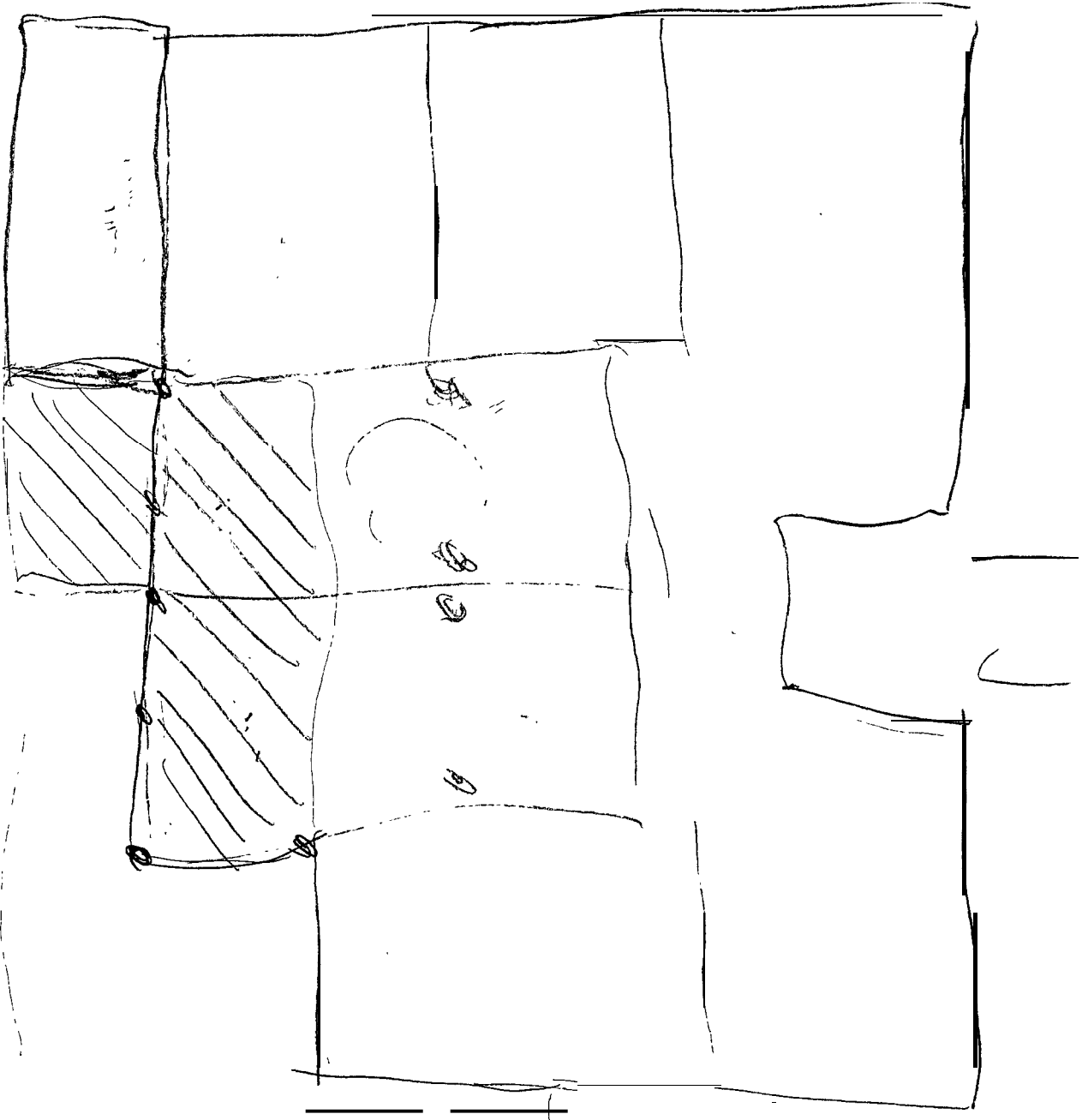
6 2. When the certification under subd. 1. will occur.

7 3. That, upon certification, for a period of 5 years any license that the individual
8 holds from any licensing agency or credentialing board, or from any licensing
9 authority if the licensing authority agrees, will be restricted, limited, suspended or
10 not renewed or revalidated, and any license for which the individual applies or has
11 applied from any licensing agency or credentialing board, or from any licensing
12 authority if the licensing authority agrees, will not be granted or issued. The notice
13 shall inform the individual that he or she may be eligible for an occupational license
14 under s. 343.10 if his or her operating privilege is suspended.

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

20 5. That, within 20 business days after receiving the notice, the individual may
21 request a hearing before the circuit court that rendered the order or judgment
22 requiring the payments. The request shall be in writing and the individual shall mail
23 or deliver a copy of the request to the child support agency.

24 (ac) 1. If an individual timely requests a hearing under par. (a) 5., the court
25 shall schedule a hearing within 10 business days after receiving the request. The



1 family court commissioner may conduct the hearing. The only issues at the hearing
2 shall be whether the individual is delinquent in making court-ordered payments of
3 support and whether any alternative payment arrangement offered by the
4 department of workforce development or the county child support agency is
5 reasonable.

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 business days
8 after receiving a notice under par. (a) the individual pays the delinquent amount in
9 full or makes satisfactory alternative payment arrangements, the department of
10 workforce development shall not place the individual's name on a certification list.

11 3. If at a hearing under subd. 1. the court or family court commissioner makes
12 a written determination that alternative payment arrangements proposed by the
13 department of workforce development or a child support agency are not reasonable,
14 the court or family court commissioner may order for the individual an alternative
15 payment arrangement. If the court or family court commissioner orders an
16 alternative payment arrangement, the department of workforce development may
17 not place the individual's name on a certification list.

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

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

4 2. When the certification will be made.

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

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

16 5. That, within 20 business days after receiving the notice, the individual may
17 request a hearing before the circuit court that rendered the order or judgment
18 requiring the payments. The request shall be in writing and the individual shall mail
19 or deliver a copy of the request to the child support agency.

20 (ar) 1. If an individual timely requests a hearing under par. (am) 5., the court
21 shall schedule a hearing within 10 business days after receiving the request. The
22 family court commissioner may conduct the hearing. The only issues at the hearing
23 shall be whether the individual is delinquent in making court-ordered payments of
24 support and whether any alternative payment arrangement offered by the

1 department of workforce development or the county child support agency is
2 reasonable.

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

8 3. If at a hearing under subd. 1. the court or family court commissioner makes
9 a written determination that alternative payment arrangements proposed by the
10 department of workforce development or a child support agency are not reasonable,
11 the court or family court commissioner may order for the individual an alternative
12 payment arrangement. If the court or family court commissioner orders an
13 alternative payment arrangement, the department of workforce development may
14 not place the individual's name on a certification list.

15 (b) Any subpoena or warrant shall include **notice to the individual of the effect**
16 that a failure to comply with the subpoena or warrant may have on any license that
17 the individual holds or for which the individual applies. **If the individual fails to**
18 comply, before the department of workforce development certifies to a licensing
19 authority or a licensing agency under the system established under sub. (2) that an
20 **individual has failed to comply with a subpoena or warrant**, the department of
21 workforce development or a child support agency shall provide notice to the
22 individual by regular mail. The notice shall inform the individual of all of the
23 following:

1 1. That a certification of the failure to comply with a subpoena or warrant will
2 be made to a licensing authority, a licensing agency or, with respect to a credential
3 granted by a credentialing board, the department of regulation and licensing.

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

5 3. That, upon certification, for a period of 6 months any license that the
6 individual holds from any licensing agency or credentialing board, or from any
7 licensing authority if the licensing authority agrees, will be restricted, limited,
8 suspended or not renewed or revalidated, and any license for which the individual
9 applies or has applied from any licensing agency or credentialing board, or from any
10 licensing authority if the licensing authority agrees, will not be granted or issued.

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

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

17 (c) If the department of workforce development provides a certification list to
18 a licensing authority, a licensing agency or, with respect to a credential granted by
19 a credentialing board, the department of regulation and licensing, upon receipt of the
20 list the licensing authority if the licensing authority agrees, the licensing agency or,
21 with respect to a credential granted by a credentialing board, the department of
22 regulation and licensing shall do all of the following:

23 1. In accordance with a memorandum of understanding entered into under sub.

24 (2) (b), restrict, limit, suspend, withhold, deny, refuse to grant or issue or refuse to

1 renew or revalidate a license if the individual holding or applying for the license is
2 included on the list.

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

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

16 2. Subject to sub. (2) (d), if an individual who, on the basis of a failure to comply
17 with a subpoena or warrant, is denied a license or whose license, on the basis of a
18 failure to comply with a subpoena or warrant, is restricted, limited, suspended or
19 refused renewal or revalidation under a memorandum of understanding entered into
20 under sub. (2) (b) satisfies the requirements under the subpoena or warrant, the
21 department of workforce development shall immediately notify the licensing
22 authority or licensing agency to issue or reinstate the individual's license as provided
23 in the memorandum of understanding. If the individual held or applied for a
24 credential granted by a credentialing board, the department of regulation and

1 licensing shall, upon notice by the department of workforce development, notify the
2 credentialing board to grant or reinstate the individual's credential.

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

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

13 **SECTION 76.** 49.858 of the statutes is created to read:

14 **49.858 General provisions related to administrative support**
15 **enforcement. (1) DEFINITION.** In this section, "support" has the meaning given in
16 s. 49.857 (1) (g).

17 (2) **RULES.** For the procedures under this subchapter for the administrative
18 enforcement of support obligations, the department of workforce development shall
19 promulgate rules related to all of the following:

20 (a) Establishing guidelines for appropriate payment plans or alternative
21 payment arrangements for the payment by obligors of delinquent support.

22 (b) Providing notice of administrative support enforcement proceedings to
23 obligees of delinquent support. The department may provide that notice be given to
24 the obligee of the delinquent support whenever an enforcement proceeding under
25 this subchapter is initiated or that notice be provided only upon request.

1 (c) Specifying the level of support that is overdue before an individual is
2 considered to be delinquent in the payment of support for purposes of the
3 administrative support enforcement proceedings under this subchapter. The rules
4 shall provide that, for support that is payable on a periodic basis, an amount equal
5 to at least 100% of the amount due in one month must be in arrears before the
6 department may initiate any administrative support enforcement proceeding under
7 this subchapter.

8 **(3) REVIEW OF FAMILY COURT COMMISSIONER DECISIONS.** If a family court
9 commissioner conducts a hearing in any administrative support enforcement
10 proceeding under s. 49.852, 49.856 or 49.857, the department of workforce
11 development or the obligor may, within 15 business days after the date that the
12 family court commissioner makes his or her decision, request review of the decision
13 by the court with jurisdiction over the matter.

14 **SECTION 77.** 59.40 (2) (h) of the statutes, as affected by 1997 Wisconsin Act 35,
15 is amended to read:

16 59.40 (2) (h) Except in counties that have designated a county support
17 collection designee under s. 59.53 (5m), keep a record of all payments and arrearages
18 in payments ordered by the court under s. 948.22 (7) or ch. 767 or 769 and directed
19 under s. 767.29 (1) to be paid to the clerk or county support collection designee or
20 ordered by a court in another county or jurisdiction but enforced or received by the
21 court of the clerk's county. If the department of ~~health and family services~~ workforce
22 development operates a data system relating to those payments and arrearages, the
23 clerk shall use that system to keep this record.

24 **SECTION 78.** 59.53 (5m) (a) of the statutes is amended to read:

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 79.** 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 80.** 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 81.** 59.53 (5m) (b) 2. of the statutes, as affected by 1997 Wisconsin Act
25 35, is amended to read:

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. (5) and
4 s. 49.22, and provide that department with any information from the record under
5 subd. 1. that it requires to administer that program.

6 **SECTION 82.** 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), 632.395 (9) to (13),
13 632.896, 767.25 (4m) (d) ~~and~~, 767.51 (3m) (d) and 767.62 (4) (b) 4.

14 **SECTION 83.** 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

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 84.** 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 85.** 69.15 (3) (b) 3. of the statutes, as affected by 1997 Wisconsin Act
22 27, is amended to read:

2 3 69.15 (3) (b) 3. Except as provided under par. (c), if the state registrar receives
24 a statement acknowledging paternity on a form prescribed by the state registrar and
25 signed by both parents, and by a parent or legal guardian of any parent who is under

1 ~~the age of 18 years,~~ along with the fee under s. 69.22, the state registrar shall insert
2 ~~the name of the father under subd. 1.~~ The state registrar shall mark the certificate
3 to show that the form is on file. The form shall be available to the department of
4 workforce development or a county child support agency under s. 59.53 (5) pursuant
5 to the ~~program~~ responsibilities under s. 49.22 or to any other person with a direct and
6 tangible interest in the record. The state registrar shall include on the form for the
7 acknowledgment a notice of the information in ss. 767.458 (1) (a) to (e) and 767.62.

8 **SECTION 86.** 69.15 (3) (d) of the statutes is created to read:

9 69.15 (3) (d) The form prescribed by the state registrar for acknowledging
10 paternity shall require that the social security number of each of the registrant's
11 parents signing the form be provided.

12 **SECTION 87.** 69.15 (3m) of the statutes is created to read:

13 69.15 (3m) RESCISSION OF STATEMENT ACKNOWLEDGING PATERNITY, (a) A
14 statement acknowledging paternity that is filed with the state registrar under sub.
15 (3) (b) 3. may be rescinded by either person who signed the statement as a parent of
16 the registrant if all of the following apply.

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

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

21 3. Except as provided in subd. 4, the person rescinding the statement files the
22 document under subd. 2. before the day on which a court or family court
23 commissioner makes an order in an action affecting the family involving the man
24 who signed the statement and the child who is the subject of the statement or before
25 60 days elapse after the statement was filed, whichever occurs first.

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

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

12 **SECTION 88.** 69.17 of the statutes is amended to read:

13 **69.17 Divorce report.** At the end of every biweekly period, the clerk of any
14 court which conducts divorce proceedings under ch. 767 shall forward to the state
15 registrar, on a form supplied by the state registrar, a report of every divorce or
16 annulment of marriage granted during the biweekly period. The form supplied by
17 the state registrar shall require that the social security numbers of the parties to the
18 divorce or annulment and the social security number of any child of the parties be
19 provided.

20 **SECTION 89.** 69.20 (3) (d) of the statutes is amended to read:

21 69.20 (3) (d) The Subject to par. (f), the state or a local registrar may disclose
22 information from the vital record of a specified registrant, except information under
23 sub. (2) (a), to a federal agency, to any agency of the government of this state or to
24 any agency of a county, city, town or village if the agency requests the information
25 for use in the conduct of its official duties.