

1 cemetery authority has any other evidence that reasonably supports a
2 determination by the cemetery authority that the owner is deceased, no notice is
3 required under this paragraph.

4 *b2049/3.9* SECTION 2852pj. 157.115 (2) (d) (intro.) of the statutes is amended
5 to read:

6 157.115 (2) (d) (intro.) If no notice is required under par. (c) or if, within 60 days
7 after notice is mailed under par. (c), no owner or assignee contacts the cemetery
8 authority to express an intent to use the abandoned cemetery lot space for a future
9 burial of human remains, the cemetery authority shall publish in a newspaper of
10 general circulation in the county in which the abandoned lot space is located, a class
11 3 notice under ch. 985 that includes all of the following:

12 *b2049/3.9* SECTION 2852pL. 157.115 (2) (d) 1. of the statutes is amended to
13 read:

14 157.115 (2) (d) 1. The location of the abandoned lot space.

15 *b2049/3.9* SECTION 2852pn. 157.115 (2) (d) 3. of the statutes is amended to
16 read:

17 157.115 (2) (d) 3. A statement that, unless an owner or assignee contacts the
18 cemetery authority within the period specified in par. (e), the cemetery authority
19 intends to resell the abandoned lot space as provided in this subsection.

20 *b2049/3.9* SECTION 2852pp. 157.115 (2) (e) of the statutes is amended to
21 read:

22 157.115 (2) (e) If within 60 days after notice is published under par. (c) no owner
23 or assignee contacts the cemetery authority to express an intent to use the
24 abandoned lot space for a future burial of human remains, the cemetery authority
25 shall bring an action in the circuit court of the county in which the abandoned lot

1 space is located for a judgment that the ~~cemetery~~ burial space is an abandoned
2 ~~let~~ space and an order transferring ownership of the abandoned ~~let~~ space to the
3 cemetery authority.

4 *b2049/3.9* SECTION 2852pr. 157.115 (2) (f) of the statutes is amended to read:

5 157.115 (2) (f) If within one year after the circuit court enters a judgment and
6 order under par. (e) no owner or assignee contacts the cemetery authority to express
7 an intent to use the abandoned ~~let~~ space for a future burial of human remains, the
8 cemetery authority may resell the abandoned ~~let~~ space, except as provided in par. (g).
9 The payment of principal shall be deposited into the care fund. Before depositing the
10 payment of principal into the care fund, the cemetery authority may retain an
11 amount necessary to cover the cemetery authority's administrative and other
12 expenses related to the sale, but the amount retained may not exceed 50% of the
13 proceeds.

14 *b2049/3.9* SECTION 2852pt. 157.115 (2) (g) of the statutes is amended to read:

15 157.115 (2) (g) If at any time before an abandoned ~~let~~ space is resold under par.
16 (f) an owner or assignee contacts the cemetery authority to express an intent to use
17 the abandoned ~~let~~ space for a future burial of human remains, the authority may not
18 resell the abandoned ~~let~~ space, and ownership of the abandoned ~~let~~ space shall be
19 transferred to the owner or assignee. The cemetery authority shall pay all costs of
20 transferring ownership under this paragraph.

21 *b2049/3.9* SECTION 2852pv. 157.115 (2) (h) of the statutes is amended to
22 read:

23 157.115 (2) (h) Nothing in this subsection prohibits a cemetery authority from
24 seeking the authority to resell more than one abandoned ~~let~~ space by publishing a

1 single class 3 notice under par. (d) or bringing a single action under par. (e) that
2 applies to all of the abandoned lots spaces for which such authority is sought.

3 ***b2049/3.9* SECTION 2852px.** 157.117 of the statutes is created to read:

4 **157.117 Trustees for certain cemeteries and mausoleums. (1)**

5 DEFINITIONS. In this section:

6 (a) "Cemetery" means a cemetery in a county with a population greater than
7 600,000, but does not include a cemetery the ownership, control, or management of
8 which has been assumed by a municipality. For purposes of this paragraph, a
9 municipality is considered to have assumed the ownership, control, or management
10 of a cemetery only if the municipality has adopted a resolution or enacted an
11 ordinance that has the effect of assuming ownership, control, or management of the
12 cemetery. "Cemetery" also does not include a cemetery owned and operated by a
13 religious cemetery authority.

14 (b) "Local governmental unit" means a municipality or county.

15 (c) "Mausoleum" does not include a mausoleum owned and operated by a
16 religious cemetery authority.

17 (d) "Municipality" means a city, village, or town.

18 (e) "Trustee" means a trustee appointed under sub. (2) (b).

19 **(2) APPOINTMENT OF TRUSTEE.** (a) In response to a petition from the department
20 or upon his or her own motion, the attorney general may petition the circuit court for
21 the county in which a cemetery or mausoleum is located for the appointment of a
22 trustee for the cemetery or mausoleum. If the attorney general petitions the court
23 on his or her own motion, the attorney general shall serve a copy of the petition on
24 the department and the municipality and county within which the cemetery is
25 located.

1 (b) A court shall schedule a hearing on a petition filed under par. (a) within 90
2 days after the petition is filed with the court. If the court finds after a hearing that
3 a cemetery or mausoleum is neglected, abandoned, in disuse, improperly
4 maintained, or financially unsound, the court shall appoint as a trustee for the
5 cemetery or mausoleum a capable and competent person to serve as trustee of the
6 cemetery or mausoleum under this section, except that the court may not appoint the
7 department as a trustee.

8 (c) An owner of a cemetery or mausoleum may petition the court in a proceeding
9 under par. (b) for an order surrendering title to the cemetery or mausoleum to a new
10 owner, other than the state, if the owner believes itself to be incapable of continuing
11 to operate the cemetery or mausoleum. The court may grant the petition if it finds
12 that the cemetery or mausoleum is neglected, abandoned, in disuse, improperly
13 maintained, or financially unsound. If the court grants the petition, it shall transfer
14 title to the cemetery or mausoleum to the new owner and appoint a trustee under par.
15 (b).

16 (d) All disputes relating to the appointment of a trustee or the actions of a
17 trustee appointed under this section shall be resolved by the court that appointed the
18 trustee.

19 **(3) TRUSTEE POWERS AND DUTIES.** (a) A trustee shall do each of the following:

20 1. Be responsible for the management, maintenance, and operation of each
21 cemetery or mausoleum under trusteeship.

22 2. Comply with reporting requirements of s. 157.62 (2). A trustee shall provide
23 the court with a copy of all reports filed under this subdivision.

24 3. Provide the court with any additional information, records, or reports that
25 the court may direct.

1 (b) A trustee may petition the court that appointed the trustee for any of the
2 following:

3 1. Termination of the trusteeship and reversion of ownership and operation of
4 a cemetery or mausoleum to the previous owner.

5 2. Termination of the trusteeship and transfer of ownership and operation of
6 a cemetery or mausoleum to a new owner other than the state.

7 3. Removal and reinternment of human remains in accordance with the
8 requirements of this subchapter.

9 4. Termination of the trusteeship and closure of a cemetery or mausoleum after
10 removal and reinternment of human remains under subd. 3.

11 (c) A trustee may do any of the following:

12 1. Seek a new owner or operator of a cemetery or mausoleum, other than the
13 state, including actively marketing the cemetery or mausoleum and taking any other
14 action necessary or useful to effect the sale of the cemetery or mausoleum.

15 2. Assess burial spaces for cleaning, care, or improvement under s. 157.11 (7).

16 3. Expend funds disbursed from the cemetery management insurance fund for
17 the purpose of exercising its powers or carrying out its duties under this section.

18 4. Employ professional, legal, and technical experts, and any such other
19 managers, management personnel, agents, and employees as may be required, to
20 exercise the trustee's powers or carry out the trustee's duties under this section.

21 5. Take any other action necessary or useful to the management or trusteeship
22 of a cemetery or mausoleum.

23 (4) DEPARTMENT POWERS AND DUTIES. (a) From the appropriation under s. 20.165

24 (1) (q), the department shall make disbursements to trustees. The department shall

1 promulgate rules establishing requirements and procedures for making the
2 disbursements.

3 (b) The department may promulgate rules to carry out the purposes of this
4 section.

5 (5) TERMINATION OF TRUSTEESHIP. A court that appointed a trustee shall
6 terminate the trusteeship if any of the following applies:

7 (a) The owner or operator of a cemetery or mausoleum demonstrates to the
8 satisfaction of the court that the conditions that necessitated the trusteeship have
9 been remedied and that it is competent and capable of managing the cemetery or
10 mausoleum.

11 (b) The court finds that a new operator is competent and capable of managing
12 the cemetery or mausoleum. Upon making a finding under this paragraph, the court
13 shall approve the transfer of the management of the cemetery or mausoleum to the
14 new operator.

15 (c) The court approves the sale or transfer of a cemetery or mausoleum to a new
16 owner, other than the state, that the court finds is capable and competent to manage
17 the cemetery or mausoleum on a financially sound basis.

18 (d) The court approves the closure of a cemetery or mausoleum after all human
19 remains have been removed and reinterred.

20 *b2049/3.9* SECTION 2852pz. 157.12 (2) (b) of the statutes is amended to read:

21 157.12 (2) (b) The department shall supervise construction of any public
22 mausoleum and conversion of any building to a public mausoleum. Within 30 days
23 after receiving written notice from the cemetery authority that the construction or
24 conversion has been completed, the department shall inspect the public mausoleum
25 and provide the cemetery authority with a written certification as to whether the

1 construction or conversion complies with approved plans. If the department
2 determines that, except for certain minor defects, the construction or conversion
3 complies with the approved plans, the department may provide the cemetery
4 authority with a written temporary certification of compliance that is contingent on
5 the correction of those minor defects. A temporary certification is valid for a period
6 designated by the department, not to exceed 6 months. No person may sell a
7 mausoleum space, except an undeveloped space that is sold in accordance with ~~§~~ ss.
8 440.92 and 440.922, or bury human remains in a public mausoleum unless a care
9 fund has been established for the mausoleum under sub. (3) and the department has
10 provided the cemetery authority with a certification or a temporary certification
11 under this paragraph. If a cemetery authority that has been provided with a
12 temporary certification notifies the department in writing before the date on which
13 the temporary certification expires that the defects in the construction or conversion
14 of the public mausoleum have been corrected, the department shall, within 30 days
15 after receiving the notice, reinspect the public mausoleum and provide the cemetery
16 authority with a written certification as to whether the construction or conversion
17 complies with the approved plans. If a cemetery authority that has been provided
18 with a temporary certification does not receive a written certification from the
19 department before the date on which the temporary certification expires that the
20 construction or conversion complies with the approved plans, then, beginning on the
21 date on which the certification expires, no person may sell a mausoleum space, except
22 an undeveloped space that is sold in accordance with ~~§~~ ss. 440.92 and 440.922, or
23 bury human remains in the public mausoleum until the defects are corrected and the
24 department subsequently inspects the public mausoleum and provides the cemetery
25 authority with a certification that the construction or conversion complies with the

1 approved plans. The department may charge a reasonable fee to the cemetery
2 authority for each inspection and certification provided under this paragraph if the
3 inspection and certification are provided within the applicable 30-day period
4 prescribed under this paragraph.

5 ***b2049/3.9* SECTION 2852qb.** 157.12 (3) (b) of the statutes is amended to read:

6 157.12 (3) (b) The cemetery's treasurer is the custodian of the fund. The
7 treasurer shall file with the cemetery, at the cemetery's expense, a bond with sureties
8 approved by the department of regulation and licensing to indemnify the cemetery
9 against loss if the treasurer fails to maintain the fund. No For a cemetery in a county
10 with a population greater than 600,000, the amount of the bond shall be no less than
11 the total of all payments of principal required under this section as stated in the most
12 recent annual report filed by the cemetery authority under s. 157.62. For any
13 cemetery, no indemnity is required if the terms of sale of a mausoleum space require
14 the purchaser to pay directly to a trust company in the state, designated by the
15 cemetery as custodian of the fund. The fund shall be invested as provided in s.
16 157.19. Income For a cemetery in a county with a population greater than 600,000,
17 the manner in which the care funds are invested may not permit the withdrawal of
18 the fund's principal amount, but may permit the withdrawal of interest, dividends,
19 or capital gains earned during the most recently completed calendar year. For any
20 cemetery, income from investment may be used only to maintain the mausoleum,
21 except that if the amount of income exceeds the amount necessary to properly
22 maintain the mausoleum the excess amount may be used to maintain any portion of
23 the cemetery.

24 ***b2049/3.9* SECTION 2852qd.** 157.125 (title) of the statutes is amended to
25 read:

1 **157.125** (title) **Trustees for the care of cemeteries or cemetery lots**
2 **burial spaces.**

3 ***b2049/3.9* SECTION 2852qf.** 157.125 (2) of the statutes is amended to read:

4 157.125 (2) If the burial place or grave is located in a cemetery owned and
5 operated by a religious ~~society organized under ch. 187~~ cemetery authority, the court
6 shall name the religious ~~society~~ cemetery authority as the trustee unless the
7 religious ~~society~~ cemetery authority petitions the court to name the county treasurer
8 as the trustee.

9 ***b2049/3.9* SECTION 2852qh.** 157.128 (2) (a) of the statutes is amended to
10 read:

11 157.128 (2) (a) The cemetery is owned by a religious ~~association~~ cemetery
12 authority.

13 ***b2049/3.9* SECTION 2852qhk.** 157.128 (2) (b) of the statutes is amended to
14 read:

15 157.128 (2) (b) The religious ~~association~~ cemetery authority is responsible for
16 all liabilities of the cemetery.

17 ***b2049/3.9* SECTION 2852qhL.** 157.128 (2) (c) of the statutes is amended to
18 read:

19 157.128 (2) (c) The total acreage of all other cemeteries owned by the religious
20 ~~association~~ cemetery authority exceeds 20 acres.

21 ***b2049/3.9* SECTION 2852qj.** 157.128 (3) (b) of the statutes is amended to read:

22 157.128 (3) (b) A cemetery consisting of less than 20 contiguous acres may be
23 dedicated by a cemetery authority that is not required to be registered under s.
24 440.91 (1) ~~and~~, that is not organized or conducted for pecuniary profit, and that is not
25 located in a county with a population greater than 600,000.

1 ***b2049/3.9* SECTION 2852qL.** 157.19 (2) (c) of the statutes is amended to read:

2 157.19 (2) (c) Upon request of the financial institution, the preneed seller, as
3 defined in s. 440.90 (8), shall furnish the financial institution with a copy of the
4 preneed sales contract. Except as provided in ~~s. 440.92 (2) (e), (f) and (j) and (5) ss.~~
5 440.922 (3), (5) (c), and (8), and 440.924, preneed trust funds, and any interest or
6 dividends that have accumulated on the preneed trust funds, may not be withdrawn
7 until all obligations under the preneed sales contract have been fulfilled. The
8 financial institution is not responsible for the fulfillment of any part of the preneed
9 sales contract, except that the financial institution shall release the preneed trust
10 funds, and any interest or dividends that have accumulated on the preneed trust
11 funds, as provided by the terms of the preneed sales contract. The trustee of a
12 preneed trust fund may not be changed without the department's written approval.
13 If the trustee or account number of a preneed trust fund is changed, the cemetery
14 authority shall notify the department in writing within 30 days after the change.

15 ***b2049/3.9* SECTION 2852qn.** 157.19 (4m) of the statutes is created to read:

16 157.19 (4m) The department shall request proposals from financial
17 institutions located in this state for the purpose of selecting a financial institution
18 that cemetery authorities and preneed sellers may use as the trustee for care funds
19 under s. 157.11 (9g) and 157.12 (3) and preneed trust funds under s. 440.92. Except
20 as provided in sub. (5) (c), a cemetery authority or preneed seller is not required to
21 use the financial institution selected by the department. The financial institution
22 selected under this subsection shall submit an annual report to the department, in
23 a form and manner satisfactory to the department, that provides an accounting of
24 all care funds and preneed trust funds for which the financial institution is the
25 trustee.

1 ***b2049/3.9* SECTION 2852qp.** 157.19 (5) (a) of the statutes is amended to read:

2 157.19 (5) (a) This section does not apply to care funds under s. 157.11 (9g) that
3 are deposited with a city or county as provided under s. 157.11 (9g) (a), to care funds
4 of a cemetery for which a certification under s. 157.63 is effective, or to preneed trust
5 funds of a cemetery for which a certification under s. 440.92 (9) is effective, or to care
6 funds or preneed trust funds of a cemetery authority that is not required to be
7 registered under s. 440.91 (1) and, that is not organized or conducted for pecuniary
8 profit, and that is not located in a county with a population greater than 600,000.

9 ***b2049/3.9* SECTION 2852qr.** 157.19 (5) (c) of the statutes is created to read:

10 157.19 (5) (c) If the department determines that a cemetery authority of a
11 cemetery in a county with a population greater than 600,000, or a preneed seller for
12 such a cemetery authority, has violated any requirement under this subchapter or
13 subch. VIII of ch. 440 relating to care funds under s. 157.11 (9g) and 157.12 (3) or
14 preneed trust funds under s. 440.92, the department may require the cemetery
15 authority or preneed seller to use the financial institution selected under sub. (4m)
16 as the trustee for the care funds or preneed trust funds.

17 ***b2049/3.9* SECTION 2852qt.** 157.60 of the statutes is amended to read:

18 **157.60 Public easement in cemetery.** Any person who shall open or make
19 any highway, town way, or private way or shall construct any railroad, turnpike, or
20 canal or anything in the nature of a public easement over, through, in, or upon such
21 part of any enclosure, being the property of any town, city, village, or religious ~~society~~
22 cemetery authority or of private proprietors, as may be used for the burial of the dead,
23 unless an authority for that purpose shall be specially granted by law or unless the
24 consent of such town, city, village, religious ~~society~~ cemetery authority, or private

1 proprietors, respectively, shall be first obtained, shall be punished by imprisonment
2 in the county jail not more than one year or by fine not exceeding \$300.

3 *b2049/3.9* SECTION 2852qv. 157.61 of the statutes is created to read:

4 **157.61 Identification of human remains.** A person may not provide an
5 outer burial container or, if an outer burial container is not used, a casket, to a
6 cemetery authority of a cemetery in a county with a population greater than 600,000,
7 other than a religious cemetery authority, for the burial of human remains, unless
8 the person identifies the decedent by name on the exterior of the outer burial
9 container or casket.

10 *b2049/3.9* SECTION 2852se. 157.62 (2) (b) 1m. of the statutes is created to
11 read:

12 157.62 (2) (b) 1m. If the cemetery authority operates a cemetery in a county
13 with a population greater than 600,000, the percentage of burial spaces at the
14 cemetery that are available for sale.

15 *b2049/3.9* SECTION 2852sh. 157.62 (3) (a) of the statutes is amended to read:

16 157.62 (3) (a) Every cemetery authority shall keep a copy of the report required
17 under sub. (2) (a) at its principal place of business and, except for those records
18 relating to accountings of trust funds described under sub. (2) (b) 3. to 7., shall make
19 the report available for inspection, upon reasonable notice, by any person with an
20 interest in a ~~cemetery lot or a mausoleum~~ burial space in a cemetery owned or
21 operated by the cemetery authority.

22 *b2049/3.9* SECTION 2852si. 157.62 (3) (b) 3. of the statutes is amended to
23 read:

24 157.62 (3) (b) 3. A copy of each contract for the sale of a ~~cemetery lot,~~
25 ~~mausoleum~~ burial space or cemetery merchandise.

1 ***b2049/3.9* SECTION 2852sj.** 157.62 (3) (c) of the statutes is created to read:

2 157.62 (3) (c) Every cemetery authority of a cemetery in a county with a
3 population greater than 600,000 that is registered under s. 440.91 (1) shall maintain
4 records identifying the section, lot, and site of each burial space and showing the
5 location of each burial space on a map.

6 ***b2049/3.9* SECTION 2852sk.** 157.62 (4) (title) of the statutes is amended to
7 read:

8 157.62 (4) (title) RECORDS MAINTENANCE; INSPECTION.

9 ***b2049/3.9* SECTION 2852sL.** 157.62 (4) of the statutes is renumbered 157.62
10 (4) (a).

11 ***b2049/3.9* SECTION 2852sm.** 157.62 (4) (b) of the statutes is created to read:

12 157.62 (4) (b) A cemetery authority that operates a cemetery in a county with
13 a population greater than 600,000 that is registered shall, upon reasonable notice,
14 make the records and contract copies under sub. (3) (b) available for inspection and
15 copying by the department.

16 ***b2049/3.9* SECTION 2852sn.** 157.62 (5) of the statutes is renumbered 157.62
17 (5) (b).

18 ***b2049/3.9* SECTION 2852snb.** 157.62 (5) (a) of the statutes is created to read:

19 157.62 (5) (a) The department may promulgate rules establishing minimum
20 standards for the format and maintenance of records required under this section,
21 except under sub. (1).

22 ***b2049/3.9* SECTION 2852so.** 157.62 (6) of the statutes is renumbered 157.62
23 (6) (a) and amended to read:

24 157.62 (6) (a) Except as provided in ss. 157.625, 157.63 (5) and 440.92 (9) (e),
25 the department may audit, at reasonable times and frequency, the records, trust

1 funds, and accounts of any cemetery authority and shall audit the records, trust
2 funds, and accounts of each registered cemetery authority of a cemetery in a county
3 with a population greater than 600,000, including records, trust funds, and accounts
4 pertaining to services provided by a cemetery authority which are not otherwise
5 subject to the requirements under this chapter. The department may conduct audits
6 under this subsection on a random basis, and ~~shall conduct all audits under this~~
7 ~~subsection~~ without providing prior notice to the cemetery authority.

8 *b2049/3.9* SECTION 2852sp. 157.62 (6) (b) of the statutes is created to read:

9 157.62 (6) (b) If the department has cause to believe that a registered cemetery
10 authority of a cemetery in a county with a population greater than 600,000 has not
11 complied with the requirements of this subchapter or subch. VIII of ch. 440
12 pertaining to trust funds and accounts, the department may require the cemetery
13 authority to submit an audit conducted at the cemetery authority's expense by an
14 independent certified public accountant in accordance with generally accepted
15 auditing standards.

16 *b2049/3.9* SECTION 2852sq. 157.625 of the statutes is amended to read:

17 **157.625 Reporting exemption for certain cemeteries.** (1) A cemetery
18 authority of a cemetery that is not located in a county with a population that is
19 greater than 600,000 and that is not required under this chapter or under s. 440.92
20 to maintain any care funds or preneed trust funds is not required to file an annual
21 report under s. 157.62 (2).

22 (2) A cemetery authority of a cemetery that is not located in a county with a
23 population that is greater than 600,000 and whose annual operating budget for the
24 cemetery is \$2,500 or less is not required to file an annual report under s. 157.62 (2).

1 (3) Section 157.62 does not apply to a cemetery authority that is not required
2 to be registered under s. 440.91 (1) ~~and~~, that is not organized or conducted for
3 pecuniary profit, and that does not operate a cemetery in a county with a population
4 that is greater than 600,000.

5 ***b2049/3.9* SECTION 2852sr.** 157.63 (title) of the statutes is amended to read:

6 **157.63 (title) Reporting and auditing exemptions; certification of**
7 **compliance of religious cemetery affiliated with religious society**
8 **authority.**

9 ***b2049/3.9* SECTION 2852ss.** 157.63 (1) of the statutes is amended to read:

10 **157.63 (1)** In lieu of filing an annual report under s. 157.62 (2), a religious
11 cemetery authority of a cemetery that is affiliated with a religious society organized
12 under ch. 187 or that religious society or the church, synagogue, mosque,
13 incorporated college of a religious order, or religious society organized under ch. 187
14 that is affiliated with a religious cemetery authority may file an annual certification
15 with the department as provided in this section.

16 ***b2049/3.9* SECTION 2852st.** 157.63 (2) (b) of the statutes is amended to read:

17 **157.63 (2) (b)** A notarized statement of a person who is legally authorized to
18 act on behalf of the religious ~~society~~ cemetery authority under this section that,
19 during the reporting period under s. 157.62, each cemetery and the religious
20 cemetery authority of each cemetery specified under par. (a) have either fully
21 complied or have substantially complied with ss. 157.11 (9g) and 157.12 (3).

22 ***b2049/3.9* SECTION 2852sv.** 157.63 (3) of the statutes is amended to read:

23 **157.63 (3)** If the statement under sub. (2) (b) includes a statement of
24 substantial compliance, the statement under sub. (2) (b) must also specify those

1 instances when the cemetery or religious cemetery authority did not fully comply
2 with s. 157.11 (9g) or 157.12 (3).

3 ***b2049/3.9* SECTION 2852sx.** 157.63 (4) of the statutes is amended to read:

4 157.63 (4) A certification under this section is effective for the 12-month period
5 immediately following the reporting period under s. 157.62 (2) for which the religious
6 cemetery authority is certified under this section to have fully or substantially
7 complied with ss. 157.11 (9g) and 157.12 (3).

8 ***b2049/3.9* SECTION 2852sz.** 157.63 (6) of the statutes is amended to read:

9 157.63 (6) The church, synagogue, mosque, incorporated college of a religious
10 order, or religious society that is affiliated with a cemetery to which a certification
11 under this section applies is liable for the damages of any person that result from the
12 failure of the cemetery or religious cemetery authority to fully comply with s. 157.11
13 (9g) or 157.12 (3) during the reporting period under s. 157.62 (2) for which such
14 compliance has been certified under this section.

15 ***b2049/3.10* SECTION 2852w.** 157.635 of the statutes is amended to read:

16 **157.635 Regulations of religious cemetery ~~affiliated with religious~~**
17 **~~society~~ authorities.** Nothing in this subchapter prohibits a religious cemetery
18 authority ~~of a cemetery that is affiliated with a religious society organized under ch.~~
19 ~~187~~ from prohibiting the burial of the human remains of an individual in the
20 cemetery if the individual was in a class of individuals who are prohibited from being
21 buried in the cemetery under regulations adopted by the religious cemetery
22 authority or church, synagogue, mosque, incorporated college of a religious order, or
23 religious society ~~from being buried in the cemetery that is affiliated with the religious~~
24 cemetery authority.

1 ***b2049/3.11* SECTION 2852yh.** 157.64 (2) (e) of the statutes is amended to
2 read:

3 157.64 (2) (e) Fails to maintain records as required in s. 157.62 (3) and (4) (a).

4 ***b2049/3.11* SECTION 2852yL.** 157.64 (2) (h) of the statutes is created to read:
5 157.64 (2) (h) Violates s. 157.112, if the violation occurs in a county with a
6 population greater than 600,000.

7 ***b2049/3.11* SECTION 2852yu.** 157.65 (1) (b) of the statutes is amended to
8 read:

9 157.65 (1) (b) If the department of commerce has reason to believe that any
10 person is violating s. 157.12 or any rule promulgated under s. 157.12 and that the
11 continuation of that activity might cause injury to the public interest, the
12 department of commerce ~~may~~ shall investigate.

13 ***-1464/2.66* SECTION 2853.** 157.70 (2) (i) of the statutes is amended to read:

14 157.70 (2) (i) Cause a cataloged burial site to be recorded by the register of
15 deeds of the county in which the burial site is located. The historical society shall
16 reimburse the county for the cost of recording under this paragraph from the
17 appropriation under s. 20.245 ~~(3)~~ (1)(a).

18 ***b1409/1.3* SECTION 2853r.** 165.017 (1) of the statutes is repealed.

19 ***b1409/1.3* SECTION 2853s.** 165.017 (2) of the statutes is amended to read:

20 165.017 (2) The attorney general or his or her designee shall review and
21 approve or disapprove all proposed petitions ~~or petitions~~ for commitment of
22 individuals as specified under s. 51.20 (1) (ad) 1.

23 ***b1409/1.3* SECTION 2853t.** 165.017 (3) of the statutes is repealed.

24 ***b1409/1.3* SECTION 2853u.** 165.017 (5) of the statutes is repealed.

25 ***-1772/1.2* SECTION 2854.** 165.055 (3) of the statutes is repealed.

1 ***b0457/2.2* SECTION 2854m.** 165.10 of the statutes is created to read:

2 **165.10 Civil rights enforcement.** If any person, whether or not acting under
3 color of law, interferes with the exercise or enjoyment by any individual of a right
4 secured by the constitution or laws of the United States, or of a right secured by the
5 constitution or laws of this state, the attorney general may bring an action for
6 injunction or other appropriate equitable relief to protect the peaceable exercise or
7 enjoyment of the right secured.

8 ***b2221/3.128* SECTION 2854r.** 165.25 (4) (a) of the statutes is amended to read:

9 165.25 (4) (a) The department of justice shall furnish all legal services required
10 by the investment board, the lottery division in the department of revenue, the public
11 service commission, the department of transportation, the department of natural
12 resources, the department of forestry, the department of tourism, and the
13 department of employee trust funds, together with any other services, including
14 stenographic and investigational, as are necessarily connected with the legal work.

15 ***-2156/4.12* SECTION 2855.** 165.25 (4) (ar) of the statutes is amended to read:

16 165.25 (4) (ar) The department of justice shall furnish all legal services
17 required by the department of agriculture, trade and consumer protection relating
18 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,
19 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50,
20 and 100.51 and chs. 136, 344, 704, 707, and 779, together with any other services as
21 are necessarily connected to the legal services.

22 ***b1461/3.17* SECTION 2856b.** 165.25 (4) (ar) of the statutes, as affected by
23 2001 Wisconsin Act (this act), is amended to read:

24 165.25 (4) (ar) The department of justice shall furnish all legal services
25 required by the department of agriculture, trade and consumer protection relating

1 to the enforcement of ss. 100.171, 100.173, 100.174, 100.175, 100.177, 100.18,
2 100.182, 100.20, 100.205, 100.207, 100.209, 100.21, 100.28, 100.37, 100.42, 100.50
3 and 100.51 and chs. 126, 136, 344, 704, 707, and 779, together with any other services
4 as are necessarily connected to the legal services.

5 ***b0456/1.2* SECTION 2856d.** 165.25 (10) of the statutes is created to read:

6 165.25 (10) REPORT ON RESTITUTION. Semiannually submit a report to the
7 department of administration and the joint committee on finance regarding money
8 received by the department of justice under a court order or a settlement agreement
9 for providing restitution to victims. The report shall specify the amount of
10 restitution received by the department of justice during the reporting period; the
11 persons to whom the department of justice paid restitution and the amount that the
12 department of justice paid to each recipient during the reporting period; and the
13 department of justice's methodology for selecting recipients and determining the
14 amount paid to each recipient.

15 ***b2097/1.2* SECTION 2857g.** 165.72 (title) of the statutes is amended to read:

16 165.72 (title) **Controlled Dangerous weapons in public schools and**
17 **controlled substances hotline and rewards for controlled substances tips.**

18 ***b2097/1.2* SECTION 2857h.** 165.72 (1) (a) of the statutes is renumbered
19 165.72 (1) (aj).

20 ***b2097/1.2* SECTION 2857i.** 165.72 (1) (ad) of the statutes is created to read:

21 165.72 (1) (ad) "Dangerous weapon" has the meaning given in s. 939.22 (10).

22 ***b2097/1.2* SECTION 2857j.** 165.72 (2) (intro.) of the statutes is amended to
23 read:

1 165.72 (2) HOTLINE. (intro.) The department of justice shall maintain a single
2 toll-free telephone number during normal retail business hours, as determined by
3 departmental rule, for ~~both~~ all of the following:

4 ***b2097/1.2* SECTION 2857k.** 165.72 (2) (c) of the statutes is created to read:

5 165.72 (2) (c) For persons to provide information anonymously regarding
6 dangerous weapons in public schools.

7 ***b2097/1.2* SECTION 2857L.** 165.72 (2g) of the statutes is created to read:

8 165.72 (2g) AFTER-HOURS MESSAGE FOR CALLS CONCERNING DANGEROUS WEAPONS
9 IN PUBLIC SCHOOLS. The department of justice shall provide for a person to answer
10 telephone calls that are made after normal retail business hours to the telephone
11 number under sub. (2). If a caller makes a telephone call after normal retail business
12 hours regarding dangerous weapons in a public school, the person answering the
13 telephone call shall request that the caller call the telephone number “911” or a local
14 law enforcement agency.

15 ***b2097/1.2* SECTION 2857m.** 165.72 (2m) of the statutes is created to read:

16 165.72 (2m) TRANSMISSION OF INFORMATION CONCERNING DANGEROUS WEAPONS IN
17 PUBLIC SCHOOLS. Immediately upon receiving any information under sub. (2) (c)
18 regarding dangerous weapons in a public school, or immediately at the beginning of
19 the next retail business day if the information is not received during normal retail
20 business hours, the department of justice shall provide the information to all of the
21 following:

22 (a) The administration of the public school.

23 (b) The appropriate law enforcement agency, as defined in s. 165.83 (1) (b), for
24 the municipality in which the public school is located.

25 ***b2097/1.2* SECTION 2857n.** 165.72 (7) of the statutes is amended to read:

1 165.72 (7) PUBLICITY. ~~The~~ From the appropriation under s. 20.455 (2) (a), the
2 department shall purchase public information and promotion services regarding the
3 toll-free telephone number under sub. (2). The department and any agency
4 providing publicity services under this subsection shall cooperate with the
5 department of public instruction in publicizing, in public schools, the use of the
6 toll-free telephone number ~~under sub. (2).~~

7 ***b0338/1.3* SECTION 2857t.** 165.755 (1) (b) of the statutes is amended to read:

8 165.755 (1) (b) A court may not impose the crime laboratories and drug law
9 enforcement assessment under par. (a) for a violation of s. 101.123 (2) (a), (am) 1., (ar)
10 ~~e~~, (bm), (br) or (5) (b) or for a violation of a state law or municipal or county
11 ordinance involving a nonmoving traffic violation or a safety belt use violation under
12 s. 347.48 (2m).

13 ***-1394/2.51* SECTION 2858.** 165.755 (4) of the statutes is amended to read:

14 165.755 (4) If a municipal court imposes a forfeiture, after determining the
15 amount due under sub. (1) (a) the court shall collect and transmit such amount to the
16 treasurer of the county, city, town or village, and that treasurer shall make payment
17 to the state treasurer as provided in s. 66.0114 (1) ~~(b)~~ (bm).

18 ***b2217/2.3* SECTION 2858c.** 165.77 (2) (a) 2. of the statutes is amended to read:

19 165.77 (2) (a) 2. The laboratories may compare the data obtained from the
20 specimen with data obtained from other specimens. The laboratories may make data
21 obtained from any analysis and comparison available to law enforcement agencies
22 in connection with criminal or delinquency investigations and, upon request, to any
23 prosecutor, defense attorney or subject of the data. The data may be used in criminal
24 and delinquency actions and proceedings. ~~In this state, the use is subject to s. 972.11~~
25 ~~(5).~~ The laboratories shall not include data obtained from deoxyribonucleic acid

1 analysis of those specimens received under this paragraph in the data bank under
2 sub. (3). The laboratories shall destroy specimens obtained under this paragraph
3 after analysis has been completed and the applicable court proceedings have
4 concluded.

5 ***b2217/2.3* SECTION 2858e.** 165.77 (2m) of the statutes is created to read:

6 165.77 (2m) (a) If the laboratories receive biological material under a court
7 order issued under s. 974.07 (8), the laboratories shall analyze the deoxyribonucleic
8 acid in the material and submit the results of the analysis to the court that ordered
9 the analysis.

10 (b) The laboratories may compare the data obtained from material received
11 under par. (a) with data obtained from other specimens. The laboratories may make
12 data obtained from any analysis and comparison available to law enforcement
13 agencies in connection with criminal or delinquency investigations and, upon
14 request, to any prosecutor, defense attorney, or subject of the data. The data may be
15 used in criminal and delinquency actions and proceedings. The laboratories shall not
16 include data obtained from deoxyribonucleic acid analysis of material received under
17 par. (a) in the data bank under sub. (3).

18 (c) Paragraph (b) does not apply to specimens received under s. 51.20 (13) (cr),
19 165.76, 938.34 (15), 971.17 (1m) (a), 973.047, or 980.063.

20 ***b2217/2.3* SECTION 2858g.** 165.77 (3) of the statutes is amended to read:

21 165.77 (3) If the laboratories receive a human biological specimen under s.
22 51.20 (13) (cr), 165.76, 938.34 (15), 971.17 (1m) (a), 973.047 or 980.063, the
23 laboratories shall analyze the deoxyribonucleic acid in the specimen. The
24 laboratories shall maintain a data bank based on data obtained from
25 deoxyribonucleic acid analysis of those specimens. The laboratories may compare

1 the data obtained from one specimen with the data obtained from other specimens.
2 The laboratories may make data obtained from any analysis and comparison
3 available to law enforcement agencies in connection with criminal or delinquency
4 investigations and, upon request, to any prosecutor, defense attorney or subject of
5 the data. The data may be used in criminal and delinquency actions and proceedings.
6 ~~In this state, the use is subject to s. 972.11 (5).~~ The laboratories shall destroy
7 specimens obtained under this subsection after analysis has been completed and the
8 applicable court proceedings have concluded.

9 ***b2217/2.3* SECTION 2858i.** 165.81 (1) of the statutes is amended to read:

10 165.81 (1) Whenever the department is informed by the submitting officer or
11 agency that physical evidence in the possession of the laboratories is no longer
12 needed the department may, except as provided in sub. (3) or unless otherwise
13 provided by law, either destroy the same evidence, retain it in the laboratories,
14 return it to the submitting officer or agency, or turn it over to the University of
15 Wisconsin upon the request of the head of any department.—Whenever of the
16 University of Wisconsin. If the department returns the evidence to the submitting
17 officer or agency, any action taken by the officer or agency with respect to the
18 evidence shall be in accordance with s. 968.20. Except as provided in sub. (3),
19 whenever the department receives information from which it appears probable that
20 the evidence is no longer needed, the department may give written notice to the
21 submitting agency and the appropriate district attorney, by registered mail, of the
22 intention to dispose of the evidence. If no objection is received within 20 days after
23 the notice was mailed, it may dispose of the evidence.

24 ***b2217/2.3* SECTION 2858k.** 165.81 (3) of the statutes is created to read:

25 165.81 (3) (a) In this subsection:

1 1. “Custody” has the meaning given in s. 968.205 (1) (a).

2 2. “Discharge date” has the meaning given in s. 968.205 (1) (b).

3 (b) Except as provided in par. (c), if physical evidence that is in the possession
4 of the laboratories includes any biological material that was collected in connection
5 with a criminal investigation that resulted in a criminal conviction, a delinquency
6 adjudication, or commitment under s. 971.17 or 980.06, the laboratories shall
7 preserve the physical evidence until every person in custody as a result of the
8 conviction, adjudication, or commitment has reached his or her discharge date.

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

11 1. The department sends a notice of its intent to destroy the biological material
12 to all persons who remain in custody as a result of the criminal conviction,
13 delinquency adjudication, or commitment, and to either the attorney of record for
14 each person in custody or the state public defender.

15 2. No person who is notified under subd. 1. does either of the following within
16 90 days after the date on which the person received the notice:

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

18 b. Submits a written request to preserve the biological material to the
19 department.

20 3. No other provision of federal or state law requires the department to preserve
21 the biological material.

22 (d) A notice provided under par. (c) 1. shall clearly inform the recipient that the
23 biological material will be destroyed unless, within 90 days after the date on which
24 the person receives the notice, either a motion for testing of the material is filed

1 under s. 974.07 (2) or a written request to preserve the material is submitted to the
2 department.

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

9 (f) Unless otherwise provided in a court order issued under s. 974.07 (9) (a) or
10 (b) or (10) (a) 5., nothing in this subsection prohibits the laboratories from returning
11 evidence that must be preserved under par. (b) or (e) to the agency that submitted
12 the evidence to the laboratories. If the laboratories return evidence that must be
13 preserved under par. (b) or (e) to a submitting agency, any action taken by the agency
14 with respect to the evidence shall be in accordance with s. 968.205.

15 *b2098/1.5* SECTION 2858L. 165.85 (2) (a) of the statutes is renumbered
16 165.85 (2) (ah).

17 *b2098/1.5* SECTION 2858m. 165.85 (2) (ac) of the statutes is created to read:
18 165.85 (2) (ac) “Alzheimer’s disease” has the meaning given in s. 46.87 (1) (a).

19 *b2098/1.5* SECTION 2858n. 165.85 (4) (b) 1. of the statutes is amended to
20 read:

21 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
22 enforcement officer, except on a temporary or probationary basis, unless the person
23 has satisfactorily completed a preparatory program of law enforcement training
24 approved by the board and has been certified by the board as being qualified to be
25 a law enforcement or tribal law enforcement officer. The program shall include 400

1 hours of training, except the program for law enforcement officers who serve as
2 rangers for the department of natural resources includes 240 hours of training. The
3 board shall promulgate a rule under ch. 227 providing a specific curriculum for a
4 400-hour conventional program and a 240-hour ranger program. The rule shall
5 ensure that there is an adequate amount of training for each program to enable the
6 person to deal effectively with domestic abuse incidents, including training that
7 addresses the emotional and psychological effect that domestic abuse has on victims.

8 The training under this subdivision shall include training on emergency detention
9 standards and procedures under s. 51.15, emergency protective placement
10 standards and procedures under s. 55.06 (11) and information on mental health and
11 developmental disabilities agencies and other resources that may be available to
12 assist the officer in interpreting the emergency detention and emergency protective
13 placement standards, making emergency detentions and emergency protective
14 placements and locating appropriate facilities for the emergency detentions and
15 emergency protective placements of persons. The training under this subdivision
16 shall include at least one hour of instruction on recognizing the symptoms of
17 Alzheimer's disease or other related dementias and interacting with and assisting
18 persons who have Alzheimer's disease or other related dementias. The training
19 under this subdivision shall include training on police pursuit standards, guidelines
20 and driving techniques established under par. (cm) 2. b. The period of temporary or
21 probationary employment established at the time of initial employment shall not be
22 extended by more than one year for an officer lacking the training qualifications
23 required by the board. The total period during which a person may serve as a law
24 enforcement and tribal law enforcement officer on a temporary or probationary basis
25 without completing a preparatory program of law enforcement training approved by

1 the board shall not exceed 2 years, except that the board shall permit part-time law
2 enforcement and tribal law enforcement officers to serve on a temporary or
3 probationary basis without completing a program of law enforcement training
4 approved by the board to a period not exceeding 3 years. For purposes of this section,
5 a part-time law enforcement or tribal law enforcement officer is a law enforcement
6 or tribal law enforcement officer who routinely works not more than one-half the
7 normal annual work hours of a full-time employee of the employing agency or unit
8 of government. Law enforcement training programs including municipal, county
9 and state programs meeting standards of the board are acceptable as meeting these
10 training requirements.

11 *b2221/3.129* SECTION 2858no. 165.85 (4) (b) 1. of the statutes, as affected by
12 2001 Wisconsin Act (this act), is amended to read:

13 165.85 (4) (b) 1. No person may be appointed as a law enforcement or tribal law
14 enforcement officer, except on a temporary or probationary basis, unless the person
15 has satisfactorily completed a preparatory program of law enforcement training
16 approved by the board and has been certified by the board as being qualified to be
17 a law enforcement or tribal law enforcement officer. The program shall include 400
18 hours of training, except that the program for law enforcement officers who serve as
19 rangers for the department of natural resources or the department of forestry
20 includes 240 hours of training. The board shall promulgate a rule under ch. 227
21 providing a specific curriculum for a 400-hour conventional program and a 240-hour
22 ranger program. The rule shall ensure that there is an adequate amount of training
23 for each program to enable the person to deal effectively with domestic abuse
24 incidents, including training that addresses the emotional and psychological effect
25 that domestic abuse has on victims. The training under this subdivision shall

1 include training on emergency detention standards and procedures under s. 51.15,
2 emergency protective placement standards and procedures under s. 55.06 (11) and
3 information on mental health and developmental disabilities agencies and other
4 resources that may be available to assist the officer in interpreting the emergency
5 detention and emergency protective placement standards, making emergency
6 detentions and emergency protective placements and locating appropriate facilities
7 for the emergency detentions and emergency protective placements of persons. The
8 training under this subdivision shall include at least one hour of instruction on
9 recognizing the symptoms of Alzheimer's disease or other related dementias and
10 interacting with and assisting persons who have Alzheimer's disease or other related
11 dementias. The training under this subdivision shall include training on police
12 pursuit standards, guidelines and driving techniques established under par. (cm) 2.

13 b. The period of temporary or probationary employment established at the time of
14 initial employment shall not be extended by more than one year for an officer lacking
15 the training qualifications required by the board. The total period during which a
16 person may serve as a law enforcement and tribal law enforcement officer on a
17 temporary or probationary basis without completing a preparatory program of law
18 enforcement training approved by the board shall not exceed 2 years, except that the
19 board shall permit part-time law enforcement and tribal law enforcement officers
20 to serve on a temporary or probationary basis without completing a program of law
21 enforcement training approved by the board to a period not exceeding 3 years. For
22 purposes of this section, a part-time law enforcement or tribal law enforcement
23 officer is a law enforcement or tribal law enforcement officer who routinely works not
24 more than one-half the normal annual work hours of a full-time employee of the
25 employing agency or unit of government. Law enforcement training programs

1 including municipal, county and state programs meeting standards of the board are
2 acceptable as meeting these training requirements.

3 ***b2098/1.5* SECTION 2858p.** 165.85 (4) (bn) 1m. of the statutes is amended to
4 read:

5 165.85 (4) (bn) 1m. Each officer who is subject to subd. 1. shall biennially
6 complete at least 4 hours of training from curricula based upon model standards
7 promulgated by the board under par. (cm) 2. b. and at least one hour of training on
8 recognizing the symptoms of Alzheimer’s disease or other related dementias and
9 interacting with and assisting persons who have Alzheimer’s disease or other related
10 dementias. Hours of training completed under this subdivision shall count toward
11 the hours of training required under subd. 1.

12 ***-0549/1.1* SECTION 2863.** 166.20 (1) (gk) of the statutes is created to read:

13 166.20 (1) (gk) “Local emergency response team” means a team that the
14 committee identifies under s. 166.21 (2m) (e).

15 ***-0549/1.2* SECTION 2864.** 166.20 (1) (im) of the statutes is created to read:

16 166.20 (1) (im) “Regional emergency response team” means a team that the
17 division contracts with under s. 166.215 (1).

18 ***-0549/1.3* SECTION 2865.** 166.20 (2) (bm) 1. of the statutes is amended to
19 read:

20 166.20 (2) (bm) 1. If a regional or local emergency response team has made a
21 good faith effort to identify a person responsible for the emergency involving a
22 release or potential release of a hazardous substance under s. 166.215 (3) or 166.22
23 (4).

24 ***-0549/1.4* SECTION 2866.** 166.20 (2) (bm) 2. of the statutes is amended to
25 read:

1 166.20 (2) (bm) 2. If a person responsible for the emergency involving a release
2 or potential release of a hazardous substance under s. 166.215 (3) or 166.22 (4) is
3 financially able or has the money or resources necessary to reimburse a regional or
4 local emergency response team for the expenses incurred by the regional or local
5 emergency response team in responding to the release emergency.

6 ***-0549/1.5*** SECTION 2867. 166.20 (2) (bs) of the statutes is created to read:

7 166.20 (2) (bs) 1. Promulgate rules that establish the procedures that a
8 regional emergency response team shall follow to determine if an emergency that
9 requires the team's response exists as the result of a level A release or a potential
10 level A release.

11 2. Promulgate rules that establish the procedures that a local emergency
12 response team shall follow to determine if an emergency that requires the team's
13 response exists as the result of a release or potential release of a hazardous
14 substance, as defined in s. 299.01 (6).

15 ***-0549/1.6*** SECTION 2868. 166.21 (2m) (e) of the statutes is amended to read:

16 166.21 (2m) (e) Identification of a county local emergency response team that
17 is capable of responding to a level B release that occurs at any place in the county and
18 whose members meet the standards for hazardous materials technicians in 29 CFR
19 1910.120 (q) (6) (iii) and national fire protection association standards NFPA 471 and
20 472.

21 ***-0549/1.7*** SECTION 2869. 166.21 (2m) (f) of the statutes is amended to read:

22 166.21 (2m) (f) Procedures for ~~county~~ local emergency response team actions
23 that are consistent with local emergency response plans developed under s. 166.20
24 (3) and the state contingency plan established under s. 292.11 (5).

25 ***-0549/1.8*** SECTION 2871. 166.215 (2) of the statutes is amended to read:

1 166.215 (2) The division shall reimburse a regional emergency response team
2 for costs incurred by the team in responding to an emergency involving a level A
3 release under sub. (1), or a potential level A release, if the team followed the
4 procedures in the rules promulgated under s. 166.20 (2) (bs) 1. to determine if an
5 emergency requiring a response existed. Reimbursement under this subsection is
6 limited to amounts collected under sub. (3) and the amounts appropriated under s.
7 20.465 (3) (dr). Reimbursement is available under s. 20.465 (3) (dr) only if the
8 regional emergency response team has made a good faith effort to identify the person
9 responsible under sub. (3) and that person cannot be identified, or, if that person is
10 identified, the team has received reimbursement from that person to the extent that
11 the person is financially able or has determined that the person does not have
12 adequate money or other resources to reimburse the regional emergency response
13 team.

14 ***-0549/1.9*** SECTION 2872. 166.215 (3) of the statutes is repealed and
15 recreated to read:

16 166.215 (3) A person shall reimburse the division for costs incurred by a
17 regional emergency response team in responding to an emergency if the team
18 followed the procedures established under s. 166.20 (2) (bs) 1. to determine if an
19 emergency requiring the team's response existed and if any of the following
20 conditions applies:

21 (a) The person possessed or controlled a hazardous substance that was involved
22 in the emergency.

23 (b) The person caused the emergency.

24 ***-0549/1.10*** SECTION 2873. 166.22 (1) (a) of the statutes is repealed.

25 ***-0549/1.11*** SECTION 2874. 166.22 (1) (c) of the statutes is amended to read:

1 166.22 (1) (c) “Local agency” means an agency of a county, city, village, or town,
2 including a municipal police or fire department, a municipal health organization, a
3 county office of emergency management, a county sheriff, an emergency medical
4 service, a local emergency response team, or a public works department.

5 ***-0549/1.12* SECTION 2875.** 166.22 (1) (d) of the statutes is created to read:

6 166.22 (1) (d) “Local emergency response team” means a team that the
7 committee identifies under s. 166.21 (2m) (e).

8 ***-0549/1.13* SECTION 2876.** 166.22 (2) of the statutes is amended to read:

9 166.22 (2) A person who possesses or controls a hazardous substance that is
10 ~~discharged~~ released or who causes the ~~discharge~~ release of a hazardous substance
11 shall take the actions necessary to protect public health and safety and prevent
12 damage to property.

13 ***-0549/1.14* SECTION 2877.** 166.22 (3) of the statutes is amended to read:

14 166.22 (3) If action required under sub. (2) is not being adequately taken or the
15 identity of the person responsible for ~~a discharge~~ an emergency involving a release
16 or potential release of a hazardous substance is unknown and the ~~discharge~~
17 emergency involving a release or potential release threatens public health or safety
18 or damage to property, a local agency may take any emergency action that is
19 consistent with the contingency plan for the undertaking of emergency actions in
20 response to the ~~discharge~~ release or potential release of hazardous substances
21 established by the department of natural resources under s. 292.11 (5) and that it
22 considers appropriate under the circumstances.

23 ***-0549/1.15* SECTION 2878.** 166.22 (3m) of the statutes is amended to read:

24 166.22 (3m) The division shall reimburse a local emergency response team for
25 costs incurred by the team in responding to an emergency involving a hazardous

1 ~~substance discharge under sub. (3) release, or potential release, if the team followed~~
2 ~~the procedures in the rules promulgated under s. 166.20 (2) (bs) 2. to determine if an~~
3 ~~emergency requiring the team's response existed.~~ Reimbursement under this
4 subsection is limited to the amount appropriated under s. 20.465 (3) (dr).
5 Reimbursement is available under s. 20.465 (3) (dr) only if the local emergency
6 response team has made a good faith effort to identify the person responsible under
7 sub. (4) and that person cannot be identified, or, if that person is identified, the team
8 has received reimbursement from that person to the extent that the person is
9 financially able or has determined that the person does not have adequate money or
10 other resources to reimburse the local emergency response team.

11 ***-0549/1.16* SECTION 2879.** 166.22 (4) of the statutes is repealed and
12 recreated to read:

13 166.22 (4) (a) Except as provided in par. (b), a person shall reimburse a local
14 agency as provided in sub. (5) for actual, reasonable, and necessary expenses
15 incurred in responding to an emergency involving the release or potential release of
16 a hazardous substance if any of the following conditions applies:

17 1. The person possessed or controlled a hazardous substance involved in the
18 emergency.

19 2. The person caused the emergency.

20 (b) A local emergency response team may receive reimbursement under par. (a)
21 only if the team followed the procedures established under s. 166.20 (2) (bs) 2. to
22 determine if an emergency requiring the team's response existed.

23 ***-0549/1.17* SECTION 2880.** 166.22 (5) (am) of the statutes is amended to read:

1 166.22 (5) (am) A local agency seeking reimbursement under sub. (4) shall
2 submit a claim stating its expenses to the reviewing entity for the county in which
3 the discharge emergency occurred.

4 *~~0549/1.18~~* SECTION 2881. 166.22 (5) (b) of the statutes is amended to read:

5 166.22 (5) (b) The reviewing entity shall review claims submitted under par.
6 (am) and determine the amount of reasonable and necessary expenses incurred. The
7 reviewing entity shall provide a person who is liable for reimbursement under sub.
8 (4) with a notice of the amount of expenses it has determined to be reasonable and
9 necessary that ~~arise from one discharge and are~~ arose from the emergency involving
10 the release or potential release of a hazardous substance and that were incurred by
11 all local agencies from which the reviewing entity receives a claim.

12 *~~b1025/1.2~~* SECTION 2881ae. 167.10 (2) of the statutes is amended to read:

13 167.10 (2) SALE. No person may sell ~~or possess with intent to sell~~ fireworks,
14 except to any of the following:

15 (a) ~~To a~~ A person holding a permit under sub. (3) (c);

16 (b) ~~To a~~ A city, village, or town; ~~or.~~

17 (c) ~~For~~ A person for a purpose specified under sub. (3) (b) 2. to 6.

18 *~~b1025/1.2~~* SECTION 2881af. 167.10 (2) (d) of the statutes is created to read:

19 167.10 (2) (d) A nonresident person who, prior to the sale, gives the seller a
20 signed statement indicating that the fireworks are for use outside of this state.

21 *~~b1025/1.2~~* SECTION 2881ag. 167.10 (3) (title) of the statutes is repealed and
22 recreated to read:

23 167.10 (3) (title) POSSESSION AND USE.

24 *~~b1025/1.2~~* SECTION 2881ah. 167.10 (3) (a) of the statutes is amended to read:

1 167.10 (3) (a) ~~No~~ Except as otherwise provided in this paragraph, no person
2 may possess or use fireworks without a user's permit from the mayor of the city,
3 president of the village, or chairperson of the town in which the possession or use is
4 to occur or from an official or employee of that municipality designated by the mayor,
5 president, or chairperson. This paragraph does not prohibit the possession of
6 fireworks with intent to sell the fireworks in compliance with sub. (2). No person may
7 use fireworks or a device listed under sub. (1) (e) to (g) or (i) to (n) while attending
8 a fireworks display for which a permit has been issued to a person listed under par.
9 (c) 1. to 5. or under par. (c) 6. if the display is open to the general public.

10 ***b1025/1.2* SECTION 2881aj.** 167.10 (3) (b) (intro.) of the statutes is amended
11 to read:

12 167.10 (3) (b) (intro.) ~~Paragraph (a) does~~ The prohibitions under par. (a) do not
13 apply to:

14 ***b1025/1.2* SECTION 2881ak.** 167.10 (3) (b) 8. of the statutes is created to read:

15 167.10 (3) (b) 8. Except as provided in par. (bm), the possession of fireworks by
16 a nonresident person in any city, town, or village if the nonresident person intends
17 to use the fireworks outside of this state and is transporting the fireworks to a
18 location outside of this state.

19 ***b1025/1.2* SECTION 2881am.** 167.10 (3) (bm) of the statutes is amended to
20 read:

21 167.10 (3) (bm) Paragraph (a) applies to a person transporting fireworks under
22 par. (b) 7. ~~or 8.~~ if, in the course of transporting the fireworks through a city, town, or
23 village, the person remains in that city, town, or village for a period of at least 12
24 hours.

25 ***b1025/1.2* SECTION 2881an.** 167.10 (4) of the statutes is amended to read:

1 167.10 (4) ~~OUT OF STATE AND IN STATE SHIPPING.~~ SHIPPING AND TRANSPORTING.

2 This section does not prohibit a resident wholesaler or jobber from selling fireworks
3 to a nonresident person ~~outside of this state~~ or to a person or group granted a permit
4 under sub. (3) (c) 1. to 7. A resident wholesaler or resident jobber that ships the
5 fireworks sold under this subsection shall package and ship the fireworks in
6 accordance with applicable state and federal law by, as defined in s. 194.01 (1), (2),
7 and (11), common motor carrier, contract motor carrier, or private motor carrier.

8 ***b1025/1.2* SECTION 2881ap.** 167.10 (8) (b) of the statutes is amended to read:

9 167.10 (8) (b) Fireworks stored, handled, sold, possessed, or used by a person
10 who violates ~~this section, an ordinance adopted under sub. (5)~~ sub. (6m) (a), (b), or
11 (c); a rule promulgated under sub. (6m) (e); or a court order under par. (a) may be
12 seized and held as evidence of the violation. Except as provided in s. 968.20 (4), only
13 the fireworks that are the subject of a violation of this section, an ordinance adopted
14 under sub. (5), or a court order under par. (a) may be destroyed after conviction for
15 a violation. Except as provided in s. 968.20 (4), fireworks that are seized as evidence
16 of a violation for which no conviction results shall be returned to the owner in the
17 same condition as they were when seized to the extent practicable.

18 ***b0551/3.2* SECTION 2881b.** 173.40 of the statutes is created to read:

19 **173.40 Pet dealers, pet breeders, kennels, and animal shelters. (1)**
20 DEFINITIONS. In this section:

21 (a) “Adequate food” means wholesome food that is accessible to an animal, is
22 appropriate for the type of animal, and is sufficient in amount to maintain the animal
23 in good health.

24 (b) “Adequate water” means potable water that is accessible to an animal and
25 is sufficient in amount to maintain the animal in good health.

1 (c) “Animal shelter” means any of the following:

2 1. A facility that is used to impound or harbor at least 25 seized, stray,
3 abandoned, or unwanted dogs, cats, or other animals in a year and that is operated
4 by this state, a political subdivision, or a veterinarian licensed under ch. 453.

5 2. A facility that is operated for the purpose of providing for and promoting the
6 welfare, protection, and humane treatment of animals, that is used to shelter at least
7 25 animals in a year, and that is operated by a humane society, an animal welfare
8 society, or a nonprofit association.

9 (d) “Humane care” includes the provision of adequate heating, cooling,
10 ventilation, sanitation, shelter, and medical care consistent with the normal
11 requirements of an animal’s size, species, and breed, adequate food, and adequate
12 water.

13 (e) “Kennel” means a facility where dogs or cats are kept for 24 hours or more
14 for boarding, training, or similar purposes for compensation, except that “kennel”
15 does not include any of the following:

16 1. An animal shelter.

17 2. A facility owned or operated by a veterinarian licensed under ch. 453 where
18 animals are boarded only in conjunction with the provision of veterinary care.

19 (cm) “Livestock” means cattle, horses, swine, sheep, goats, deer, llamas, and
20 related species, including game species.

21 (f) “Nonprofit association” means an incorporated or unincorporated
22 organization consisting of 3 or more members joined by mutual consent for a
23 common, nonprofit purpose.

24 (fm) “Pet breeder” means a person who sells or offers to sell at least 25 dogs or
25 cats for resale as pets in a year, except that “pet breeder” does not include a pet dealer.

1 (g) “Pet dealer” means a person who sells, or offers to sell at retail, exchanges,
2 or offers for adoption at least 25 mammals, other than livestock, as pets in a year.

3 (2) LICENSE REQUIRED. (a) Except as provided in par. (c), no person may operate
4 an animal shelter or kennel without a license from the department. A person shall
5 obtain a license under this paragraph for each separate location at which the person
6 operates an animal shelter or kennel.

7 (b) Except as provided in par. (c), no person may act as a pet dealer or pet
8 breeder without a license from the department. A person shall obtain a license under
9 this paragraph for each separate location at which the person conducts business as
10 a pet dealer or pet breeder.

11 (c) The department may issue an interim permit that authorizes a person to
12 operate an animal shelter or kennel or to act as a pet dealer or pet breeder until the
13 department makes the initial inspection required under sub. (4) (a).

14 (d) Licenses issued under pars. (a) and (b) expire on October 31 of each
15 even-numbered year.

16 (e) A license issued under par. (a) or (b) is not transferable.

17 (3) LICENSE FEES. The department shall promulgate rules specifying fees that
18 must be paid by applicants for licenses under sub. (2). A fee paid under this
19 subsection is not refundable if the department denies the license.

20 (4) INSPECTIONS. (a) The department shall inspect each location for which a
21 person is required to obtain a license under sub. (2) before issuing the initial license
22 and at least once during each biennial licensing period after the initial license period.

23 (b) In addition to the inspections required under par. (a), the department may
24 enter and inspect a facility for which a person is required to obtain a license under
25 sub. (2) at any reasonable time.

1 **(5) RULES.** The department may promulgate rules that specify any of the
2 following:

3 (a) Minimum standards for animal shelter and kennel facilities and facilities
4 at which pet dealers and pet breeders operate.

5 (b) Minimum requirements for humane care to be provided by persons required
6 to obtain licenses under sub. (2).

7 (c) Requirements relating to the transportation of animals by persons required
8 to obtain licenses under sub. (2).

9 (d) Grounds for revocation of licenses issued under sub. (2).

10 (e) Grounds for the department to issue orders prohibiting a person required
11 to be licensed under this section from selling or moving an animal.

12 (f) Minimum ages for the sale of animals by persons required to be licensed
13 under sub. (2).

14 (g) Reinspection fees to be charged when an inspection by the department
15 under this section reveals conditions that require correction and reinspection.

16 (h) Requirements for record keeping by persons required to be licensed under
17 sub. (2).

18 (i) Requirements relating to space and opportunity for exercise to be provided
19 to animals by persons required to be licensed under sub. (2).

20 **(6) PENALTIES.** (a) A person who operates without a license required under sub.
21 (2) may be fined not more than \$10,000 or imprisoned for not more than 9 months,
22 or both.

23 (b) 1. Except as provided under par. (a), a person who violates this section or
24 a rule promulgated under this section may be required to forfeit not more than \$1,000

1 for the first offense and may be required to forfeit not less than \$200 nor more than
2 \$2000 for the 2nd or any subsequent offense within 5 years.

3 2. If a violation under subd. 1. involves the keeping of animals, each animal
4 with respect to which the statute or rule is violated constitutes a separate violation.

5 *b0551/3.2* SECTION 2881c. 174.001 (2m) of the statutes is repealed.

6 *b0551/3.2* SECTION 2881d. 174.05 (2) of the statutes is amended to read:

7 174.05 (2) TAX. The minimum dog license tax is \$3 \$4.50 for a neutered male
8 dog or spayed female dog, upon presentation of evidence that the dog is neutered or
9 spayed, and \$8 \$10.00 for an unneutered male dog or unspayed female dog, or
10 one-half of these amounts if the dog became 5 months of age after July 1 of the license
11 year.

12 *b0551/3.2* SECTION 2881e. 174.053 of the statutes is amended to read:

13 **174.053 Kennel Multiple dog licenses.** (1) ~~KENNEL MULTIPLE DOG LICENSE~~
14 ~~OPTION.~~ Any person who keeps ~~or operates a kennel~~ more than one dog may, instead
15 of the license tax for each dog required by this chapter, apply to the collecting official
16 for a kennel multiple dog license for the keeping ~~or operating of the kennel of the~~
17 dogs. Such person shall pay for the license year a license tax of \$35 \$45.50 for ~~a~~
18 ~~kennel of 12 or fewer dogs~~ and an additional \$3 \$4.50 for each dog in excess of 12.
19 Upon payment of the required ~~kennel~~ multiple dog license tax and upon presentation
20 of evidence that all dogs over 5 months of age are currently immunized against
21 rabies, the collecting official shall issue the ~~kennel~~ multiple dog license and a number
22 of tags equal to the number of dogs authorized to be kept ~~in the kennel by the person.~~

23 (2) ~~KENNEL MULTIPLE DOG LICENSE TAGS.~~ Kennel Multiple dog license tags shall
24 be made in a form so that they may be readily distinguishable from the individual
25 license tags for the same year. The owner or keeper of ~~a kennel~~ dogs for which a

1 multiple dog license has been issued shall keep at all times a ~~kennel~~ multiple dog
2 license tag attached to the collar of each dog over 5 months old kept by the owner or
3 keeper under a ~~kennel~~ multiple dog license, but this requirement does not apply to
4 a dog during competition or training, to a dog securely confined indoors, to a dog
5 while hunting, or to a dog securely confined in a fenced area. ~~These tags may be~~
6 ~~transferred from one dog to another within the kennel whenever any dog is removed~~
7 ~~from the kennel.~~ An owner or keeper may transfer a multiple dog license tag from
8 a dog that the owner or keeper no longer owns or keeps to another dog if the other
9 dog is currently immunized against rabies. The rabies vaccination tag or substitute
10 tag shall remain attached to the dog for which it is issued at all times, but this
11 requirement does not apply to a dog during competition or training, to a dog securely
12 confined indoors, to a dog while hunting, or to a dog securely confined in a fenced
13 area. No dog bearing a ~~kennel~~ multiple dog license tag shall be permitted to stray
14 or to be taken anywhere outside the limits of the ~~kennel~~ owner's or keeper's premises
15 unless the dog is in leash or temporarily out for the purposes of hunting, breeding,
16 trial, training, or competition.

17 (3) APPLICABILITY OF OTHER REQUIREMENTS. Unless clearly inapplicable, all the
18 provisions of this chapter relating to the individual dog license tax, licenses, and tags
19 shall apply to the ~~kennel~~ multiple dog license and tags.

20 *b0551/3.2* SECTION 2881f. 174.06 (6) of the statutes is amended to read:

21 174.06 (6) ~~KENNEL MULTIPLE DOG LICENSE~~ RECORDS. The listing official shall
22 make in triplicate a list of the names of persons ~~owning and operating kennels~~
23 holding multiple dog licenses and the number of dogs kept ~~in each~~ by each of those
24 persons.

25 *b0551/3.2* SECTION 2881g. 174.06 (7) of the statutes is amended to read:

1 174.06 (7) LIST DELIVERY. The listing official shall, by September 15, deliver one
2 copy of the list under sub. (5) or (6) to the county clerk, and one copy to the ~~collecting~~
3 official to whom license taxes are paid under s. 174.08, and retain one copy for his
4 or her files.

5 ***b0551/3.2* SECTION 2881h.** 174.065 (1) of the statutes is amended to read:

6 174.065 (1) COLLECTING OFFICIAL. The collecting official is ~~the~~ any city, village,
7 or town treasurer or other tax collecting officer or ~~a~~ any person deputized by the
8 treasurer or tax collecting official, unless the common council or village or town board
9 provides by ordinance or resolution for the appointment of a different person.
10 Veterinarians and humane societies may voluntarily become collecting officials for
11 a city, village, or town if the governing body of the city, village, or town by resolution
12 or ordinance provides that veterinarians and humane societies may be collecting
13 officials for the city, village, or town.

14 ***b0551/3.2* SECTION 2881i.** 174.07 (1) (c) of the statutes is amended to read:

15 174.07 (1) (c) *Copies.* The collecting official shall keep a duplicate copy of the
16 license on file. In counties having a population of 500,000 or more, the collecting
17 official shall immediately send to the county clerk or whatever agency the county
18 board may direct, a triplicate copy of the license. A collecting official who is not the
19 official to whom license taxes are paid under s. 174.08 shall provide a copy of each
20 license issued to the official to whom license taxes are paid under s. 174.08.

21 ***b0551/3.2* SECTION 2881j.** 174.07 (2) (d) of the statutes is amended to read:

22 174.07 (2) (d) The department shall furnish county clerks with suitable ~~kenne~~
23 multiple dog license tags and blank licenses for distribution to the collecting officials.

24 ***b0551/3.2* SECTION 2881k.** 174.07 (3) (c) of the statutes is amended to read:

1 174.07 (3) (c) *Reimbursement*. The collecting official may retain 25 75 cents,
2 or a greater amount established by the county board by ordinance or resolution, for
3 each license issued as compensation for the service, if not a full-time, salaried
4 municipal employee. If the collecting official is a full-time, salaried municipal
5 employee this compensation shall be paid into the treasury of the town, village, or
6 city.

7 ***b0551/3.2* SECTION 2881L.** 174.09 (1) of the statutes is amended to read:

8 174.09 (1) The dog license taxes ~~so~~ paid to the county treasurer shall be kept
9 in a separate account and shall be known as the “dog license fund” ~~and shall be~~
10 ~~appropriated and disbursed for the purposes and in the manner following: fund.”~~
11 Within 30 days after receipt of the ~~same~~ dog license taxes the county treasurer shall
12 pay into the state treasury ~~5% of the minimum tax as provided for~~ \$1 for each license
13 issued under s. 174.05 (2) of all dog license taxes which shall have been received by
14 the county treasurer for a neutered or spayed dog, \$1.50 for each license issued under
15 s. 174.05 (2) for a dog that has not been neutered or spayed, \$10 for each multiple dog
16 license issued under s. 174.053 (1), and \$1 for each dog in excess of 12 for which a
17 multiple dog license is issued under s. 174.053 (1).

18 ***b0492/1.1* SECTION 2882m.** 175.50 of the statutes is created to read:

19 **175.50 Use of passive alcohol sensors.** (1) In this section:

20 (a) “Law enforcement officer” means a Wisconsin law enforcement officer, as
21 defined in s. 175.46 (1) (g).

22 (b) “Passive alcohol sensor” means a device that is used to determine the
23 presence of alcohol in the air but that does not require a person to breathe directly
24 into it through a mouthpiece, tube, or similar device.

1 (2) A law enforcement officer may not use a passive alcohol sensor for the
2 purpose of detecting the presence of alcohol in a person's breath unless the person
3 consents to its use.

4 ***-0658/2.1*** SECTION 2883. 177.06 (3) (b) of the statutes is amended to read:

5 177.06 (3) (b) Assess a service charge after December 31 of the 2nd calendar
6 year covered in the report filed under s. 177.17 concerning that property.

7 ***-0658/2.2*** SECTION 2884. 177.06 (4) of the statutes is amended to read:

8 177.06 (4) Any property described in sub. (1) that is automatically renewable
9 is matured for purposes of sub. (1) upon the expiration of its initial time period, or
10 after one year if the initial period is less than one year, except that in the case of any
11 renewal to which the owner consents at or about the time of renewal by
12 communicating in writing with the banking or financial organization or otherwise
13 indicating consent as evidenced by a memorandum or other record on file prepared
14 by an employee of the organization, the property is matured upon the expiration of
15 the last time period for which consent was given or one year from the date of the last
16 consent, whichever is longer. If, at the time provided for delivery in s. ~~177.19~~ 177.17
17 (4) (a), a penalty or forfeiture in the payment of interest would result from the
18 delivery of the property, the time for delivery is extended until the time when no
19 penalty or forfeiture would result.

20 ***-0658/2.3*** SECTION 2885. 177.10 (1) (intro.) of the statutes is amended to
21 read:

22 177.10 (1) (intro.) Except as provided in subs. (2) and (5), any stock or other
23 intangible ownership interest in a business association, the existence of which is
24 evidenced by records available to the association, is presumed abandoned and, with
25 respect to the interest, the association is the holder, if a dividend, distribution or

1 other sum payable as a result of the interest has remained unclaimed by the owner
2 for ~~7 5~~ years and the owner has not done either of the following within ~~7 5~~ years:

3 ***-0658/2.4* SECTION 2886.** 177.10 (2) and (3) of the statutes are amended to
4 read:

5 177.10 (2) At the expiration of a ~~7-year~~ 5-year period following the failure of
6 the owner to claim a dividend, distribution or other sum payable to the owner as a
7 result of the interest, the interest is not presumed abandoned unless there have been
8 at least ~~7 5~~ dividends, distributions or other sums paid during the period, none of
9 which has been claimed by the owner. If ~~7 5~~ dividends, distributions or other sums
10 are paid during the ~~7-year~~ 5-year period, the period leading to a presumption of
11 abandonment commences on the date on which payment of the first such unclaimed
12 dividend, distribution or other sum became due and payable. If ~~7 5~~ dividends,
13 distributions or other sums are not paid during the presumptive period, the period
14 continues to run until there have been ~~7 5~~ dividends, distributions or other sums that
15 have not been claimed by the owner.

16 (3) The running of the ~~7-year~~ 5-year period of abandonment ceases
17 immediately upon the occurrence of a communication specified under sub. (1). If any
18 future dividend, distribution or other sum payable to the owner as a result of the
19 interest is subsequently not claimed by the owner, a new period of abandonment
20 commences and relates back to the time a subsequent dividend, distribution or other
21 sum became due and payable.

22 ***-0658/2.5* SECTION 2887.** 177.10 (5) of the statutes is amended to read:

23 177.10 (5) This chapter does not apply to any stock or other intangible
24 ownership interest enrolled in a plan that provides for the automatic reinvestment
25 of dividends, distributions or other sums payable as a result of the interest unless

1 the records available to the administrator of the plan show, with respect to any
2 intangible ownership interest not enrolled in the reinvestment plan, that the owner
3 has not within 7 5 years communicated in any manner specified under sub. (1).

4 ***-0658/2.6* SECTION 2888.** 177.17 (title) of the statutes is amended to read:

5 **177.17 (title) Report Reporting, payment, and delivery of abandoned**
6 **property.**

7 ***-0658/2.7* SECTION 2889.** 177.17 (4) of the statutes is renumbered 177.17 (4)
8 (a) 1. and amended to read:

9 177.17 (4) (a) 1. Before ~~May~~ November 1 of each ~~even-numbered~~ year, each
10 holder shall file a report covering the ~~2~~ previous calendar ~~years~~ year. On written
11 request by any person required to file a report, the administrator may ~~postpone the~~
12 reporting date extend the deadline established in this paragraph.

13 ***-0658/2.8* SECTION 2890.** 177.17 (4) (a) 2. of the statutes is created to read:

14 177.17 (4) (a) 2. Except as otherwise provided in this subdivision and s. 177.06
15 (4), upon filing the report under subd. 1., the holder shall pay or deliver to the
16 administrator all abandoned property required to be reported. This subdivision does
17 not apply to abandoned property that is in the form of amounts credited under s.
18 20.912 (1) to the support collections trust fund or amounts not distributable from the
19 support collections trust fund to the persons for whom the amounts were awarded.

20 ***-0658/2.9* SECTION 2891.** 177.18 (title) of the statutes is amended to read:

21 **177.18 (title) Notice and publication of lists of abandoned or escheated**
22 **property.**

23 ***-0658/2.10* SECTION 2892.** 177.18 (1) of the statutes is amended to read:

24 177.18 (1) The Before July 1 of each year, the administrator shall publish a
25 notice entitled "Notice of names of persons appearing to be owners of abandoned

1 property” ~~not later than the September 20 following the report required under s.~~
2 ~~177.17.~~ Except as provided in sub. (1m), the notice shall include the name of each
3 person identified in a report filed under s. 177.17 since the publication of the previous
4 notice. The administrator shall publish the notice as a class 1 notice under ch. 985,
5 in a newspaper of general circulation in the county in which is located the
6 last-known address of the person to be named in the notice. If no address is listed
7 or the address is outside this state, the notice shall be published in the county in
8 which the holder of the property has its principal place of business within this state.

9 *~~0658/2.11~~* SECTION 2893. 177.18 (2) (intro.) of the statutes is amended to
10 read:

11 177.18 (2) (intro.) ~~The published~~ A notice under sub. (1) shall contain all of the
12 following:

13 *~~0658/2.12~~* SECTION 2894. 177.18 (2) (c) of the statutes is repealed.

14 *~~0658/2.13~~* SECTION 2895. 177.18 (2) (d) of the statutes is renumbered 177.18
15 (2m) and amended to read:

16 177.18 (2m) For money or other property received under s. 852.01 (3), 863.37
17 (2) or 863.39 (1), ~~the a~~ notice shall be published at least annually in the official state
18 newspaper and shall include the name of the decedent, the time and place of the
19 decedent’s death, the amount paid to the administrator, the name of the decedent’s
20 personal representative, the county in which the estate is probated and a statement
21 that the money will be paid to the heirs or legatees without interest, on proof of
22 ownership, if claimed within 10 years from the date of publication as provided in s.
23 863.39 (3).

24 *~~0658/2.14~~* SECTION 2896. 177.19 (title), (1) and (2) of the statutes are
25 repealed.

1 ***-0658/2.15*** SECTION 2897. 177.19 (4) of the statutes is renumbered 177.17
2 (4) (b) and amended to read:

3 177.17 (4) (b) The holder of an interest under s. 177.10 shall deliver to the
4 administrator, upon filing the report required under this section, a duplicate
5 certificate or other evidence of ownership if the holder does not issue certificates of
6 ownership. Upon delivery of a duplicate certificate to the administrator, the holder
7 and any transfer agent, registrar or other person acting for or on behalf of a holder
8 in executing or delivering the duplicate certificate are relieved of all liability, as
9 provided under s. 177.20, to any person, including any person acquiring the original
10 certificate or the duplicate of the certificate issued to the administrator, for any loss
11 or damage caused by the issuance and delivery of the duplicate certificate to the
12 administrator.

13 ***-2025/2.1*** SECTION 2898. 177.22 (1) of the statutes is amended to read:

14 177.22 (1) Except as provided in subs. (2) and ~~(3)~~ (4), the administrator, within
15 3 years after the receipt of abandoned property, shall sell it to the highest bidder at
16 public sale in the city, village or town in this state which, in the judgment of the
17 administrator, affords the most favorable market for the property. The
18 administrator may decline the highest bid and reoffer the property for sale if, in his
19 or her judgment, the bid is insufficient. If the administrator determines that the
20 probable cost of sale exceeds the value of the property, it need not be offered for sale.
21 Any sale held under this section shall be preceded by the publication of one notice,
22 at least 3 weeks in advance of sale, in a newspaper of general circulation in the county
23 in which the property is to be sold.

24 ***-2025/2.2*** SECTION 2899. 177.22 (3) of the statutes is repealed.

25 ***-2025/2.3*** SECTION 2900. 177.22 (4) of the statutes is amended to read:

1 177.22 (4) Unless the administrator determines that it is in the best interest
2 of this state to do otherwise, he or she shall hold all securities ~~presumed abandoned~~
3 ~~under s. 177.10, and delivered to the administrator, for at least 3 years~~ one year
4 before selling them. ~~If the administrator sells any securities delivered under s.~~
5 ~~177.10 before the expiration of the 3-year period, any person making a claim under~~
6 ~~this chapter before the end of the 3-year period is entitled either to the proceeds of~~
7 ~~the sale of the securities or to the market value of the securities at the time the claim~~
8 ~~is made, whichever amount is greater, less any deduction for fees under s. 177.23 (2).~~
9 ~~A person making a claim under this chapter after the expiration of the 3-year period~~
10 ~~is entitled to receive either the securities delivered to the administrator by the~~
11 ~~holder, if the administrator still has them, or to the proceeds from their sale, less any~~
12 ~~amounts deducted under s. 177.23 (2). No person has any claim under this chapter~~
13 ~~against this state, the holder, any transfer agent, registrar or other person acting for~~
14 ~~or on behalf of a holder for any appreciation in the value of the property occurring~~
15 ~~after delivery by the holder to the administrator.~~

16 *~~0658/2.16~~* SECTION 2901. 177.23 (1) of the statutes is amended to read:

17 177.23 (1) Except as provided in sub. (2), the administrator shall deposit in the
18 school fund all funds received under this chapter, including the clear proceeds from
19 the sale of abandoned property under s. 177.22. Before making the deposit, the
20 administrator shall record the name and last-known address of each person
21 appearing from the holders' reports to be entitled to the property and the name and
22 last-known address of each insured person or annuitant and beneficiary and, with
23 respect to each policy or contract listed in the report of an insurance company, its
24 number, the name of the company and the amount due. The information recorded
25 by the administrator under this subsection is not available for inspection or copying

1 under s. 19.35 (1) until 24 months after payment or delivery of the property is due
2 under s. ~~177.19 (1)~~ 177.17 (4) (a).

3 ***-0530/2.3* SECTION 2902.** 177.24 (1) of the statutes is renumbered 177.24 (1)
4 (a).

5 ***-0530/2.4* SECTION 2903.** 177.24 (1) (b) of the statutes is created to read:

6 177.24 (1) (b) Any person, except another state, claiming an interest in any
7 property that is reported to the administrator under s. 177.17 and that is in the form
8 of amounts credited under s. 20.912 (1) to the support collections trust fund or
9 amounts not distributable from the support collections trust fund to the persons for
10 whom the amounts were awarded may file a claim with the administrator, after
11 December 1 following the report, on a form prescribed by the administrator and
12 verified by the claimant.

13 ***-0658/2.17* SECTION 2904.** 177.24 (2) of the statutes is amended to read:

14 177.24 (2) The administrator shall consider each claim within 90 days after it
15 is filed and may refer any claim to the attorney general for an opinion. For each claim
16 referred, the attorney general shall advise the administrator either to allow it or to
17 deny it in whole or in part. The administrator shall give written notice to the
18 claimant if the claim is denied in whole or in part. The notice ~~may~~ shall be given by
19 mailing it to the last address, if any, stated in the claim as the address to which
20 notices are to be sent. If no address for notices is stated in the claim, the notice ~~may~~
21 shall be mailed to the last address, if any, ~~of the claimant as stated in the claim as~~
22 the address of the claimant. No notice of denial need be given if the claim fails to state
23 either the last address to which notices are to be sent or the address of the claimant.

24 ***-2025/2.4* SECTION 2905.** 177.24 (3) of the statutes is renumbered 177.24 (3)
25 (a) and amended to read: