

2001-02
Wisconsin State Budget

Drafting File For:
Enrolled SB-55

Part **M**

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1 560.139 (2) (a) From the appropriation under s. 20.143 (1) (kj) or (km) or from
 2 both appropriations, the department shall make grants to the Northwest Regional
 3 Planning Commission to match federal or private funds for the purpose of
 4 establishing a community-based venture fund. Subject to par. (b), the department
 5 shall provide grants in an amount that equals 50% of the total amount that the
 6 Northwest Regional Planning Commission receives in the year from federal or
 7 private sources for the community-based venture fund.

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9 SECTION 3649m. 560.16 (6) (a) 3. of the statutes is amended to read:

10 560.16 (6) (a) 3. A verified statement of the financial condition and business
 11 operation of the existing business for the previous 3 years, certified by an
 12 independent certified public accountant licensed or certified under ch. 442.

13 SECTION 3650. 560.165 (title) of the statutes is amended to read:

14 **560.165 (title) ~~Division of international and export development~~**
 15 **International services; fees and assessments.**

16 SECTION 3651. 560.165 of the statutes is renumbered 560.165 (1) and amended
17 to read:

18 560.165 (1) The division of international and export development may charge
 19 fees for services it provides to cover the costs incurred by the division in providing
 20 the services. The division shall ~~deposit all fees~~ credit all moneys collected under this
 21 ~~section in subsection~~ to the appropriation account under s. 20.143 (1) (g).

22 SECTION 3652. 560.165 (2) of the statutes is created to read:

23 560.165 (2) The department may assess a state agency on a premium basis for
 24 the cost of services that are provided by the department's international liaison and
 25 that are requested by the state agency. Any premium charged by the department

1 under this section must be agreed to by the state agency paying the premium. The
2 department shall credit all moneys received from state agencies under this section
3 to the appropriation account under s. 20.143 (1) (k).

4 **SECTION 3653.** 560.167 (1) (a) of the statutes is amended to read:

5 560.167 (1) (a) "Eligible business" means a business operating in this state that
6 manufactures a product or performs a service, or both, with a potential to be exported
7 and that, together with all of its affiliates and subsidiaries ~~and its parent company,~~
8 had gross annual sales of \$25,000,000 or less in the calendar year preceding the year
9 in which it applies for a reimbursement under this section.

10 **SECTION 3654.** 560.167 (1) (d) of the statutes is created to read:

11 560.167 (1) (d) "United States trade show" means a trade event held in the
12 United States that brings prospective foreign buyers to a central location and that
13 is certified or coordinated by the U.S. department of commerce or the department.

14 **SECTION 3655.** 560.167 (2) (intro.) of the statutes is amended to read:

15 560.167 (2) (intro.) Subject to ~~sub.~~ subs. (2m) and (5), the department may
16 make reimbursements totaling no more than \$100,000 in a fiscal year from the
17 appropriations under s. 20.143 (1) (c) and (ie) to eligible businesses for any of the
18 following:

19 **SECTION 3656.** 560.167 (2) (a) of the statutes is amended to read:

20 560.167 (2) (a) Fees for participation in a trade show, U.S. trade show, or
21 matchmaker trade delegation event.

22 **SECTION 3657.** 560.167 (2) (b) of the statutes is amended to read:

23 560.167 (2) (b) Costs associated with shipping displays, sample products,
24 catalogs, or advertising material to a trade show, U.S. trade show, or matchmaker
25 trade delegation event.

1 **SECTION 3658.** 560.167 (2) (c) of the statutes is amended to read:

2 560.167 (2) (c) Costs incurred at a trade show, U.S. trade show, or matchmaker
3 trade delegation event for utilities, booth construction, or necessary modifications or
4 repairs.

5 **SECTION 3659.** 560.167 (2) (d) of the statutes is amended to read:

6 560.167 (2) (d) Costs associated with foreign language translation of brochures
7 or product information or with the use of translation services at a trade show, U.S.
8 trade show, or matchmaker trade delegation event.

9 **SECTION 3660.** 560.167 (2m) of the statutes is created to read:

10 560.167 (2m) The department may reimburse the fees and costs under sub. (2)
11 that are related to participation in a U.S. trade show only if the eligible business
12 seeking reimbursement for its participation has developed a high-technology
13 product with worldwide application.

14 **SECTION 3661.** 560.167 (5) (b) of the statutes is amended to read:

15 560.167 (5) (b) Reimburse an eligible business more than \$5,000 for
16 participation in a trade show, U.S. trade show, or matchmaker trade delegation
17 event.

18 **SECTION 3662.** 560.167 (5) (c) of the statutes is amended to read:

19 560.167 (5) (c) Reimburse an eligible business for participating more than one
20 time in the same trade show, U.S. trade show, or matchmaker trade delegation event
21 held at different times or in different locations.

22 **SECTION 3663.** 560.167 (6) of the statutes is amended to read:

23 560.167 (6) An eligible business that is approved for a reimbursement under
24 sub. (4) shall provide to the department, within 90 days after the trade show, U.S.

1 trade show, or matchmaker trade delegation event for which the reimbursement is
2 sought, documentation detailing the costs for which the reimbursement is sought.

3 **SECTION 3664.** 560.17 (7) (e) of the statutes is created to read:

4 560.17 (7) (e) If the board awards, and the department makes, a grant under
5 sub. (3) or (5c), the department may contract directly with and pay grant proceeds
6 directly to any person providing technical or management assistance to the grant
7 recipient.

8 **SECTION 3664m.** 560.172 of the statutes is created to read:

9 **560.172 Fire suppression grant program. (1) GRANTS.** (a) From the
10 appropriation under s. 20.143 (1) (n), the department of commerce shall award
11 grants to fire departments for up to 50% of the cost of acquiring fire suppression
12 equipment and materials.

13 (b) The department of commerce may not award more than \$250,000 in grants
14 per fiscal year under this section.

15 **(2) ELIGIBLE RECIPIENTS.** A fire department is eligible for grants under this
16 section if all of the following apply:

17 (a) The area in which the fire department provides fire protection and fire
18 prevention services has a population of less than 6,000 on the date on which the
19 application for the grant is submitted to the department of commerce.

20 (b) The fire department responds to all of the first alarms for structural fires
21 that are issued in the area described in par. (a).

22 (c) The fire department has entered into an agreement with at least one other
23 fire department to assist the latter fire department in the suppression of structural
24 fires.

1 **(3) ELIGIBLE EQUIPMENT AND MATERIALS.** (a) A recipient of a grant under this
2 section may use the grant proceeds to acquire, to the extent permitted under federal
3 law, any of the following fire suppression equipment or materials:

- 4 1. Protective equipment and fire resistant clothing.
- 5 2. Fire suppression tools and communication equipment.
- 6 3. Materials necessary for fire prevention training or information that is
7 provided by the recipient.
- 8 4. Fire suppression training equipment and materials.
- 9 5. Other equipment and materials as specified by rule by the department of
10 commerce.

11 (b) A recipient of a grant under this section may not use the grant proceeds to
12 acquire any of the following:

- 13 1. Buildings or vehicles.
- 14 2. Search and rescue or emergency medical equipment.
- 15 3. Equipment or materials that are used exclusively for suppressing forest
16 fires.

17 **(4) RULES.** The department of commerce shall promulgate rules establishing
18 criteria and procedures for awarding grants under this section. The rules shall
19 include a definition of “structural fire” for purposes of this section.

20 **SECTION 3665.** 560.175 (7) of the statutes is created to read:

21 560.175 (7) If the department awards a grant under this section, the
22 department may contract directly with and pay grant proceeds directly to any person
23 providing technical or management assistance to the grant recipient.

24 **SECTION 3667.** 560.183 (title) of the statutes is amended to read:

25 **560.183 (title) Physician and dentist loan assistance program.**

1 **SECTION 3668.** 560.183 (1) (ad) of the statutes is created to read:

2 560.183 (1) (ad) “Dental health shortage area” means an area that is
3 designated by the federal department of health and human services under 42 CFR
4 part 5, appendix B, as having a shortage of dental professionals.

5 **SECTION 3669.** 560.183 (1) (ae) of the statutes is created to read:

6 560.183 (1) (ae) “Dentist” means a dentist, as defined in s. 447.01 (7), who is
7 licensed under ch. 447 and who practices general or pediatric dentistry.

8 **SECTION 3670.** 560.183 (2) (a) of the statutes is amended to read:

9 560.183 (2) (a) The department may repay, on behalf of a physician or dentist,
10 up to \$50,000 in educational loans obtained by the physician or dentist from a public
11 or private lending institution for education in an accredited school of medicine or
12 dentistry or for postgraduate medical or dental training.

13 **SECTION 3671.** 560.183 (2) (b) of the statutes is amended to read:

14 560.183 (2) (b) A physician or dentist who is a participant in the national health
15 service corps scholarship program under 42 USC 254n, or a physician or dentist who
16 was a participant in that program and who failed to carry out his or her obligations
17 under that program, is not eligible for loan repayment under this section.

18 **SECTION 3672.** 560.183 (3) (a) of the statutes is amended to read:

19 560.183 (3) (a) The department shall enter into a written agreement with the
20 physician. ~~In the agreement, the physician shall agree, in which the physician~~
21 agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible
22 practice areas in this state, except that a physician specializing in psychiatry may
23 only agree to practice psychiatry in a mental health shortage area and a physician
24 in the expanded loan assistance program under sub. (9) may only agree to practice
25 at a public or private nonprofit entity in a health professional shortage area. The

1 physician shall also agree to care for patients who are insured or for whom health
2 benefits are payable under medicare, medical assistance, or any other governmental
3 program.

4 **SECTION 3673.** 560.183 (3) (am) of the statutes is created to read:

5 560.183 (3) (am) The department shall enter into a written agreement with the
6 dentist, in which the dentist agrees to practice at least 32 clinic hours per week for
7 3 years in one or more dental health shortage areas in this state. The dentist shall
8 also agree to care for patients who are insured or for whom dental health benefits are
9 payable under medicare, medical assistance, or any other governmental program.

10 **SECTION 3674.** 560.183 (5) (b) 1. of the statutes is amended to read:

11 560.183 (5) (b) 1. The degree to which there is an extremely high need for
12 medical care in the eligible practice area or health professional shortage area in
13 which ~~the~~ a physician desires to practice and the degree to which there is an
14 extremely high need for dental care in the dental health shortage area in which a
15 dentist desires to practice.

16 **SECTION 3675.** 560.183 (5) (b) 2. of the statutes is amended to read:

17 560.183 (5) (b) 2. The likelihood that a physician will remain in the eligible
18 practice area or health professional shortage area, and that a dentist will remain in
19 the dental health shortage area, in which he or she desires to practice after the loan
20 repayment period.

21 **SECTION 3676.** 560.183 (5) (b) 3. of the statutes is amended to read:

22 560.183 (5) (b) 3. The per capita income of the eligible practice area or health
23 professional shortage area in which a physician desires to practice and of the dental
24 health shortage area in which a dentist desires to practice.

25 **SECTION 3677.** 560.183 (5) (b) 4. of the statutes is amended to read:

1 560.183 (5) (b) 4. The financial or other support for physician recruitment and
2 retention provided by individuals, organizations, or local governments in the eligible
3 practice area or health professional shortage area in which a physician desires to
4 practice and for dentist recruitment and retention provided by individuals,
5 organizations, or local governments in the dental health shortage area in which a
6 dentist desires to practice.

7 **SECTION 3678.** 560.183 (5) (b) 5. of the statutes is amended to read:

8 560.183 (5) (b) 5. The geographic distribution of the physicians and dentists
9 who have entered into loan repayment agreements under this section and the
10 geographic distribution of the eligible practice areas ~~or~~ health professional shortage
11 areas, and dental health shortage areas in which the eligible applicants desire to
12 practice.

13 **SECTION 3679.** 560.183 (5) (d) of the statutes is amended to read:

14 560.183 (5) (d) An agreement under sub. (3) does not create a right of action
15 against the state on the part of the physician, dentist, or ~~the~~ lending institution for
16 failure to make the payments specified in the agreement.

17 **SECTION 3680.** 560.183 (6m) (a) (intro.) of the statutes is amended to read:

18 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to
19 be assessed by the department against physicians and dentists who breach ~~an~~
20 agreement agreements entered into under sub. (3) (a). The rules shall do all of the
21 following:

22 **SECTION 3681.** 560.183 (8) (b) of the statutes is amended to read:

23 560.183 (8) (b) Advise the department and rural health development council
24 on the identification of eligible practice areas with an extremely high need for

1 medical care and dental health shortage areas with an extremely high need for
2 dental care.

3 **SECTION 3682.** 560.183 (8) (d) of the statutes is amended to read:

4 560.183 (8) (d) Assist the department to publicize the program under this
5 section to physicians, dentists, and eligible communities.

6 **SECTION 3683.** 560.183 (8) (e) of the statutes is amended to read:

7 560.183 (8) (e) Assist physicians and dentists who are interested in applying
8 for the program under this section.

9 **SECTION 3684.** 560.183 (8) (f) of the statutes is amended to read:

10 560.183 (8) (f) Assist communities in obtaining physicians' and dentists'
11 services through the program under this section.

12 **SECTION 3685.** 560.183 (9) (intro.) of the statutes is amended to read:

13 560.183 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The department may
14 agree to repay loans as provided under this section on behalf of a physician or dentist
15 under an expanded physician and dentist loan assistance program that is funded
16 through federal funds in addition to state matching funds. To be eligible for loan
17 repayment under the expanded physician and dentist loan assistance program, a
18 physician or dentist must fulfill all of the requirements for loan repayment under
19 this section, as well as all of the following:

20 **SECTION 3686.** 560.183 (9) (a) of the statutes is amended to read:

21 560.183 (9) (a) The physician or dentist must be a U.S. citizen.

22 **SECTION 3687.** 560.183 (9) (b) of the statutes is amended to read:

23 560.183 (9) (b) The physician or dentist may not have a judgment lien against
24 his or her property for a debt to the United States.

25 **SECTION 3688.** 560.183 (9) (c) (intro.) of the statutes is amended to read:

1 560.183 (9) (c) (intro.) The physician or dentist must agree to do all of the
2 following:

3 **SECTION 3689.** 560.183 (9) (c) 2. of the statutes is amended to read:

4 560.183 (9) (c) 2. Use a sliding fee scale or a comparable method of determining
5 payment arrangements for patients who are not eligible for medicare or medical
6 assistance and who are unable to pay the customary fee for the physician's or
7 dentist's services.

8 **SECTION 3690.** 560.183 (9) (c) 3. of the statutes is amended to read:

9 560.183 (9) (c) 3. Practice at a public or private nonprofit entity in a health
10 professional shortage area, if a physician, or in a dental health shortage area, if a
11 dentist.

12 **SECTION 3690b.** 560.184 (1) (ag) of the statutes is created to read:

13 560.184 (1) (ag) "Dental health shortage area" has the meaning given in s.
14 560.183 (1) (ad).

15 **SECTION 3690c.** 560.184 (1) (aj) of the statutes is created to read:

16 560.184 (1) (aj) "Dental hygienist" means an individual licensed under s.
17 447.04 (2).

18 **SECTION 3690d.** 560.184 (1) (am) of the statutes is amended to read:

19 560.184 (1) (am) "Eligible practice area" means a primary care shortage area,
20 an American Indian reservation, or trust lands of an American Indian tribe, except
21 that with respect to a dental hygienist "eligible practice area" means a dental health
22 shortage area.

23 **SECTION 3690e.** 560.184 (1) (b) of the statutes is amended to read:

24 560.184 (1) (b) "Health care provider" means a dental hygienist, physician
25 assistant, nurse–midwife, or nurse practitioner.

1 **SECTION 3690f.** 560.184 (3) (a) of the statutes is amended to read:

2 560.184 (3) (a) The department shall enter into a written agreement with the
3 health care provider. In the agreement, the health care provider shall agree to
4 practice at least 32 clinic hours per week for 3 years in one or more eligible practice
5 areas in this state, except that a health care provider in the expanded loan assistance
6 program under sub. (8) who is not a dental hygienist may only agree to practice at
7 a public or private nonprofit entity in a health professional shortage area.

8 **SECTION 3690g.** 560.184 (5) (b) 1. of the statutes is amended to read:

9 560.184 (5) (b) 1. The degree to which there is an extremely high need for
10 medical care in the eligible practice area or health professional shortage area in
11 which an eligible applicant who is not a dental hygienist desires to practice and the
12 degree to which there is an extremely high need for dental care in the dental health
13 shortage area in which an eligible applicant who is a dental hygienist desires to
14 practice.

15 **SECTION 3690h.** 560.184 (7) (a) of the statutes is amended to read:

16 560.184 (7) (a) Advise the department and council on the identification of
17 communities with an extremely high need for health care, including dental health
18 care.

19 **SECTION 3690i.** 560.184 (8) (c) 2. and 3. of the statutes are amended to read:

20 560.184 (8) (c) 2. Use a sliding fee scale or a comparable method of determining
21 payment arrangements for patients who are not eligible for medicare or medical
22 assistance and who are unable to pay the customary fee for the physician's health
23 care provider's services.

1 3. Practice at a public or private nonprofit entity in a health professional
2 shortage area, if the health care provider is not a dental hygienist, or in a dental
3 health shortage area, if the health care provider is a dental hygienist.

4 **SECTION 3691.** 560.185 (1) of the statutes is amended to read:

5 560.185 (1) Advise the department on matters related to the physician and
6 dentist loan assistance program under s. 560.183 and the health care provider loan
7 assistance program under s. 560.184.

8 **SECTION 3692.** 560.25 (2) (intro.) of the statutes is amended to read:

9 560.25 (2) GRANTS. (intro.) Subject to ~~subs. sub. (4) and (5)~~, the department
10 may make a grant from the appropriation under s. 20.143 (1) (ko) and a grant of up
11 to \$500,000 in each fiscal year from the appropriation under s. 20.143 (1) (ie) to a
12 technology-based nonprofit organization to provide support for a manufacturing
13 extension center if all of the following apply:

14 **SECTION 3692c.** 560.25 (2) (intro.) of the statutes, as affected by 2001 Wisconsin
15 Act (this act), is amended to read:

16 560.25 (2) GRANTS. (intro.) Subject to sub. (4), the department may make a
17 grant from the appropriation under s. 20.143 (1) ~~(ko) and a grant of up to \$500,000~~
18 ~~in each fiscal year from the appropriation under s. 20.143 (1) (ie)~~ to a
19 technology based nonprofit organization to provide support for a manufacturing
20 extension center if all of the following apply:

21 **SECTION 3693.** 560.25 (5) of the statutes is repealed.

22 **SECTION 3694.** 560.42 (5) of the statutes is repealed and recreated to read:

23 560.42 (5) REPORT. Beginning in 2003 and biennially thereafter, the center
24 shall prepare a report describing its activities under this section since the period
25 covered in the previous report. The department shall submit the report with the

1 report required under s. 560.55. The report may include recommendations for the
2 legislature, governor, public records board, and regulatory agencies on simplifying
3 the process of applying for permits, of reviewing and making determinations on
4 permit applications, and of issuing permits, and shall include information on the
5 number of requests for assistance, the types of assistance provided, and the center's
6 success in resolving conflicts in permit application and review processes.

7 **SECTION 3695.** 560.42 (6) of the statutes is repealed.

8 **SECTION 3696.** 560.44 (2) of the statutes is amended to read:

9 560.44 (2) ADMINISTRATION OF BROWNFIELDS GRANT PROGRAM PROGRAMS. The
10 center shall assist in administering the grant program under s. 560.13 and in
11 administering grants and loans under s. 560.138 that are made for brownfields
12 remediation projects.

13 **SECTION 3697.** 560.55 (1) of the statutes is repealed.

14 **SECTION 3698.** 560.55 (2) of the statutes is renumbered 560.55 and amended
15 to read:

16 **560.55 Evaluation and report Report.** No Beginning on October 15, 2003,
17 and no later than January 1 October 15 of each odd-numbered year thereafter, the
18 department shall submit to the governor and to the chief clerk of each house of the
19 legislature, for distribution to the legislature under s. 13.172 (2), a report containing
20 the evaluation prepared under sub. (1) and describing the department's activities
21 and the result of the department's activities under s. 560.54 since the period covered
22 in the previous report. The department shall combine this report with the report
23 required under s. 560.42 (5) and may combine this report with other reports
24 published by the department, including the report under s. 15.04 (1) (d). The report

1 may include recommendations for legislative proposals to change the
2 entrepreneurial assistance programs and intermediary assistance programs.

3 **SECTION 3700.** 560.70 (7) of the statutes is renumbered 560.70 (7) (a) and
4 amended to read:

5 560.70 (7) (a) ~~“Tax~~ Except as provided in pars. (b) and (c), “tax benefits” means
6 the development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx),
7 except that in.

8 (b) In s. 560.795, “tax benefits” means the development zones investment credit
9 under ss. 71.07 (2di), 71.28 (1di), and 71.47 (1di) and the development zones credit
10 under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx). With respect to the development
11 opportunity zones under s. 560.795 (1) (e) and (f), “tax benefits” also means the
12 development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and
13 71.47 (1dm).

14 **SECTION 3700d.** 560.70 (7) (c) of the statutes is created to read:

15 560.70 (7) (c) In s. 560.798, “tax benefits” means the development zones capital
16 investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the
17 development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx).

18 **SECTION 3701.** 560.795 (1) (e) of the statutes is created to read:

19 560.795 (1) (e) An area in the city of Milwaukee, the legal description of which
20 is provided to the department by the local governing body of the city of Milwaukee.

21 **SECTION 3701m.** 560.795 (1) (f) of the statutes is created to read:

22 560.795 (1) (f) For the Gateway Project, an area in the city of Beloit, the legal
23 description of which is provided to the department by the local governing body of the
24 city of Beloit.

25 **SECTION 3702.** 560.795 (2) (a) of the statutes is amended to read:

1 560.795 (2) (a) Except as provided in par. (d), the designation of each area under
2 sub. (1) (a), (b) and (c), and (e) as a development opportunity zone shall be effective
3 for 36 months, with the designation of the areas under sub. (1) (a) and (b) beginning
4 on April 23, 1994, and the designation of the area under sub. (1) (c) beginning on
5 April 28, 1995. Except as provided in par. (d), the designation of ~~the~~ each area under
6 sub. (1) (d) , (e), and (f) as a development opportunity zone shall be effective for 84
7 months, with the designation of the area under sub. (1) (d) beginning on
8 January 1, 2000, and the designations of the areas under sub. (1) (e) and (f)
9 beginning on the effective date of this paragraph [revisor inserts date].

10 **SECTION 3703.** 560.795 (2) (b) 5. of the statutes is created to read:

11 560.795 (2) (b) 5. The limit for tax benefits for the development opportunity
12 zone under sub. (1) (e) is \$4,700,000.

13 **SECTION 3703m.** 560.795 (2) (b) 6. of the statutes is created to read:

14 560.795 (2) (b) 6. The limit for tax benefits for the development opportunity
15 zone under sub. (1) (f) is \$4,700,000.

16 **SECTION 3703p.** 560.795 (2) (c) of the statutes is amended to read:

17 560.795 (2) (c) Annually, the department shall estimate the amount of forgone
18 state revenue because of tax benefits claimed by corporations or persons in each
19 development opportunity zone.

20 **SECTION 3704.** 560.795 (3) (a) 4. of the statutes is created to read:

21 560.795 (3) (a) 4. Any person that is conducting or that intends to conduct
22 economic activity in a development opportunity zone under sub. (1) (e) and that, in
23 conjunction with the local governing body of the city in which the development
24 opportunity zone is located, submits a project plan as described in par. (b) to the

1 department shall be entitled to claim tax benefits while the area is designated as a
2 development opportunity zone.

3 **SECTION 3704c.** 560.795 (3) (a) 5. of the statutes is created to read:

4 560.795 (3) (a) 5. Any corporation that is conducting or that intends to conduct
5 economic activity in a development opportunity zone under sub. (1) (f) and that, in
6 conjunction with the local governing body of the city in which the development
7 opportunity zone is located, submits a project plan as described in par. (b) to the
8 department shall be entitled to claim tax benefits while the area is designated as a
9 development opportunity zone.

10 **SECTION 3704e.** 560.795 (3) (b) 1. of the statutes is amended to read:

11 560.795 (3) (b) 1. The name and address of the corporation's or person's
12 business for which tax benefits will be claimed.

13 **SECTION 3704f.** 560.795 (3) (b) 2. of the statutes is amended to read:

14 560.795 (3) (b) 2. The appropriate federal tax identification number of the
15 corporation or person.

16 **SECTION 3704g.** 560.795 (3) (b) 3. of the statutes is amended to read:

17 560.795 (3) (b) 3. The names and addresses of other locations outside of the
18 development opportunity zone where the corporation or person conducts business
19 and a description of the business activities conducted at those locations.

20 **SECTION 3704h.** 560.795 (3) (b) 4. of the statutes is amended to read:

21 560.795 (3) (b) 4. The amount that the corporation or person proposes to invest
22 in a business, or spend on the construction, rehabilitation, repair, or remodeling of
23 a building, located within the development opportunity zone.

24 **SECTION 3704i.** 560.795 (3) (b) 5. of the statutes is amended to read:

1 560.795 (3) (b) 5. The estimated total investment of the corporation or person
2 in the development opportunity zone.

3 **SECTION 3704j.** 560.795 (3) (b) 6. of the statutes is amended to read:

4 560.795 (3) (b) 6. The number of full-time jobs that will be created, retained,
5 or substantially upgraded as a result of the corporation's or person's economic
6 activity in relation to the amount of tax benefits estimated for the corporation or
7 person.

8 **SECTION 3704k.** 560.795 (3) (b) 7. of the statutes is amended to read:

9 560.795 (3) (b) 7. The corporation's or person's plans to make reasonable
10 attempts to hire employees from the targeted population.

11 **SECTION 3704L.** 560.795 (3) (b) 8. of the statutes is amended to read:

12 560.795 (3) (b) 8. A description of the commitment of the local governing body
13 of the city in which the development opportunity zone is located to the corporation's
14 or person's project.

15 **SECTION 3705.** 560.795 (3) (c) of the statutes is amended to read:

16 560.795 (3) (c) The department shall notify the department of revenue of all
17 corporations or persons entitled to claim tax benefits under this ~~section~~ subsection.

18 **SECTION 3706.** 560.795 (3) (d) of the statutes is amended to read:

19 560.795 (3) (d) The department annually shall verify information submitted
20 to the department under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm), or (1dx),
21 or 71.47 (1di), (1dm), or (1dx).

22 **SECTION 3707.** 560.795 (4) (a) (intro.) of the statutes is amended to read:

23 560.795 (4) (a) (intro.) The department shall revoke the entitlement of a
24 corporation or person to claim tax benefits under ~~this section~~ sub. (3) if the
25 corporation or person does any of the following:

1 **SECTION 3708.** 560.795 (5) of the statutes is created to read:

2 **560.795 (5) CERTIFICATION BASED ON THE ACTIVITY OF ANOTHER.** (a) The
3 department may certify for tax benefits a person that is conducting economic activity
4 in the development opportunity zone under sub. (1) (e) or (f) and that is not otherwise
5 entitled to claim tax benefits if all of the following apply:

6 1. The person's economic activity is instrumental in enabling another person
7 to conduct economic activity in the development opportunity zone under sub. (1) (e)
8 or (f).

9 2. The department determines that the economic activity of the other person
10 under subd. 1. would not have occurred but for the involvement of the person to be
11 certified for tax benefits under this subsection.

12 3. The person to be certified for tax benefits under this subsection will pass the
13 benefits through to the other person conducting the economic activity under subd.
14 1., as determined by the department.

15 4. The other person conducting the economic activity under subd. 1. does not
16 claim tax benefits under sub. (3).

17 (b) A person intending to claim tax benefits under this subsection shall submit
18 to the department an application, in the form required by the department, containing
19 information required by the department and by the department of revenue.

20 (c) The department shall notify the department of revenue of all persons
21 certified to claim tax benefits under this subsection.

22 (d) The department annually shall verify information submitted to the
23 department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), or 71.47 (1dm) or
24 (1dx).

1 (e) The department shall revoke the entitlement of a person to claim tax
2 benefits under this subsection if the person does any of the following:

- 3 1. Supplies false or misleading information to obtain the tax benefits.
4 2. Ceases operations in the development opportunity zone under sub. (1) (e) or
5 (f).
6 3. Does not pass the benefits through to the other person conducting the
7 economic activity under par. (a) 1., as determined by the department.

8 (f) The department shall notify the department of revenue within 30 days after
9 revoking an entitlement under par. (e).

10 **SECTION 3708m.** 560.798 of the statutes is created to read:

11 **560.798 Agricultural development zone.** (1) In this section, “rural
12 municipality” means any of the following:

13 (a) A city, town, or village that is located in a county with a population density
14 of less than 150 persons per square mile.

15 (b) A city, town, or village with a population of 6,000 or less.

16 (2) (a) The department may, with the approval of the joint committee on
17 finance, designate one area in the state as an agricultural development zone. The
18 area must be located in a rural municipality. An agricultural business that is located
19 in an agricultural development zone and that is certified by the department under
20 sub. (3) is eligible for tax benefits as provided in sub. (3).

21 (b) The designation of an area as an agricultural development zone shall be in
22 effect for 10 years from the time that the department first designates the area.
23 However, not more than \$5,000,000 in tax benefits may be claimed in an agricultural
24 development zone. The department may change the boundaries of an agricultural
25 development zone during the time that its designation is in effect. A change in the

1 boundaries of an agricultural development zone does not affect the duration of the
2 designation of the area or the maximum tax benefit amount that may be claimed in
3 the agricultural development zone.

4 (3) (a) The department may certify for tax benefits in an agricultural
5 development zone a new or expanding agricultural business that is located in the
6 agricultural development zone. In determining whether to certify a business under
7 this subsection, the department shall consider, among other things, the number of
8 jobs that will be created or retained by the business.

9 (b) When the department certifies an agricultural business under this
10 subsection, the department shall establish a limit on the amount of tax benefits that
11 the business may claim. The department shall enter into an agreement with the
12 business that specifies the limit on the amount of tax benefits that the business may
13 claim and reporting requirements with which the business must comply.

14 (4) (a) The department of commerce shall notify the department of revenue of
15 all the following:

- 16 1. An agricultural development zone's designation.
- 17 2. A business' certification and the limit on the amount of tax benefits that the
18 business may claim.
- 19 3. The revocation of a business' certification.

20 (b) The department shall annually verify information submitted to the
21 department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), or 71.47 (1dm) or
22 (1dx).

23 (5) The department shall promulgate rules for the operation of this section,
24 including rules related to all the following:

- 25 (a) Criteria for designating an area as an agricultural development zone.

1 (b) Criteria for certifying a business for tax benefits.

2 (c) Standards for establishing the limit on the amount of tax benefits that a
3 business may claim.

4 (d) Reporting requirements for certified businesses.

5 (e) The exchange of information between the department of commerce and the
6 department of revenue.

7 (f) Reasons for revoking a business' certification.

8 (g) Standards for changing the boundaries of an agricultural development
9 zone.

10 **SECTION 3709.** 560.80 (4) (a) and (b) of the statutes are consolidated,
11 renumbered 560.80 (4) and amended to read:

12 560.80 (4) "Eligible development project costs" means costs that, in accordance
13 with sound business and financial practices, are appropriately incurred in
14 connection with a development project or a recycling development project.—(b)
15 "~~Eligible development project costs~~", but does not include entertainment expenses or
16 expenses incurred more than 6 months before the board approves a grant or loan
17 under s. 560.83 or 560.835.

18 **SECTION 3710.** 560.80 (5) of the statutes is amended to read:

19 560.80 (5) "Eligible recipient" means a person who is eligible to receive a grant
20 under s. 560.82 (5) (a) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or
21 560.835.

22 **SECTION 3710j.** 560.80 (8) of the statutes is amended to read:

23 560.80 (8) "Minority business" means a ~~minority business, as defined in s.~~
24 560.036 (1) (e), business certified by the department under s. 560.036 (2) that has its
25 principal place of business in this state.

1 **SECTION 3711.** 560.82 (5) of the statutes is renumbered 560.82 (5) (a).

2 **SECTION 3712.** 560.82 (5) (b) of the statutes is created to read:

3 560.82 (5) (b) If the department awards a grant under sub. (1), the department
4 may contract directly with and pay grant proceeds directly to any person providing
5 technical or management assistance to the grant recipient.

6 **SECTION 3713.** 560.96 of the statutes is created to read:

7 **560.96 Technology zones. (1)** In this section, “tax credit” means a credit
8 under s. 71.07 (2di), (2dm), (2dx), or (3g), 71.28 (1di), (1dm), (1dx), or (3g), or 71.47
9 (1di), (1dm), (1dx), or (3g).

10 **(2) (a)** The department may, with the approval of the joint committee on
11 finance, designate up to 8 areas in the state as technology zones. A business that is
12 located in a technology zone and that is certified by the department under sub. (3)
13 is eligible for a tax credit as provided in sub. (3).

14 **(b)** The designation of an area as a technology zone shall be in effect for 10 years
15 from the time that the department first designates the area. However, not more than
16 \$5,000,000 in tax credits may be claimed in a technology zone. The department may
17 change the boundaries of a technology zone during the time that its designation is
18 in effect. A change in the boundaries of a technology zone does not affect the duration
19 of the designation of the area or the maximum tax credit amount that may be claimed
20 in the technology zone.

21 **(3) (a)** The department may certify for tax credits in a technology zone a
22 business that satisfies all of the following requirements:

- 23 1. The business is located in the technology zone.
24 2. The business is a new or expanding business.
25 3. The business is a high-technology business.

1 (b) In determining whether to certify a business under this subsection, the
2 department shall consider all of the following:

- 3 1. How many new jobs the business is likely to create.
- 4 2. The extent and nature of the high technology used by the business.
- 5 3. The likelihood that the business will attract related enterprises.
- 6 4. The amount of capital investment that the business is likely to make in the
7 state.
- 8 5. The economic viability of the business.

9 (c) When the department certifies a business under this subsection, the
10 department shall establish a limit on the amount of tax credits that the business may
11 claim. Unless its certification is revoked, and subject to the limit on the tax credit
12 amount established by the department under this paragraph, a business that is
13 certified may claim a tax credit for 3 years, except that a business that experiences
14 growth, as determined for that business by the department under par. (d) and sub.
15 (5) (e), may claim a tax credit for up to 5 years.

16 (d) The department shall enter into an agreement with a business that is
17 certified under this subsection. The agreement shall specify the limit on the amount
18 of tax credits that the business may claim, the extent and type of growth, which shall
19 be specific to the business, that the business must experience to extend its eligibility
20 for a tax credit, the business' baseline against which that growth will be measured,
21 any other conditions that the business must satisfy to extend its eligibility for a tax
22 credit, and reporting requirements with which the business must comply.

23 (4) (a) The department of commerce shall notify the department of revenue of
24 all the following:

- 25 1. A technology zone's designation.

1 2. A business' certification and the limit on the amount of tax credits that the
2 business may claim.

3 3. The extension or revocation of a business' certification.

4 (b) The department shall annually verify information submitted to the
5 department under ss. 71.07 (2di), (2dm), (2dx), and (3g), 71.28 (1di), (1dm), (1dx), and
6 (3g), and 71.47 (1di), (1dm), (1dx), and (3g).

7 (5) The department shall promulgate rules for the operation of this section,
8 including rules related to all the following:

9 (a) Criteria for designating an area as a technology zone.

10 (b) A business' eligibility for certification, including definitions for all of the
11 following:

12 1. New or expanding business.

13 2. High-technology business.

14 (c) Certifying a business, including use of the factors under sub. (3) (b).

15 (d) Standards for establishing the limit on the amount of tax credits that a
16 business may claim.

17 (e) Standards for extending a business' certification, including what measures,
18 in addition to job creation, the department will use to determine the growth of a
19 specific business and how the department will establish baselines against which to
20 measure growth.

21 (f) Reporting requirements for certified businesses.

22 (g) The exchange of information between the department of commerce and the
23 department of revenue.

24 (h) Reasons for revoking a business' certification.

25 (i) Standards for changing the boundaries of a technology zone.

1 **SECTION 3713c.** 562.057 (4m) (a) 1. of the statutes is renumbered 562.057 (4m)
2 (a) and amended to read:

3 562.057 (4m) (a) ~~For a racetrack at which \$25,000,000 or more was wagered~~
4 during ~~During~~ the calendar year immediately preceding the year in which the
5 applicant proposes to conduct wagering on simulcast races, at least ~~250~~ 275 race
6 performances were conducted at the racetrack ~~during that period.~~

7 **SECTION 3713d.** 562.057 (4m) (a) 2. of the statutes is repealed.

8 **SECTION 3713e.** 562.057 (4m) (b) of the statutes is repealed.

9 **SECTION 3713jm.** 562.065 (4) of the statutes is amended to read:

10 562.065 (4) UNCLAIMED PRIZES. ~~Any A licensee under s. 562.05 (1) (b) shall pay~~
11 to the department 50% of any winnings on a race which that are not claimed within
12 90 days after the end of the period authorized for racing in that year under s. 562.05
13 (9) ~~shall be paid to the department.~~ The department shall credit moneys received
14 under this subsection to the appropriation accounts under ss. 20.455 (2) (g) and
15 20.505 (8) (g). The licensee may retain the remaining 50% of the winnings.

16 **SECTION 3713k.** 563.04 (14) of the statutes is created to read:

17 563.04 (14) Promulgate rules relating to the sale of equal shares of single raffle
18 tickets to one or more purchasers under a Class A raffle license under s. 563.92 (1m).

19 **SECTION 3713kg.** 563.92 (1m) of the statutes is amended to read:

20 563.92 (1m) The department may issue a Class A license for the conduct of a
21 raffle in which some or all of the tickets for that raffle are sold on days other than the
22 same day as the raffle drawing and in which equal shares of a single ticket may be
23 sold to one or more purchasers. The department may issue a Class B license for the
24 conduct of a raffle in which all of the tickets for that raffle are sold on the same day
25 as the raffle drawing.

1 **SECTION 3713km.** 563.93 (2) of the statutes is amended to read:

2 563.93 (2) No raffle ticket may exceed ~~\$50~~ \$100 in cost.

3 **SECTION 3713kp.** 563.93 (9) of the statutes is created to read:

4 563.93 (9) If a person who holds a Class A license sells equal shares of a single
5 ticket to one or more purchasers, the person shall, prior to the raffle drawing for
6 which the shares were sold, purchase any shares of the ticket that have not been sold.

7 **SECTION 3733r.** 601.41 (1) of the statutes is amended to read:

8 601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to
9 655 and ss. 59.52 (11) (c), 66.0137 (4) and (4m), 120.13 (2) (b) to (g), 149.13 and
10 149.144 and shall act as promptly as possible under the circumstances on all matters
11 placed before the commissioner.

12 **SECTION 3735.** 601.47 (2) of the statutes is amended to read:

13 601.47 (2) ANNUAL REPORT. The commissioner shall determine the form for ~~and~~
14 ~~have printed~~ the report required in s. 601.46 (3), in number sufficient and shall have
15 the report published in sufficient quantity to meet all requests for copies. The
16 commissioner shall distribute copies upon request to any person who pays the
17 reasonable price thereof determined for the report under sub. (1).

18 **SECTION 3737m.** 601.73 (2) (c) of the statutes is amended to read:

19 601.73 (2) (c) *Default judgment.* No plaintiff or complainant is entitled to a
20 judgment by default in any proceeding in which process is served under this section
21 and s. 601.72 until the expiration of 45 days after the date of mailing of the process
22 under par. (b). If the proceeding is to foreclose or otherwise enforce a lien or security
23 interest, the plaintiff or complainant is not entitled to a judgment by default under
24 this paragraph until the expiration of 20 days after the date of mailing of the process
25 under par. (b).

1 either comprehensive health care services or a limited range of health care services,
2 regardless of whether the health care services are performed by participating or
3 nonparticipating providers participating in the plan.

4 **SECTION 3741bmp.** 609.01 (5) of the statutes is amended to read:

5 609.01 (5) “Primary provider” means a participating primary care physician,
6 or other participating provider authorized by the ~~managed care~~ defined network
7 plan, preferred provider plan, or limited service health organization to serve as a
8 primary provider, who coordinates and may provide ongoing care to an enrollee.

9 **SECTION 3741bmt.** 609.05 (1) of the statutes is amended to read:

10 609.05 (1) Except as provided in subs. (2) and (3), a limited service health
11 organization, preferred provider plan, or ~~managed care~~ defined network plan shall
12 permit its enrollees to choose freely among participating providers.

13 **SECTION 3741cmg.** 609.05 (2) of the statutes is amended to read:

14 609.05 (2) Subject to s. 609.22 (4) and (4m), a limited service health
15 organization, preferred provider plan, or ~~managed care~~ defined network plan may
16 require an enrollee to designate a primary provider and to obtain health care services
17 from the primary provider when reasonably possible.

18 **SECTION 3741cmp.** 609.05 (3) of the statutes is amended to read:

19 609.05 (3) Except as provided in ss. 609.22 (4m), 609.65, and 609.655, a limited
20 service health organization, preferred provider plan, or ~~managed care~~ defined
21 network plan may require an enrollee to obtain a referral from the primary provider
22 designated under sub. (2) to another participating provider prior to obtaining health
23 care services from that participating provider.

24 **SECTION 3741cmr.** 609.10 (5) of the statutes is amended to read:

1 609.10 (5) The commissioner may establish by rule standards in addition to
2 these any established under s. 609.20 for what constitutes adequate notice and
3 complete and understandable information under sub. (1) (c).

4 ~~9~~ Delete extra space

5 **SECTION 3741cmt.** 609.17 of the statutes is amended to read:

6 **609.17 Reports of disciplinary action.** Every limited service health
7 organization, preferred provider plan, and ~~managed care~~ defined network plan shall
8 notify the medical examining board or appropriate affiliated credentialing board
9 attached to the medical examining board of any disciplinary action taken against a
10 participating provider who holds a license or certificate granted by the board or
11 affiliated credentialing board.

12 **SECTION 3741dmg.** 609.20 (title) of the statutes is amended to read:

13 **609.20 (title) Rules for preferred provider and ~~managed care~~ defined**
14 **network plans.**

15 **SECTION 3741dmp.** 609.20 (intro.) of the statutes is renumbered 609.20 (1m)
16 (intro.) and amended to read:

17 609.20 (1m) (intro.) The commissioner ~~shall~~ may promulgate rules relating to
18 preferred provider plans and ~~managed care~~ defined network plans for all any of the
19 following purposes, as appropriate:

20 **SECTION 3741dmt.** 609.20 (1) of the statutes is renumbered 609.20 (1m) (a).

21 **SECTION 3741emg.** 609.20 (2) of the statutes is renumbered 609.20 (1m) (b).

22 **SECTION 3741emp.** 609.20 (2m) of the statutes is created to read:

23 609.20 (2m) Any rule promulgated under this chapter shall recognize the
24 differences between preferred provider plans and other types of defined network
25 plans, take into account the fact that preferred provider plans provide coverage for

1 the services of nonparticipating providers, and be appropriate to the type of plan to
2 which the rule applies.

3 **SECTION 3741emt.** 609.20 (3) of the statutes, as affected by 1999 Wisconsin Act
4 9, is renumbered 609.20 (1m) (c).

5 **SECTION 3741fmg.** 609.20 (4) of the statutes, as affected by 2001 Wisconsin Act
6 9, is renumbered 609.20 (1m) (d).

7 **SECTION 3741fmp.** 609.22 (1) of the statutes is amended to read:

8 609.22 (1) PROVIDERS. A ~~managed-care~~ defined network plan shall include a
9 sufficient number, and sufficient types, of qualified providers to meet the anticipated
10 needs of its enrollees, with respect to covered benefits, as appropriate to the type of
11 plan and consistent with normal practices and standards in the geographic area.

12 **SECTION 3741fmt.** 609.22 (2) of the statutes is amended to read:

13 609.22 (2) ADEQUATE CHOICE. A ~~managed-care~~ defined network plan that is not
14 a preferred provider plan shall ensure that, with respect to covered benefits, each
15 enrollee has adequate choice among participating providers and that the providers
16 are accessible and qualified.

17 **SECTION 3741gmg.** 609.22 (3) of the statutes is amended to read:

18 609.22 (3) PRIMARY PROVIDER SELECTION. A ~~managed-care~~ defined network plan
19 that is not a preferred provider plan shall permit each enrollee to select his or her
20 own primary provider from a list of participating primary care physicians and any
21 other participating providers that are authorized by the ~~managed-care~~ defined
22 network plan to serve as primary providers. The list shall be updated on an ongoing
23 basis and shall include a sufficient number of primary care physicians and any other
24 participating providers authorized by the plan to serve as primary providers who are
25 accepting new enrollees.

1 **SECTION 3741gmp.** 609.22 (4) (a) 1. of the statutes is amended to read:

2 609.22 (4) (a) 1. If a ~~managed care~~ defined network plan that is not a preferred
3 provider plan requires a referral to a specialist for coverage of specialist services, the
4 ~~managed care~~ defined network plan that is not a preferred provider plan shall
5 establish a procedure by which an enrollee may apply for a standing referral to a
6 specialist. The procedure must specify the criteria and conditions that must be met
7 in order for an enrollee to obtain a standing referral.

8 **SECTION 3741gmt.** 609.22 (4) (a) 2. of the statutes is amended to read:

9 609.22 (4) (a) 2. A ~~managed care~~ defined network plan that is not a preferred
10 provider plan may require the enrollee's primary provider to remain responsible for
11 coordinating the care of an enrollee who receives a standing referral to a specialist.
12 A ~~managed care~~ defined network plan that is not a preferred provider plan may
13 restrict the specialist from making any secondary referrals without prior approval
14 by the enrollee's primary provider. If an enrollee requests primary care services from
15 a specialist to whom the enrollee has a standing referral, the specialist, in agreement
16 with the enrollee and the enrollee's primary provider, may provide primary care
17 services to the enrollee in accordance with procedures established by the ~~managed~~
18 ~~care~~ defined network plan that is not a preferred provider plan.

19 **SECTION 3741hmg.** 609.22 (4) (a) 3. of the statutes is amended to read:

20 609.22 (4) (a) 3. A ~~managed care~~ defined network plan that is not a preferred
21 provider plan must include information regarding referral procedures in policies or
22 certificates provided to enrollees and must provide such information to an enrollee
23 or prospective enrollee upon request.

24 **SECTION 3741hmp.** 609.22 (4m) (a) of the statutes is amended to read:

1 609.22 (4m) (a) A ~~managed care~~ defined network plan that provides coverage
2 of obstetric or gynecologic services may not require a female enrollee of the ~~managed~~
3 ~~care~~ defined network plan to obtain a referral for covered obstetric or gynecologic
4 benefits provided by a participating provider who is a physician licensed under ch.
5 448 and who specializes in obstetrics and gynecology, regardless of whether the
6 participating provider is the enrollee's primary provider. Notwithstanding sub. (4),
7 the ~~managed care~~ defined network plan may not require the enrollee to obtain a
8 standing referral under the procedure established under sub. (4) (a) for covered
9 obstetric or gynecologic benefits.

10 **SECTION 3741hmt.** 609.22 (4m) (b) (intro.) of the statutes is amended to read:
11 609.22 (4m) (b) (intro.) A ~~managed care~~ defined network plan under par. (a)
12 may not do any of the following:

13 **SECTION 3741img.** 609.22 (4m) (c) of the statutes is amended to read:
14 609.22 (4m) (c) A ~~managed care~~ defined network plan under par. (a) shall
15 provide written notice of the requirement under par. (a) in every policy or group
16 certificate issued by the ~~managed care~~ defined network plan.

17 **SECTION 3741imp.** 609.22 (5) of the statutes is amended to read:
18 609.22 (5) SECOND OPINIONS. A ~~managed care~~ defined network plan shall
19 provide an enrollee with coverage for a 2nd opinion from another participating
20 provider.

21 **SECTION 3741imt.** 609.22 (6) (intro.) of the statutes is amended to read:
22 609.22 (6) EMERGENCY CARE. (intro.) Notwithstanding s. 632.85, if a ~~managed~~
23 ~~care~~ defined network plan provides coverage of emergency services, with respect to
24 covered benefits, the ~~managed care~~ defined network plan shall do all of the following:

25 **SECTION 3741jmg.** 609.22 (7) of the statutes is amended to read:

1 609.22 (7) TELEPHONE ACCESS. A ~~managed care~~ defined network plan that is not
2 a preferred provider plan shall provide telephone access for sufficient time during
3 business and evening hours to ensure that enrollees have adequate access to routine
4 health care services for which coverage is provided under the plan. A ~~managed care~~
5 defined network plan that is not a preferred provider plan shall provide 24-hour
6 telephone access to the plan or to a participating provider for emergency care, or
7 authorization for care, for which coverage is provided under the plan.

8 **SECTION 3741jmp.** 609.22 (8) of the statutes is amended to read:

9 609.22 (8) ACCESS PLAN FOR CERTAIN ENROLLEES. A ~~managed care~~ defined
10 network plan shall develop an access plan to meet the needs, with respect to covered
11 benefits, of its enrollees who are members of underserved populations. If a
12 significant number of enrollees of the plan customarily use languages other than
13 English, the ~~managed care~~ defined network plan shall provide access to translation
14 services fluent in those languages to the greatest extent possible.

15 **SECTION 3741jmt.** 609.24 (1) (a) (intro.) of the statutes is amended to read:

16 609.24 (1) (a) (intro.) Subject to pars. (b) and (c) and except as provided in par.
17 (d), a ~~managed care~~ defined network plan shall, with respect to covered benefits,
18 provide coverage to an enrollee for the services of a provider, regardless of whether
19 the provider is a participating provider at the time the services are provided, if the
20 ~~managed care~~ defined network plan represented that the provider was, or would be,
21 a participating provider in marketing materials that were provided or available to
22 the enrollee at any of the following times:

23 **SECTION 3741kmg.** 609.24 (1) (b) (intro.) of the statutes is amended to read:

1 609.24 (1) (b) (intro.) Except as provided in par. (d), a ~~managed-care~~ defined
2 network plan shall provide the coverage required under par. (a) with respect to the
3 services of a provider who is a primary care physician for the following period of time:

4 **SECTION 3741kmp.** 609.24 (1) (c) (intro.) of the statutes is amended to read:

5 609.24 (1) (c) (intro.) Except as provided in par. (d), if an enrollee is undergoing
6 a course of treatment with a participating provider who is not a primary care
7 physician and whose participation with the plan terminates, the ~~managed-care~~
8 defined network plan shall provide the coverage under par. (a) with respect to the
9 services of the provider for the following period of time:

10 **SECTION 3741kmt.** 609.24 (1) (d) 1. of the statutes is amended to read:

11 609.24 (1) (d) 1. The provider no longer practices in the ~~managed-care~~ defined
12 network plan's geographic service area.

13 **SECTION 3741Lmg.** 609.24 (1) (d) 2. of the statutes is amended to read:

14 609.24 (1) (d) 2. The insurer issuing the ~~managed-care~~ defined network plan
15 terminates or terminated the provider's contract for misconduct on the part of the
16 provider.

17 **SECTION 3471Lmp.** 609.24 (1) (e) 1. of the statutes is amended to read:

18 609.24 (1) (e) 1. An insurer issuing a ~~managed-care~~ defined network plan shall
19 include in its provider contracts provisions addressing reimbursement to providers
20 for services rendered under this section.

21 **SECTION 3741Lmt.** 609.24 (1) (e) 2. of the statutes is amended to read:

22 609.24 (1) (e) 2. If a contract between a ~~managed-care~~ defined network plan and
23 a provider does not address reimbursement for services rendered under this section,
24 the insurer shall reimburse the provider according to the most recent contracted
25 rate.

1 **SECTION 3741mmb.** 609.24 (4) of the statutes is created to read:

2 609.24 (4) NOTICE OF PROVISIONS. A defined network plan shall notify all plan
3 enrollees of the provisions under this section whenever a participating provider's
4 participation with the plan terminates, or shall, by contract, require a participating
5 provider to notify all plan enrollees of the provisions under this section if the
6 participating provider's participation with the plan terminates.

7 **SECTION 3741mmd.** 609.30 (1) of the statutes is amended to read:

8 609.30 (1) PLAN MAY NOT CONTRACT. A ~~managed care~~ defined network plan may
9 not contract with a participating provider to limit the provider's disclosure of
10 information, to or on behalf of an enrollee, about the enrollee's medical condition or
11 treatment options.

12 **SECTION 3741mmf.** 609.30 (2) of the statutes is amended to read:

13 609.30 (2) PLAN MAY NOT PENALIZE OR TERMINATE. A participating provider may
14 discuss, with or on behalf of an enrollee, all treatment options and any other
15 information that the provider determines to be in the best interest of the enrollee.
16 A ~~managed care~~ defined network plan may not penalize or terminate the contract of
17 a participating provider because the provider makes referrals to other participating
18 providers or discusses medically necessary or appropriate care with or on behalf of
19 an enrollee.

20 **SECTION 3741mmh.** 609.32 (1) (intro.) of the statutes is amended to read:

21 609.32 (1) STANDARDS; OTHER THAN PREFERRED PROVIDER PLANS. (intro.) A
22 ~~managed care~~ defined network plan that is not a preferred provider plan shall
23 develop comprehensive quality assurance standards that are adequate to identify,
24 evaluate, and remedy problems related to access to, and continuity and quality of,
25 care. The standards shall include at least all of the following:

1 **SECTION 3741mmj.** 609.32 (1m) of the statutes is created to read:

2 609.32 (1m) PROCEDURE FOR REMEDIAL ACTION; PREFERRED PROVIDER PLANS. A
3 preferred provider plan shall develop a procedure for remedial action to address
4 quality problems, including written procedures for taking appropriate corrective
5 action.

6 **SECTION 3741mmn.** 609.32 (2) (a) of the statutes is amended to read:

7 609.32 (2) (a) A ~~managed-care~~ defined network plan shall develop a process for
8 selecting participating providers, including written policies and procedures that the
9 plan uses for review and approval of providers. After consulting with appropriately
10 qualified providers, the plan shall establish minimum professional requirements for
11 its participating providers. The process for selection shall include verification of a
12 provider's license or certificate, including the history of any suspensions or
13 revocations, and the history of any liability claims made against the provider.

14 **SECTION 3741mmp.** 609.32 (2) (b) (intro.) of the statutes is amended to read:

15 609.32 (2) (b) (intro.) A ~~managed-care~~ defined network plan shall establish in
16 writing a formal, ongoing process for reevaluating each participating provider
17 within a specified number of years after the provider's initial acceptance for
18 participation. The reevaluation shall include all of the following:

19 **SECTION 3741mmr.** 609.32 (2) (c) of the statutes is amended to read:

20 609.32 (2) (c) A ~~managed-care~~ defined network plan may not require a
21 participating provider to provide services that are outside the scope of his or her
22 license or certificate.

23 **SECTION 3741mmt.** 609.34 of the statutes is renumbered 609.34 (1) and
24 amended to read:

1 609.34 (1) A ~~managed-care~~ defined network plan that is not a preferred
2 provider plan shall appoint a physician as medical director. The medical director
3 shall be responsible for clinical protocols, quality assurance activities, and
4 utilization management policies of the plan.

5 **SECTION 3741mmx.** 609.34 (2) of the statutes is created to read:

6 609.34 (2) A preferred provider plan may contract for services related to clinical
7 protocols and utilization management. A preferred provider plan or its designee is
8 required to appoint a medical director only to the extent that the preferred provider
9 plan or its designee assumes direct responsibility for clinical protocols and
10 utilization management policies of the plan. The medical director, who shall be a
11 physician, shall be responsible for such protocols and policies of the plan.

12 **SECTION 3741mmy.** 609.35 of the statutes is created to read:

13 **609.35 Applicability of requirements to preferred provider plans.**

14 Notwithstanding ss. 609.22 (2), (3), (4), and (7), 609.32 (1), and 609.34 (1), a preferred
15 provider plan that does not cover the same services when performed by a
16 nonparticipating provider that it covers when those services are performed by a
17 participating provider is subject to the requirements under ss. 609.22 (2), (3), (4), and
18 (7), 609.32 (1), and 609.34 (1).

19 **SECTION 3741mmz.** 609.36 (1) (a) (intro.) of the statutes is amended to read:

20 609.36 (1) (a) (intro.) A ~~managed-care~~ defined network plan shall provide to the
21 commissioner information related to all of the following:

22 **SECTION 3741nmg.** 609.36 (2) of the statutes is amended to read:

23 609.36 (2) **CONFIDENTIALITY.** A ~~managed-care~~ defined network plan shall
24 establish written policies and procedures, consistent with ss. 51.30, 146.82, and

1 252.15, for the handling of medical records and enrollee communications to ensure
2 confidentiality.

3 **SECTION 3741nmp.** 609.38 of the statutes is amended to read:

4 **609.38 Oversight.** The office shall perform examinations of insurers that
5 issue ~~managed care~~ defined network plans consistent with ss. 601.43 and 601.44.
6 The commissioner shall by rule develop standards for ~~managed care~~ defined network
7 plans for compliance with the requirements under this chapter.

8 **SECTION 3741nmt.** 609.65 (1) (intro.) of the statutes is amended to read:

9 609.65 (1) (intro.) If an enrollee of a limited service health organization,
10 preferred provider plan, or ~~managed care~~ defined network plan is examined,
11 evaluated, or treated for a nervous or mental disorder pursuant to an emergency
12 detention under s. 51.15, a commitment or a court order under s. 51.20 or 880.33 (4m)
13 or (4r) or ch. 980, then, notwithstanding the limitations regarding participating
14 providers, primary providers, and referrals under ss. 609.01 (2) to (4) and 609.05 (3),
15 the limited service health organization, preferred provider plan, or ~~managed care~~
16 defined network plan shall do all of the following:

17 **SECTION 3741omg.** 609.65 (1) (a) of the statutes is amended to read:

18 609.65 (1) (a) If the provider performing the examination, evaluation, or
19 treatment has a provider agreement with the limited service health organization,
20 preferred provider plan, or ~~managed care~~ defined network plan which covers the
21 provision of that service to the enrollee, make the service available to the enrollee in
22 accordance with the terms of the limited service health organization, preferred
23 provider plan, or ~~managed care~~ defined network plan and the provider agreement.

24 **SECTION 3741omp.** 609.65 (1) (b) (intro.) of the statutes is amended to read:

1 609.65 (1) (b) (intro.) If the provider performing the examination, evaluation
2 or treatment does not have a provider agreement with the limited service health
3 organization, preferred provider plan, or ~~managed-care~~ defined network plan which
4 covers the provision of that service to the enrollee, reimburse the provider for the
5 examination, evaluation, or treatment of the enrollee in an amount not to exceed the
6 maximum reimbursement for the service under the medical assistance program
7 under subch. IV of ch. 49, if any of the following applies:

8 **SECTION 3741omt.** 609.65 (1) (b) 1. of the statutes is amended to read:

9 609.65 (1) (b) 1. The service is provided pursuant to a commitment or a court
10 order, except that reimbursement is not required under this subdivision if the limited
11 service health organization, preferred provider plan, or ~~managed-care~~ defined
12 network plan could have provided the service through a provider with whom it has
13 a provider agreement.

14 **SECTION 3741pmg.** 609.65 (1) (b) 2. of the statutes is amended to read:

15 609.65 (1) (b) 2. The service is provided pursuant to an emergency detention
16 under s. 51.15 or on an emergency basis to a person who is committed under s. 51.20
17 and the provider notifies the limited service health organization, preferred provider
18 plan, or ~~managed-care~~ defined network plan within 72 hours after the initial
19 provision of the service.

20 **SECTION 3741pmp.** 609.65 (2) of the statutes is amended to read:

21 609.65 (2) If after receiving notice under sub. (1) (b) 2. the limited service health
22 organization, preferred provider plan, or ~~managed-care~~ defined network plan
23 arranges for services to be provided by a provider with whom it has a provider
24 agreement, the limited service health organization, preferred provider plan, or

1 ~~managed-care~~ plan is not required to reimburse a provider under sub. (1) (b) 2. for
2 any services provided after arrangements are made under this subsection.

3 **SECTION 3741pmt.** 609.65 (3) of the statutes is amended to read:

4 609.65 (3) A limited service health organization, preferred provider plan, or
5 ~~managed-care~~ defined network plan is only required to make available, or make
6 reimbursement for, an examination, evaluation, or treatment under sub. (1) to the
7 extent that the limited service health organization, preferred provider plan, or
8 ~~managed-care~~ defined network plan would have made the medically necessary
9 service available to the enrollee or reimbursed the provider for the service if any
10 referrals required under s. 609.05 (3) had been made and the service had been
11 performed by a participating provider.

12 **SECTION 3741qmg.** 609.655 (1) (a) 1. of the statutes is amended to read:

13 609.655 (1) (a) 1. Is covered as a dependent child under the terms of a policy
14 or certificate issued by a ~~managed-care~~ defined network plan insurer.

15 **SECTION 3741qmp.** 609.655 (1) (a) 2. of the statutes is amended to read:

16 609.655 (1) (a) 2. Is enrolled in a school located in this state but outside the
17 geographical service area of the ~~managed-care~~ defined network plan.

18 **SECTION 3741qmt.** 609.655 (2) of the statutes is amended to read:

19 609.655 (2) If a policy or certificate issued by a ~~managed-care~~ defined network
20 plan insurer provides coverage of outpatient services provided to a dependent
21 student, the policy or certificate shall provide coverage of outpatient services, to the
22 extent and in the manner required under sub. (3), that are provided to the dependent
23 student while he or she is attending a school located in this state but outside the
24 geographical service area of the ~~managed-care~~ defined network plan,

1 notwithstanding the limitations regarding participating providers, primary
2 providers, and referrals under ss. 609.01 (2) and 609.05 (3).

3 **SECTION 3741rmg.** 609.655 (3) (intro.) of the statutes is amended to read:

4 609.655 (3) (intro.) Except as provided in sub. (5), a ~~managed care~~ defined
5 network plan shall provide coverage for all of the following services:

6 **SECTION 3741rmp.** 609.655 (3) (a) of the statutes is amended to read:

7 609.655 (3) (a) A clinical assessment of the dependent student's nervous or
8 mental disorders or alcoholism or other drug abuse problems, conducted by a
9 provider described in s. 632.89 (1) (e) 2. or 3. who is located in this state and in
10 reasonably close proximity to the school in which the dependent student is enrolled
11 and who may be designated by the ~~managed care~~ defined network plan.

12 **SECTION 3741smg.** 609.655 (3) (b) (intro.) of the statutes is amended to read:

13 609.655 (3) (b) (intro.) If outpatient services are recommended in the clinical
14 assessment conducted under par. (a), the recommended outpatient services
15 consisting of not more than 5 visits to an outpatient treatment facility or other
16 provider that is located in this state and in reasonably close proximity to the school
17 in which the dependent student is enrolled and that may be designated by the
18 ~~managed care~~ defined network plan, except as follows:

19 **SECTION 3741smp.** 609.655 (3) (b) 1. of the statutes is amended to read:

20 609.655 (3) (b) 1. Coverage is not required under this paragraph if the medical
21 director of the ~~managed care~~ defined network plan determines that the nature of the
22 treatment recommended in the clinical assessment will prohibit the dependent
23 student from attending school on a regular basis.

24 **SECTION 3741smt.** 609.655 (4) (a) of the statutes is amended to read:

1 609.655 (4) (a) Upon completion of the 5 visits for outpatient services covered
2 under sub. (3) (b), the medical director of the ~~managed-care~~ defined network plan and
3 the clinician treating the dependent student shall review the dependent student's
4 condition and determine whether it is appropriate to continue treatment of the
5 dependent student's nervous or mental disorders or alcoholism or other drug abuse
6 problems in reasonably close proximity to the school in which the student is enrolled.
7 The review is not required if the dependent student is no longer enrolled in the school
8 or if the coverage limits under the policy or certificate for treatment of nervous or
9 mental disorders or alcoholism or other drug abuse problems have been exhausted.

10 **SECTION 3741tmg.** 609.655 (4) (b) of the statutes is amended to read:

11 609.655 (4) (b) Upon completion of the review under par. (a), the medical
12 director of the ~~managed-care~~ defined network plan shall determine whether the
13 policy or certificate will provide coverage of any further treatment for the dependent
14 student's nervous or mental disorder or alcoholism or other drug abuse problems that
15 is provided by a provider located in reasonably close proximity to the school in which
16 the student is enrolled. If the dependent student disputes the medical director's
17 determination, the dependent student may submit a written grievance under the
18 ~~managed-care~~ defined network plan's internal grievance procedure established
19 under s. 632.83.

20 **SECTION 3741tmp.** 609.655 (5) (a) of the statutes is amended to read:

21 609.655 (5) (a) A policy or certificate issued by a ~~managed-care~~ defined network
22 plan insurer is required to provide coverage for the services specified in sub. (3) only
23 to the extent that the policy or certificate would have covered the service if it had been
24 provided to the dependent student by a participating provider within the
25 geographical service area of the ~~managed-care~~ defined network plan.

1 **SECTION 3741tmt.** 609.655 (5) (b) of the statutes is amended to read:

2 609.655 (5) (b) Paragraph (a) does not permit a ~~managed care~~ defined network
3 plan to reimburse a provider for less than the full cost of the services provided or an
4 amount negotiated with the provider, solely because the reimbursement rate for the
5 service would have been less if provided by a participating provider within the
6 geographical service area of the ~~managed care~~ defined network plan.

7 **SECTION 3741umg.** 609.70 of the statutes is amended to read:

8 **609.70 Chiropractic coverage.** Limited service health organizations,
9 preferred provider plans, and ~~managed care~~ defined network plans are subject to s.
10 632.87 (3).

11 **SECTION 3741ump.** 609.75 of the statutes is amended to read:

12 **609.75 Adopted children coverage.** Limited service health organizations,
13 preferred provider plans, and ~~managed care~~ defined network plans are subject to s.
14 632.896. Coverage of health care services obtained by adopted children and children
15 placed for adoption may be subject to any requirements that the limited service
16 health organization, preferred provider plan, or ~~managed care~~ defined network plan
17 imposes under s. 609.05 (2) and (3) on the coverage of health care services obtained
18 by other enrollees.

19 **SECTION 3741umt.** 609.77 of the statutes is amended to read:

20 **609.77 Coverage of breast reconstruction.** Limited service health
21 organizations, preferred provider plans, and ~~managed care~~ defined network plans
22 are subject to s. 632.895 (13).

23

 Delete extra line space

24 **SECTION 3741vmg.** 609.78 of the statutes is amended to read:

1 **609.78 Coverage of treatment for the correction of**
2 **temporomandibular disorders.** Limited service health organizations, preferred
3 provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895
4 (11).

5 **SECTION 3741vmp.** 609.79 of the statutes is amended to read:

6 **609.79 Coverage of hospital and ambulatory surgery center charges**
7 **and anesthetics for dental care.** Limited service health organizations, preferred
8 provider plans, and ~~managed care~~ defined network plans are subject to s. 632.895
9 (12).

10 **SECTION 3741vmt.** 609.80 of the statutes is amended to read:

11 **609.80 Coverage of mammograms.** ~~Managed care~~ Defined network plans
12 are subject to s. 632.895 (8). Coverage of mammograms under s. 632.895 (8) may be
13 subject to any requirements that the ~~managed care~~ defined network plan imposes
14 under s. 609.05 (2) and (3) on the coverage of other health care services obtained by
15 enrollees.

16 **SECTION 3741wmg.** 609.81 of the statutes is amended to read:

17 **609.81 Coverage related to HIV infection.** Limited service health
18 organizations, preferred provider plans, and ~~managed care~~ defined network plans
19 are subject to s. 631.93. ~~Managed care~~ Dcdefined network plans are subject to s.
20 632.895 (9).

21  *Delete extra line space.*

22 **SECTION 3741wmp.** 609.82 of the statutes is amended to read:

23 **609.82 Coverage without prior authorization for emergency medical**
24 **condition treatment.** Limited service health organizations, preferred provider
25 plans, and ~~managed care~~ defined network plans are subject to s. 632.85.

1 **SECTION 3741wmt.** 609.83 of the statutes is amended to read:

2 **609.83 Coverage of drugs and devices.** Limited service health
3 organizations, preferred provider plans, and ~~managed care~~ defined network plans
4 are subject to s. 632.853.

5 **SECTION 3741xmg.** 609.84 of the statutes is amended to read:

6 **609.84 Experimental treatment.** Limited service health organizations,
7 preferred provider plans, and ~~managed care~~ defined network plans are subject to s.
8 632.855.

9 **SECTION 3741xmp.** 609.88 of the statutes is amended to read:

10 **609.88 Coverage of immunizations.** ~~Managed care~~ Defined network plans
11 are subject to s. 632.895 (14).

12 **SECTION 3741xmr.** 609.89 of the statutes is amended to read:

13 **609.89 Written reason for coverage denial.** Limited service health
14 organizations, preferred provider plans, and ~~managed care~~ defined network plans
15 are subject to s. 631.17.

16 **SECTION 3741xmt.** 609.90 of the statutes is amended to read:

17 **609.90 Restrictions related to domestic abuse.** Limited service health
18 organizations, preferred provider plans, and ~~managed care~~ defined network plans
19 are subject to s. 631.95.

20 **SECTION 3741d.** 607.25 of the statutes is created to read:

21 **607.25 Loan to general fund.** No later than the first day of the 2nd month
22 after the effective date of this section [revisor inserts date], the life fund shall
23 make a loan of \$850,000 to the general fund. Notwithstanding s. 604.03 (2), no
24 interest shall be charged on the loan during the period of the loan. The general fund
25 shall repay the loan from moneys lapsed to the general fund from the appropriation

1 under s. 20.515 (2) (a) at the end of the 2001–03 fiscal biennium, if any, and from
2 moneys lapsed to the general fund from the appropriation under s. 20.515 (2) (g) in
3 the amounts specified in s. 40.98 (6m). If the secretary of administration determines
4 that the moneys lapsed from these appropriations will not be sufficient to repay the
5 loan within a reasonable period of time, as determined by the secretary and the
6 commissioner, the secretary shall transfer from the general fund to the life fund an
7 amount sufficient to repay the loan.

8 **SECTION 3749.** 614.80 of the statutes is amended to read:

9 **614.80 Tax exemption.** Every domestic and nondomestic fraternal, except
10 those that offer a health maintenance organization as defined in s. 609.01 (2) or a
11 limited service health organization as defined in s. 609.01 (3) is exempt from all state,
12 county, district, municipal and school taxes or fees, except the fees required by s.
13 601.31 (2), but is required to pay all taxes and special assessments on its real estate
14 and office equipment, except as provided in ss. 70.11 (4) and 70.1105 (1).

15 **SECTION 3755g.** 628.46 (2m) of the statutes is created to read:

16 **628.46 (2m)** Notwithstanding subs. (1) and (2), a claim for payment for
17 chiropractic services is overdue if not paid within 30 days after the insurer receives
18 clinical documentation from the chiropractor that the services were provided unless,
19 within those 30 days, the insurer provides to the insured and to the chiropractor the
20 written statement under s. 632.875 (2).

21 **SECTION 3760m.** 632.875 (2) (intro.) of the statutes is amended to read:

22 **632.875 (2) (intro.)** If, on the basis of an independent evaluation, an insurer
23 restricts or terminates a patient's coverage for the treatment of a condition or
24 complaint by a chiropractor acting within the scope of his or her license and the
25 restriction or termination of coverage results in the patient becoming liable for

1 payment for his or her treatment, the insurer shall, within the time required under
2 s. 628.46 (2m), provide to the patient and to the treating chiropractor a written
3 statement that contains all of the following:

4 **SECTION 3761r.** 632.895 (10) (a) of the statutes is amended to read:

5 632.895 (10) (a) Except as provided in par. (b), every disability insurance policy
6 and every health care benefits plan provided on a self-insured basis by a county
7 board under s. 59.52 (11), by a city or village under s. 66.0137 (4), by a political
8 subdivision under s. 66.0137 (4m), by a town under s. 60.23 (25), or by a school district
9 under s. 120.13 (2) shall provide coverage for blood lead tests for children under 6
10 years of age, which shall be conducted in accordance with any recommended lead
11 screening methods and intervals contained in any rules promulgated by the
12 department of health and family services under s. 254.158.

13 **SECTION 3766r.** 635.19 (6) of the statutes is repealed.

14 **SECTION 3763f.** 632.895 (14) (c) of the statutes is amended to read:

15 632.895 (14) (c) The coverage required under par. (b) may not be subject to any
16 deductibles, copayments, or coinsurance under the policy or plan. This paragraph
17 applies to a ~~managed care~~ defined network plan, as defined in s. 609.01 (3e) (1b), only
18 with respect to appropriate and necessary immunizations provided by providers
19 participating, as defined in s. 609.01 (3m), in the plan.

20 **SECTION 3763g.** 632.895 (14) (d) 3. of the statutes is amended to read:

21 632.895 (14) (d) 3. A health care plan offered by a limited service health
22 organization, as defined in s. 609.01 (3), or by a preferred provider plan, as defined
23 in s. 609.01 (4), that is not a ~~managed care~~ defined network plan, as defined in s.
24 609.01 (3e) (1b).

25 **SECTION 3766e.** 635.02 (2) of the statutes is amended to read:

1 635.02 (2) “Case characteristics” means the demographic, actuarially based
2 characteristics of the employees of a small employer, and the employer, if covered,
3 such as age, sex, and geographic location and occupation, used by a small employer
4 insurer to determine premium rates for a small employer. “Case characteristics”
5 does not include loss or claim history, health status, occupation, duration of coverage,
6 or other factors related to claim experience.

7 **SECTION 3766ec.** 635.02 (3e) of the statutes is created to read:

8 635.02 (3e) “Eligible employee” has the meaning given in s. 632.745 (5) (a).

9 **SECTION 3766ef.** 635.02 (7) of the statutes is amended to read:

10 635.02 (7) “Small employer” means, with respect to a calendar year and a plan
11 year, an employer that employed an average of at least 2 but not more than 50 eligible
12 employees on business days during the preceding calendar year, or that is reasonably
13 expected to employ an average of at least 2 but not more than 50 eligible employees
14 on business days during the current calendar year if the employer was not in
15 existence during the preceding calendar year, and that employs at least 2 eligible
16 employees on the first day of the plan year.

17 **SECTION 3766em.** 635.05 (1) of the statutes is amended to read:

18 635.05 (1) Establishing restrictions on premium rates that a small employer
19 insurer may charge a small employer such that the premium rates charged to small
20 employers with similar case characteristics for the same or similar benefit design
21 characteristics do not vary from the midpoint rate for those small employers by more
22 than ~~35%~~ 10% of that midpoint rate.

23 **SECTION 3766f.** 635.05 (2) (a) 2. of the statutes is amended to read:

24 635.05 (2) (a) 2. An adjustment, not to exceed 15% per year, adjusted
25 proportionally for rating periods of less than one year, for such rating factors as claim

1 experience, health status, occupation, and duration of coverage, determined in
2 accordance with the small employer insurer's rate manual or rating procedures.

3 **SECTION 3766g.** 635.05 (7) of the statutes is created to read:

4 635.05 (7) Specifying the manner in which rates must be published under s.
5 635.12.

6 *Delete extra line space.*

7 **SECTION 3766j.** 635.12 of the statutes is created to read:

8 **635.12 Annual publication of rates.** Every small employer insurer shall
9 annually publish the small employer insurer's current new business premium rates.
10 The rates shall be published in the manner and according to categories required by
11 rule under s. 635.05 (7). New business premium rates for coverage under the health
12 care coverage program under subch. X of ch. 40 shall be published as required under
13 s. 40.98 (2) (d).

14 **SECTION 3768.** 704.05 (5) (a) 2. of the statutes is amended to read:

15 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
16 addressed to the tenant's last-known address, of the landlord's intent to dispose of
17 the ~~personalty~~ personal property by sale or other appropriate means if the property
18 is not repossessed by the tenant. If the tenant fails to repossess the property within
19 30 days after the date of personal service or the date of the mailing of the notice, the
20 landlord may dispose of the property by private or public sale or any other
21 appropriate means. The landlord may deduct from the proceeds of sale any costs of
22 sale and any storage charges if the landlord has first stored the personalty under
23 subd. 1. If the proceeds minus the costs of sale and minus any storage charges are
24 not claimed within 60 days after the date of the sale of the personalty, the landlord
25 is not accountable to the tenant for any of the proceeds of the sale or the value of the

1 property. The landlord shall send the proceeds of the sale minus the costs of the sale
2 and minus any storage charges to the department of administration for deposit in the
3 appropriation under s. 20.505 (7) ~~(gm)~~ (h).

4 **SECTION 3769.** 704.31 (3) of the statutes is amended to read:

5 704.31 (3) This section does not apply to a lease to which a local professional
6 baseball park district created under subch. III of ch. 229 or the Fox River
7 Navigational System Authority is a party.

8 **SECTION 3774.** 757.05 (1) (a) of the statutes is amended to read:

9 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
10 state law or for a violation of a municipal or county ordinance except for a violation
11 of s. 101.123 (2) (a), (am) 1., (ar), or (bm) or (5) or state laws or municipal or county
12 ordinances involving nonmoving traffic violations or safety belt use violations under
13 s. 347.48 (2m), there shall be imposed in addition a penalty assessment in an amount
14 of ~~23%~~ 24% of the fine or forfeiture imposed. If multiple offenses are involved, the
15 penalty assessment shall be based upon the total fine or forfeiture for all offenses.
16 When a fine or forfeiture is suspended in whole or in part, the penalty assessment
17 shall be reduced in proportion to the suspension.

18 **SECTION 3774c.** 757.05 (1) (a) of the statutes, as affected by 2001 Wisconsin Act
19 (this act), is amended to read:

20 757.05 (1) (a) Whenever a court imposes a fine or forfeiture for a violation of
21 state law or for a violation of a municipal or county ordinance except for a violation
22 of s. 101.123 (2) (a), (am) 1., (ar), ~~or (bm)~~, or (br) or (5) or state laws or municipal or
23 county ordinances involving nonmoving traffic violations or safety belt use violations
24 under s. 347.48 (2m), there shall be imposed in addition a penalty assessment in an
25 amount of 24% of the fine or forfeiture imposed. If multiple offenses are involved,

1 the penalty assessment shall be based upon the total fine or forfeiture for all offenses.
2 When a fine or forfeiture is suspended in whole or in part, the penalty assessment
3 shall be reduced in proportion to the suspension.

4 **SECTION 3775.** 757.05 (1) (b) of the statutes is amended to read:

5 757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a
6 determination by the court of the amount due, the clerk of the court shall collect and
7 transmit ~~such~~ the amount to the county treasurer as provided in s. 59.40 (2) (m). The
8 county treasurer shall then make payment to the state treasurer as provided in s.
9 59.25 (3) (f) 2.

10 **SECTION 3776.** 757.05 (1) (c) of the statutes is amended to read:

11 757.05 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a
12 determination by the court of the amount due, the court shall collect and transmit
13 ~~such~~ the amount to the treasurer of the county, city, town, or village, and that
14 treasurer shall make payment to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~
15 (bm).

16 **SECTION 3777.** 757.05 (1) (d) of the statutes is amended to read:

17 757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which
18 this ~~section~~ subsection applies, the person making the deposit shall also deposit a
19 sufficient amount to include the assessment prescribed in this ~~section~~ subsection for
20 forfeited bail. If bail is forfeited, the amount of the assessment shall be transmitted
21 monthly to the state treasurer under this ~~section~~ subsection. If bail is returned, the
22 assessment shall also be returned.

23 **SECTION 3777n.** 757.05 (2) (a) of the statutes is amended to read:

24 757.05 (2) (a) *Law enforcement training fund.* ~~Twenty-seven fifty-fifths~~
25 Eleven twenty-fourths of all moneys collected from penalty assessments under sub.

1 (1) shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized
2 in accordance with ss. 20.455 (2) and 165.85 (5). The moneys credited to the
3 appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s.
4 20.455 (2) (jb), constitute the law enforcement training fund.

5 **SECTION 3780c.** ✓ 757.54 of the statutes is renumbered 757.54 (1) and amended
6 to read:

7 757.54 (1) The Except as provided in sub. (2), the retention and disposal of all
8 court records and exhibits in any civil or criminal action or proceeding or probate
9 proceeding of any nature in a court of record shall be determined by the supreme
10 court by rule.

11 **SECTION 3780d.** ✓ 757.54 (2) of the statutes is created to read:

12 757.54 (2) (a) In this subsection:

- 13 1. "Custody" has the meaning given in s. 968.205 (1) (a).
14 2. "Discharge date" has the meaning given in s. 968.205 (1) (b).

15 (b) Except as provided in par. (c), if an exhibit in a criminal action or a
16 delinquency proceeding under ch. 938 includes any biological material that was
17 collected in connection with the action or proceeding, the court presiding over the
18 action or proceeding shall ensure that the exhibit is preserved until every person in
19 custody as a result of the action or proceeding, or as a result of commitment under
20 s. 980.06 that is based on a judgment of guilty or not guilty by reason of mental
21 disease or defect in the action or proceeding, has reached his or her discharge date.

22 (c) Subject to par. (e), the court may destroy biological material before the
23 expiration of the time period specified in par. (b) if all of the following apply:

24 1. The court sends a notice of its intent to destroy the biological material to all
25 persons who remain in custody as a result of the criminal action, delinquency

1 proceeding, or commitment under s. 980.06 and to either the attorney of record for
2 each person in custody or the state public defender.

3 2. No person who is notified under subd. 1. does either of the following within
4 90 days after the date on which the person received the notice:

5 a. Files a motion for testing of the biological material under s. 974.07 (2).

6 b. Submits a written request to preserve the biological material to the court.

7 3. No other provision of federal or state law requires the court to preserve the
8 biological material.

9 (d) A notice provided under par. (c) 1. shall clearly inform the recipient that the
10 biological material will be destroyed unless, within 90 days after the date on which
11 the person receives the notice, either a motion for testing of the material is filed
12 under s. 974.07 (2) or a written request to preserve the material is submitted to the
13 court.

14 (e) If, after providing notice under par. (c) 1. of its intent to destroy biological
15 material, a court receives a written request to preserve the material, the court shall
16 preserve the material until the discharge date of the person who made the request
17 or on whose behalf the request was made, subject to a court order issued under s.
18 974.07 (7), (9) (a), or (10) (a) 5., unless the court orders destruction or transfer of the
19 biological material under s. 974.07 (9) (b) or (10) (a) 5.

20 **SECTION 3780g.** 757.57 (5) of the statutes is amended to read:

21 757.57 (5) Except as provided in SCR 71.04 (4), every reporter, upon the request
22 of any party to an action or proceeding, shall make a typewritten transcript, and as
23 many copies thereof as the party requests, of the testimony and proceedings reported
24 by him or her in the action or proceeding, or any part thereof specified by the party,
25 the transcript and each copy thereof to be duly certified by him or her to be a correct

1 transcript thereof. For the transcripts the reporter is entitled to receive the fees
2 prescribed in s. 814.69 (1) (b) and (bm).

3 **SECTION 3780q.** 757.69 (8) of the statutes is created to read:

4 757.69 (8). Each court commissioner appointed under s. 48.065, 757.68, 757.72,
5 767.13, or 938.065 shall participate in programs of continuing court commissioner
6 education required by the supreme court. The supreme court shall charge court
7 commissioners a fee for the costs of the continuing education programs required
8 under this subsection. All moneys collected under this subsection shall be credited
9 to the appropriation account under s. 20.680 (2) (ga).

10 **SECTION 3781.** 758.19 (7) of the statutes is amended to read:

11 758.19 (7) The director of state courts shall adopt, revise biennially and submit
12 to the cochairpersons of the joint committee on information policy and technology, the
13 governor and the ~~secretary of administration~~ department of electronic government,
14 no later than September 15 of each even-numbered year, a strategic plan for the
15 utilization of information technology to carry out the functions of the courts and
16 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the
17 business needs of the courts and judicial branch agencies and shall identify all
18 resources relating to information technology which the courts and judicial branch
19 agencies desire to acquire, contingent upon funding availability, the priority for such
20 acquisitions and the justification for such acquisitions. The plan shall also identify
21 any changes in the functioning of the courts and judicial branch agencies under the
22 plan.

23 **SECTION 3781d.** 758.19 (8) of the statutes is created to read:

24 758.19 (8) (a) From the appropriation under s. 20.625 (1) (c), the director of
25 state courts shall reimburse counties up to 4 times each year for the actual expenses

1 paid for interpreters required by circuit courts to assist persons with limited English
2 proficiency under s. 885.38 (8) (a) 1. The amount of the reimbursement for mileage
3 shall be 20 cents per mile going and returning from his or her residence if within the
4 state; or, if without the state, from the point where he or she crosses the state
5 boundary to the place of attendance, and returning by the usually traveled route
6 between such points. The amount of the maximum hourly reimbursement for court
7 interpreters shall be as follows:

8 1. Forty dollars for the first hour and \$20 for each additional 0.5 hour for
9 qualified interpreters certified under the requirements and procedures approved by
10 the supreme court.

11 2. Thirty dollars for the first hour and \$15 for each additional 0.5 hour for
12 qualified interpreters, as defined in s. 885.38 (1) (c).

13 (b) To receive reimbursement under par. (a), a county must submit, on forms
14 provided by the director of state courts, an accounting of the amount paid for
15 expenses related to court interpreters that are eligible for reimbursement under par.

16 (a). The forms must include expenses for the preceding 3-month period and must
17 be submitted within 90 days after that 3-month period has ended. The director of
18 state courts may not reimburse a county for any expenses related to court
19 interpreters that are submitted after the 90-day period has ended. Reimbursement
20 under par. (a) first applies to court interpreter expenses incurred on the effective date
21 of this paragraph [revisor inserts date].

22 **SECTION 3782.** 765.12 (1) of the statutes is renumbered 765.12 (1) (a) and
23 amended to read:

24 765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and
25 if there is no prohibition against or legal objection to the marriage, the county clerk

1 shall issue a marriage license. With each marriage license the county clerk shall
2 provide a pamphlet describing the causes and effects of fetal alcohol syndrome. ~~After~~
3 ~~the application for the marriage license the clerk shall, upon the sworn statement~~
4 ~~of either of the applicants, correct any erroneous, false or insufficient statement in~~
5 ~~the marriage license or in the application therefor which shall come to the clerk's~~
6 ~~attention prior to the marriage and shall show the corrected statement as soon as~~
7 ~~reasonably possible to the other applicant.~~

8 **SECTION 3783.** 765.12 (1) (b) of the statutes is created to read:

9 765.12 (1) (b) If, after completion of the marriage license application, one of the
10 applicants notifies the clerk in writing that any of the information provided by that
11 applicant for the license is erroneous, the clerk shall notify the other applicant of the
12 correction as soon as reasonably possible. If the marriage license has not been
13 issued, the clerk shall prepare a new license with the correct information entered.
14 If the marriage license has been issued, the clerk shall immediately send a letter of
15 correction to the state registrar to amend the erroneous information.

16 **SECTION 3784.** 765.12 (1) (c) of the statutes is created to read:

17 765.12 (1) (c) If, after completion of the marriage license application, the clerk
18 discovers that correct information has been entered erroneously, the clerk shall, if
19 the marriage license has not been issued, prepare a new license with the correct
20 information correctly entered. If the marriage license has been issued, the clerk shall
21 immediately send a letter of correction to the state registrar to amend the erroneous
22 information.

23 **SECTION 3785.** 765.13 of the statutes is amended to read:

24 **765.13 Form of marriage document.** The marriage document shall contain
25 ~~the social security number of each party, as well as any other informational items~~

1 ~~that the department of health and family services determines are necessary and~~
2 ~~shall agree in the main with the standard form recommended by the federal agency~~
3 ~~responsible for national vital statistics. It consist of the marriage license and the~~
4 ~~marriage license worksheet. The marriage license shall contain a notification of the~~
5 ~~time limits of the authorization to marry, a notation that the issue of the marriage~~
6 ~~license shall not be deemed to remove or dispense with any legal disability,~~
7 ~~impediment or prohibition rendering marriage between the parties illegal, and the~~
8 ~~signature of the county clerk, who shall acquire the information for the marriage~~
9 ~~document and enter it in its proper place when the marriage license is issued. The~~
10 ~~marriage license worksheet shall contain the social security number of each party,~~
11 ~~as well as any other information items that the department of health and family~~
12 ~~services determines are necessary and shall agree in the main with the standard~~
13 ~~form recommended by the federal agency responsible for national vital statistics.~~
14 ~~The county clerk shall transmit the marriage license worksheet to the state registrar~~
15 ~~within 5 days after the date of issuance of the marriage license.~~

16 **SECTION 3786c.** 767.08 (2) (b) of the statutes is amended to read:

17 767.08 (2) (b) The court in the action shall, as provided under s. 767.25 or
18 767.26, determine and adjudge the amount, if any, the person should reasonably
19 contribute to the support and maintenance of the spouse or child and how the sum
20 should be paid. This amount ~~may~~ must be expressed as a percentage of the person's
21 income ~~or as a fixed sum, or as a combination of both in the alternative by requiring~~
22 ~~payment of the greater or lesser of either a percentage of the person's income or a~~
23 ~~fixed sum~~ unless the parties have stipulated to expressing the amount as a
24 percentage of the payer's income and the requirements under s. 767.10 (2) (am) 1. to
25 3. are satisfied. The amount so ordered to be paid may be changed or modified by the

1 court upon notice of motion or order to show cause by either party upon sufficient
2 evidence.

3 **SECTION 3786d.** 767.10 (2) (am) of the statutes is created to read:

4 767.10 (2) (am) A court may not approve a stipulation for expressing child
5 support or family support as a percentage of the payer's income unless all of the
6 following apply:

7 1. The state is not a real party in interest in the action under any of the
8 circumstances specified in s. 767.075 (1).

9 2. The payer is not subject to any other order, in any other action, for the
10 payment of child or family support or maintenance.

11 3. All payment obligations included in the order, other than the annual
12 receiving and disbursing fee under s. 767.29 (1) (d), are expressed as a percentage
13 of the payer's income.

14 **SECTION 3786e.** 767.23 (1) (c) of the statutes is amended to read:

15 767.23 (1) (c) Subject to s. 767.477, requiring either party or both parties to
16 make payments for the support of minor children, which payment amounts ~~may~~
17 must be expressed as a percentage of parental income or as a fixed sum, or as a
18 combination of both in the alternative by requiring payment of the greater or lesser
19 of either a percentage of parental income or a fixed sum unless the parties have
20 stipulated to expressing the amount as a percentage of the payer's income and the
21 requirements under s. 767.10 (2) (am) 1. to 3. are satisfied.

22 **SECTION 3786f.** 767.25 (1) (a) of the statutes is amended to read:

23 767.25 (1) (a) Order either or both parents to pay an amount reasonable or
24 necessary to fulfill a duty to support a child. The support amount ~~may~~ must be
25 expressed as a ~~percentage of parental income or as a fixed sum, or as a combination~~

1 of both in the alternative by requiring payment of the greater or lesser of either a
2 percentage of parental income or a fixed sum unless the parties have stipulated to
3 expressing the amount as a percentage of the payer's income and the requirements
4 under s. 767.10 (2) (am) 1. to 3. are satisfied.

5 **SECTION 3786g.** 767.263 (1) of the statutes is amended to read:

6 767.263 (1) Each order for child support, family support, or maintenance
7 payments shall include an order that the payer and payee notify the county child
8 support agency under s. 59.53 (5) of any change of address within 10 business days
9 of such change. Each order for child support, family support, or maintenance
10 payments shall also include an order that the payer notify the county child support
11 agency under s. 59.53 (5) and the payee, within 10 business days, of any change of
12 employer and of any substantial change in the amount of his or her income, including
13 receipt of bonus compensation, such that his or her ability to pay child support,
14 family support, or maintenance is affected. The order shall also include a statement
15 that clarifies that notification of any substantial change in the amount of the payer's
16 income will not result in a change of the order unless a revision of the order under
17 s. 767.32 or an annual adjustment of the child or family support amount under s.
18 767.33 is sought.

19 **SECTION 3787.** 767.265 (1) of the statutes is amended to read:

20 767.265 (1) Each order for child support under this chapter, for maintenance
21 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
22 ordered under s. 767.51 (3) or 767.62 (4), for support by a spouse under s. 767.02 (1)
23 (f), or for maintenance payments under s. 767.02 (1) (g) or for, each order for or
24 obligation to pay the annual receiving and disbursing fee under s. 767.29 (1) (d), each
25 order for a revision in a judgment or order with respect to child support,

1 maintenance, or family support payments under s. 767.32, each stipulation
2 approved by the court or the family court commissioner for child support under this
3 chapter, and each order for child or spousal support entered under s. 948.22 (7)
4 constitutes an assignment of all commissions, earnings, salaries, wages, pension
5 benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments,
6 and other money due or to be due in the future to the department or its designee. The
7 assignment shall be for an amount sufficient to ensure payment under the order,
8 obligation, or stipulation and to pay any arrearages due at a periodic rate not to
9 exceed 50% of the amount of support due under the order, obligation, or stipulation
10 so long as the addition of the amount toward arrearages does not leave the party at
11 an income below the poverty line established under 42 USC 9902 (2).

12 **SECTION 3788.** 767.265 (1m) of the statutes is amended to read:

13 767.265 (1m) If a party's current obligation to pay maintenance, child support,
14 spousal support, or family support ~~or the annual receiving and disbursing fee~~
15 terminates but the party has an arrearage in the payment of one or more of those
16 payments, ~~the~~ or in the payment of the annual receiving and disbursing fee, any
17 assignment under sub. (1) shall continue in effect, in an amount up to the amount
18 of the assignment before the party's current obligation terminated, until the
19 arrearage is paid in full.

20 **SECTION 3788g.** 767.265 (3m) of the statutes is amended to read:

21 767.265 (3m) Benefits under ch. 108 may be assigned and withheld only in the
22 manner provided in s. 108.13 (4). Any order to withhold benefits under ch. 108 ~~may~~
23 shall be for a percentage of benefits payable ~~or for a fixed sum, or for a combination~~
24 ~~of both in the alternative by requiring the withholding of the greater or lesser of~~
25 ~~either a percentage of benefits payable or a fixed sum unless the court-ordered~~

1 obligation on which the withholding order is based is expressed in the court order as
2 a percentage of the payer's income, in which case an order to withhold benefits under
3 ch. 108 shall be for a percentage of benefits payable. When money is to be withheld
4 from these benefits, no fee may be deducted from the amount withheld and no fine
5 may be levied for failure to withhold the money.

6 **SECTION 3788m!** 767.27 (2) of the statutes is amended to read:

7 767.27 (2) ~~Except as provided in sub. (2m), disclosure~~ Disclosure forms
8 required under this section shall be filed within 90 days after the service of summons
9 or the filing of a joint petition or at such other time as ordered by the court or family
10 court commissioner. Information contained on such forms shall be updated on the
11 record to the date of hearing.

12 **SECTION 3788p!** 767.27 (2m) of the statutes is amended to read:

13 767.27 (2m) In every action in which the court has ordered a party to pay child
14 support under s. ~~767.25, 767.51 or 767.62 (4)~~ or family support under s. ~~767.261~~ and
15 ~~the circumstances specified in s. 767.075 (1)~~ apply this chapter, including an action
16 to revise a judgment or order under s. 767.32, the court shall require the party who
17 is ordered to pay the support to annually furnish the disclosure form required under
18 this section and may require that party to annually furnish a copy of his or her most
19 recently filed state and federal income tax returns to the county child support agency
20 under s. ~~59.53 (5)~~ for the county in which the order was entered. In any action in
21 which the court has ordered a party to pay child support under s. ~~767.25, 767.51 or~~
22 ~~767.62 (4)~~ or family support under s. ~~767.261,~~ the court may require the party who
23 is ordered to pay the support to annually furnish the disclosure form required under
24 this section and a copy of his or her most recently filed state and federal income tax
25 returns to the party for whom the support has been awarded parties annually to

1 exchange financial information. A party who fails to furnish the information as
2 required by the court under this subsection may be proceeded against for contempt
3 of court under ch. 785. If the court finds that a party has failed to furnish the
4 information required under this subsection, the court may award to the party
5 bringing the action costs and, notwithstanding s. 814.04 (1), reasonable attorney
6 fees.

7 **SECTION 3789.** 767.29 (1) (d) of the statutes is amended to read:

8 767.29 (1) (d) For receiving and disbursing maintenance, child support, or
9 family support payments, including arrears in any of those payments, and for
10 maintaining the records required under par. (c), the department or its designee shall
11 collect an annual fee of ~~\$25~~ \$35. The court or family court commissioner shall order
12 each party ordered to make payments to pay the annual fee under this paragraph in
13 each year for which payments are ordered or in which an arrearage in any of those
14 payments is owed. In directing the manner of payment of the annual fee, the court
15 or family court commissioner shall order that the annual fee be withheld from income
16 and sent to the department or its designee, as provided under s. 767.265. All fees
17 collected under this paragraph shall be deposited in the appropriation account under
18 s. 20.445 (3) (ja). At the time of ordering the payment of an annual fee under this
19 paragraph, the court or family court commissioner shall notify each party ordered
20 to make payments of the requirement to pay the annual fee and of the amount of the
21 annual fee. If the annual fee under this paragraph is not paid when due, the
22 department or its designee may not deduct the annual fee from the any maintenance
23 or, child or family support, or arrearage payment, but may move the court for a
24 remedial sanction under ch. 785.

25 **SECTION 3790.** 767.29 (1) (dm) 1m. of the statutes is amended to read:

1 767.29 (1) (dm) 1m. The department or its designee may collect any unpaid fees
2 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated
3 payment and collection system on December 31, 1998, and shall deposit all fees
4 collected under this subdivision in the appropriation account under s. 20.445 (3) (ja).
5 The department or its designee may collect unpaid fees under this subdivision
6 through income withholding under s. 767.265 (2m). If the department or its designee
7 determines that income withholding is inapplicable, ineffective, or insufficient for
8 the collection of any unpaid fees under this subdivision, the department or its
9 designee may move the court for a remedial sanction under ch. 785. The department
10 or its designee may contract with or employ a collection agency or other person for
11 the collection of any unpaid fees under this subdivision and, notwithstanding s.
12 20.930, may contract with or employ an attorney to appear in any action in state or
13 federal court to enforce the payment obligation. The department or its designee may
14 not deduct the amount of unpaid fees from any maintenance or, child or family
15 support, or arrearage payment.

16 **SECTION 3793e.** 767.32 (1) (a) of the statutes is amended to read:

17 767.32 (1) (a) After a judgment or order providing for child support under this
18 chapter or s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4), 938.355 (2) (b)
19 4., 938.357 (5m) (a), 938.363 (2), or 948.22 (7), maintenance payments under s.
20 767.26, or family support payments under this chapter, or for the appointment of
21 trustees under s. 767.31, the court may, from time to time, on the petition, motion,
22 or order to show cause of either of the parties, or upon the petition, motion, or order
23 to show cause of the department, a county department under s. 46.215, 46.22, or
24 46.23, or a county child support agency under s. 59.53 (5) if an assignment has been
25 made under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4) (h), or 49.45 (19) or if

1 either party or their minor children receive aid under s. 48.57 (3m) or (3n) or ch. 49,
2 and upon notice to the family court commissioner, revise and alter such judgment or
3 order respecting the amount of such maintenance or child support and the payment
4 thereof, and also respecting the appropriation and payment of the principal and
5 income of the property so held in trust, and may make any judgment or order
6 respecting any of the matters that such court might have made in the original action,
7 except that a judgment or order that waives maintenance payments for either party
8 shall not thereafter be revised or altered in that respect nor shall the provisions of
9 a judgment or order with respect to final division of property be subject to revision
10 or modification. ~~A~~ Except as provided in par. (d), a revision, under this section, of
11 a judgment or order with respect to an amount of child or family support may be made
12 only upon a finding of a substantial change in circumstances. In any action under
13 this section to revise a judgment or order with respect to maintenance payments, a
14 substantial change in the cost of living by either party or as measured by the federal
15 bureau of labor statistics may be sufficient to justify a revision of judgment or order
16 with respect to the amount of maintenance, except that a change in an obligor's cost
17 of living is not in itself sufficient if payments are expressed as a percentage of income.

18 **SECTION 3793f.** 767.32 (1) (d) of the statutes is created to read:

19 767.32 (1) (d) In an action under this section to revise a judgment or order with
20 respect to child or family support, the court is not required to make a finding of a
21 substantial change in circumstances to change to a fixed sum the manner in which
22 the amount of child or family support is expressed in the judgment or order.

23 **SECTION 3793g.** 767.33 of the statutes is repealed and recreated to read:

24 **767.33 Annual adjustments in support orders.** (1) (a) An order for child
25 or family support under this chapter may provide for an annual adjustment in the