

SENATE BILL 55**SECTION 3656**

1 560.167 (2) (a) Fees for participation in a trade show, U.S. trade show, or
2 matchmaker trade delegation event.

3 ***-0653/1.5*** **SECTION 3657.** 560.167 (2) (b) of the statutes is amended to read:

4 560.167 (2) (b) Costs associated with shipping displays, sample products,
5 catalogs, or advertising material to a trade show, U.S. trade show, or matchmaker
6 trade delegation event.

7 ***-0653/1.6*** **SECTION 3658.** 560.167 (2) (c) of the statutes is amended to read:

8 560.167 (2) (c) Costs incurred at a trade show, U.S. trade show, or matchmaker
9 trade delegation event for utilities, booth construction, or necessary modifications or
10 repairs.

11 ***-0653/1.7*** **SECTION 3659.** 560.167 (2) (d) of the statutes is amended to read:

12 560.167 (2) (d) Costs associated with foreign language translation of brochures
13 or product information or with the use of translation services at a trade show, U.S.
14 trade show, or matchmaker trade delegation event.

15 ***-0653/1.8*** **SECTION 3660.** 560.167 (2m) of the statutes is created to read:

16 560.167 (2m) The department may reimburse the fees and costs under sub. (2)
17 that are related to participation in a U.S. trade show only if the eligible business
18 seeking reimbursement for its participation has developed a high-technology
19 product with worldwide application.

20 ***-0653/1.9*** **SECTION 3661.** 560.167 (5) (b) of the statutes is amended to read:

21 560.167 (5) (b) Reimburse an eligible business more than \$5,000 for
22 participation in a trade show, U.S. trade show, or matchmaker trade delegation
23 event.

24 ***-0653/1.10*** **SECTION 3662.** 560.167 (5) (c) of the statutes is amended to read:

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1 560.167 (5) (c) Reimburse an eligible business for participating more than one
2 time in the same trade show, U.S. trade show, or matchmaker trade delegation event
3 held at different times or in different locations.

4 ***-0653/1.11*** SECTION 3663. 560.167 (6) of the statutes is amended to read:

5 560.167 (6) An eligible business that is approved for a reimbursement under
6 sub. (4) shall provide to the department, within 90 days after the trade show, U.S.
7 trade show, or matchmaker trade delegation event for which the reimbursement is
8 sought, documentation detailing the costs for which the reimbursement is sought.

9 ***-0649/2.1*** SECTION 3664. 560.17 (7) (e) of the statutes is created to read:

10 560.17 (7) (e) If the board awards, and the department makes, a grant under
11 sub. (3) or (5c), the department may contract directly with and pay grant proceeds
12 directly to any person providing technical or management assistance to the grant
13 recipient.

14 ***-0649/2.2*** SECTION 3665. 560.175 (7) of the statutes is created to read:

15 560.175 (7) If the department awards a grant under this section, the
16 department may contract directly with and pay grant proceeds directly to any person
17 providing technical or management assistance to the grant recipient.

18 ***-2099/2.2*** SECTION 3666. 560.181 of the statutes is created to read:

19 **560.181 Forest product marketing.** From the appropriation under s. 20.143
20 (1) (qn), the department may promote, advertise, publicize, and otherwise market
21 products made in the state of timber produced in the state.

22 ***-0645/3.5*** SECTION 3667. 560.183 (title) of the statutes is amended to read:

23 **560.183 (title) Physician and dentist loan assistance program.**

24 ***-0645/3.6*** SECTION 3668. 560.183 (1) (ad) of the statutes is created to read:

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

4 ***-0645/3.7*** **SECTION 3669.** 560.183 (1) (ae) of the statutes is created to read:

5 560.183 (1) (ae) “Dentist” means a dentist, as defined in s. 447.01 (7), who is
6 licensed under ch. 447 and who practices general or pediatric dentistry.

7 ***-0645/3.8*** **SECTION 3670.** 560.183 (2) (a) of the statutes is amended to read:

8 560.183 (2) (a) The department may repay, on behalf of a physician or dentist,
9 up to \$50,000 in educational loans obtained by the physician or dentist from a public
10 or private lending institution for education in an accredited school of medicine or
11 dentistry or for postgraduate medical or dental training.

12 ***-0645/3.9*** **SECTION 3671.** 560.183 (2) (b) of the statutes is amended to read:

13 560.183 (2) (b) A physician or dentist who is a participant in the national health
14 service corps scholarship program under 42 USC 254n, or a physician or dentist who
15 was a participant in that program and who failed to carry out his or her obligations
16 under that program, is not eligible for loan repayment under this section.

17 ***-0645/3.10*** **SECTION 3672.** 560.183 (3) (a) of the statutes is amended to read:

18 560.183 (3) (a) The department shall enter into a written agreement with the
19 physician. ~~In the agreement, the physician shall agree, in which the physician~~
20 agrees to practice at least 32 clinic hours per week for 3 years in one or more eligible
21 practice areas in this state, except that a physician specializing in psychiatry may
22 only agree to practice psychiatry in a mental health shortage area and a physician
23 in the expanded loan assistance program under sub. (9) may only agree to practice
24 at a public or private nonprofit entity in a health professional shortage area. The
25 physician shall also agree to care for patients who are insured or for whom health

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1 benefits are payable under medicare, medical assistance, or any other governmental
2 program.

3 ***-0645/3.11* SECTION 3673.** 560.183 (3) (am) of the statutes is created to read:

4 560.183 (3) (am) The department shall enter into a written agreement with the
5 dentist, in which the dentist agrees to practice at least 32 clinic hours per week for
6 3 years in one or more dental health shortage areas in this state. The dentist shall
7 also agree to care for patients who are insured or for whom dental health benefits are
8 payable under medicare, medical assistance, or any other governmental program.

9 ***-0645/3.12* SECTION 3674.** 560.183 (5) (b) 1. of the statutes is amended to
10 read:

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

16 ***-0645/3.13* SECTION 3675.** 560.183 (5) (b) 2. of the statutes is amended to
17 read:

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

22 ***-0645/3.14* SECTION 3676.** 560.183 (5) (b) 3. of the statutes is amended to
23 read:

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1 560.183 (5) (b) 3. The per capita income of the eligible practice area or health
2 professional shortage area in which a physician desires to practice and of the dental
3 health shortage area in which a dentist desires to practice.

4 ***-0645/3.15*** SECTION 3677. 560.183 (5) (b) 4. of the statutes is amended to
5 read:

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

12 ***-0645/3.16*** SECTION 3678. 560.183 (5) (b) 5. of the statutes is amended to
13 read:

14 560.183 (5) (b) 5. The geographic distribution of the physicians and dentists
15 who have entered into loan repayment agreements under this section and the
16 geographic distribution of the eligible practice areas ~~or~~ health professional shortage
17 areas, and dental health shortage areas in which the eligible applicants desire to
18 practice.

19 ***-0645/3.17*** SECTION 3679. 560.183 (5) (d) of the statutes is amended to read:

20 560.183 (5) (d) An agreement under sub. (3) does not create a right of action
21 against the state on the part of the physician, dentist, or ~~the~~ lending institution for
22 failure to make the payments specified in the agreement.

23 ***-0645/3.18*** SECTION 3680. 560.183 (6m) (a) (intro.) of the statutes is
24 amended to read:

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1 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to
2 be assessed by the department against physicians and dentists who breach ~~an~~
3 ~~agreement~~ agreements entered into under sub. (3) (a). The rules shall do all of the
4 following:

5 ***-0645/3.19*** **SECTION 3681.** 560.183 (8) (b) of the statutes is amended to read:

6 560.183 (8) (b) Advise the department and rural health development council
7 on the identification of eligible practice areas with an extremely high need for
8 medical care and dental health shortage areas with an extremely high need for
9 dental care.

10 ***-0645/3.20*** **SECTION 3682.** 560.183 (8) (d) of the statutes is amended to read:

11 560.183 (8) (d) Assist the department to publicize the program under this
12 section to physicians, dentists, and eligible communities.

13 ***-0645/3.21*** **SECTION 3683.** 560.183 (8) (e) of the statutes is amended to read:

14 560.183 (8) (e) Assist physicians and dentists who are interested in applying
15 for the program under this section.

16 ***-0645/3.22*** **SECTION 3684.** 560.183 (8) (f) of the statutes is amended to read:

17 560.183 (8) (f) Assist communities in obtaining physicians' and dentists'
18 services through the program under this section.

19 ***-0645/3.23*** **SECTION 3685.** 560.183 (9) (intro.) of the statutes is amended to
20 read:

21 560.183 (9) **EXPANDED LOAN ASSISTANCE PROGRAM.** (intro.) The department may
22 agree to repay loans as provided under this section on behalf of a physician or dentist
23 under an expanded physician and dentist loan assistance program that is funded
24 through federal funds in addition to state matching funds. To be eligible for loan
25 repayment under the expanded physician and dentist loan assistance program, a

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1 physician or dentist must fulfill all of the requirements for loan repayment under
2 this section, as well as all of the following:

3 ***-0645/3.24* SECTION 3686.** 560.183 (9) (a) of the statutes is amended to read:
4 560.183 (9) (a) The physician or dentist must be a U.S. citizen.

5 ***-0645/3.25* SECTION 3687.** 560.183 (9) (b) of the statutes is amended to read:
6 560.183 (9) (b) The physician or dentist may not have a judgment lien against
7 his or her property for a debt to the United States.

8 ***-0645/3.26* SECTION 3688.** 560.183 (9) (c) (intro.) of the statutes is amended
9 to read:

10 560.183 (9) (c) (intro.) The physician or dentist must agree to do all of the
11 following:

12 ***-0645/3.27* SECTION 3689.** 560.183 (9) (c) 2. of the statutes is amended to
13 read:

14 560.183 (9) (c) 2. Use a sliding fee scale or a comparable method of determining
15 payment arrangements for patients who are not eligible for medicare or medical
16 assistance and who are unable to pay the customary fee for the physician's or
17 dentist's services.

18 ***-0645/3.28* SECTION 3690.** 560.183 (9) (c) 3. of the statutes is amended to
19 read:

20 560.183 (9) (c) 3. Practice at a public or private nonprofit entity in a health
21 professional shortage area, if a physician, or in a dental health shortage area, if a
22 dentist.

23 ***-0645/3.29* SECTION 3691.** 560.185 (1) of the statutes is amended to read:

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

4 *–1735/2.4* **SECTION 3692.** 560.25 (2) (intro.) of the statutes is amended to
5 read:

6 560.25 (2) GRANTS. (intro.) Subject to subs. sub. (4) and ~~(5)~~, the department
7 may make a grant from the appropriation under s. 20.143 (1) (~~ie~~) (ko) to a
8 technology–based nonprofit organization to provide support for a manufacturing
9 extension center if all of the following apply:

10 *–1735/2.5* **SECTION 3693.** 560.25 (5) of the statutes is repealed.

11 *–0654/1.1* **SECTION 3694.** 560.42 (5) of the statutes is repealed and recreated
12 to read:

13 560.42 (5) REPORT. Beginning in 2003 and biennially thereafter, the center
14 shall prepare a report describing its activities under this section since the period
15 covered in the previous report. The department shall submit the report with the
16 report required under s. 560.55. The report may include recommendations for the
17 legislature, governor, public records board, and regulatory agencies on simplifying
18 the process of applying for permits, of reviewing and making determinations on
19 permit applications, and of issuing permits, and shall include information on the
20 number of requests for assistance, the types of assistance provided, and the center's
21 success in resolving conflicts in permit application and review processes.

22 *–0654/1.2* **SECTION 3695.** 560.42 (6) of the statutes is repealed.

23 *–1881/4.5* **SECTION 3696.** 560.44 (2) of the statutes is amended to read:

24 560.44 (2) ADMINISTRATION OF BROWNFIELDS ~~GRANT PROGRAM~~ PROGRAMS. The
25 center shall assist in administering the grant ~~program~~ programs under s. ss. 560.13

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1 and 560.132 and in administering grants and loans under s. 560.138 that are made
2 for brownfields remediation projects.

****NOTE: This is reconciled s. 560.44 (2). This SECTION has been affected by drafts with the following LRB numbers: LRB–0650/5 and LRB–1881/3.

3 *–0654/1.3* SECTION 3697. 560.55 (1) of the statutes is repealed.

4 *–0654/1.4* SECTION 3698. 560.55 (2) of the statutes is renumbered 560.55 and
5 amended to read:

6 **560.55 Evaluation and report Report.** ~~No Beginning on October 15, 2003,~~
7 ~~and no later than January 1 October 15~~ of each odd-numbered year thereafter, the
8 department shall submit to the governor and to the chief clerk of each house of the
9 legislature, for distribution to the legislature under s. 13.172 (2), a report ~~containing~~
10 ~~the evaluation prepared under sub. (1) and~~ describing the department's activities
11 and the result of the department's activities under s. 560.54 since the period covered
12 in the previous report. The department shall combine this report with the report
13 required under s. 560.42 (5) and may combine this report with other reports
14 published by the department, including the report under s. 15.04 (1) (d). The report
15 may include recommendations for legislative proposals to change the
16 entrepreneurial assistance programs and intermediary assistance programs.

17 *–1737/2.4* SECTION 3699. 560.68 (3) of the statutes is amended to read:

18 560.68 (3) The department may charge a grant or loan recipient an origination
19 fee of up to 2% of the grant or loan amount if the grant or loan exceeds \$200,000 and
20 is awarded under s. 560.63 or 560.66. The department shall deposit all origination
21 fees collected under this subsection in the appropriation account under s. 20.143 (1)
22 ~~(gm)~~ (h).

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1 ***-0667/5.14*** **SECTION 3700.** 560.70 (7) of the statutes is renumbered 560.70

2 (7) (a) and amended to read:

3 560.70 (7) (a) “Tax Except as provided in par. (b), “tax benefits” means the
4 development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx), ~~except~~
5 ~~that in.~~

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

11 ***-0667/5.15*** **SECTION 3701.** 560.795 (1) (e) of the statutes is created to read:

12 560.795 (1) (e) An area in the city of Milwaukee, the legal description of which
13 is provided to the department by the local governing body of the city of Milwaukee.

14 ***-0667/5.16*** **SECTION 3702.** 560.795 (2) (a) of the statutes is amended to read:

15 560.795 (2) (a) Except as provided in par. (d), the designation of each area under
16 sub. (1) (a), (b) and (c), and (e) as a development opportunity zone shall be effective
17 for 36 months, with the designation of the areas under sub. (1) (a) and (b) beginning
18 on April 23, 1994, and the designation of the area under sub. (1) (c) beginning on
19 April 28, 1995. Except as provided in par. (d), the designation of ~~the~~ each area under
20 sub. (1) (d) and (e) as a development opportunity zone shall be effective for 84 months,
21 with the designation of the area under sub. (1) (d) beginning on January 1, 2000, and
22 the designation of the area under sub. (1) (e) beginning on the effective date of this
23 paragraph [revisor inserts date].

24 ***-0667/5.17*** **SECTION 3703.** 560.795 (2) (b) 5. of the statutes is created to read:

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

3 *–0667/5.18* **SECTION 3704.** 560.795 (3) (a) 4. of the statutes is created to read:

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

10 *–0667/5.19* **SECTION 3705.** 560.795 (3) (c) of the statutes is amended to read:

11 560.795 (3) (c) The department shall notify the department of revenue of all
12 corporations entitled to claim tax benefits under this section subsection.

13 *–0667/5.20* **SECTION 3706.** 560.795 (3) (d) of the statutes is amended to read:

14 560.795 (3) (d) The department annually shall verify information submitted
15 to the department under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm), or (1dx),
16 or 71.47 (1di), (1dm), or (1dx).

17 *–0667/5.21* **SECTION 3707.** 560.795 (4) (a) (intro.) of the statutes is amended
18 to read:

19 560.795 (4) (a) (intro.) The department shall revoke the entitlement of a
20 corporation to claim tax benefits under ~~this section~~ sub. (3) if the corporation does
21 any of the following:

22 *–0667/5.22* **SECTION 3708.** 560.795 (5) of the statutes is created to read:

23 560.795 (5) **CERTIFICATION BASED ON THE ACTIVITY OF ANOTHER.** (a) The
24 department may certify for tax benefits a person that is conducting economic activity

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1 in the development opportunity zone under sub. (1) (e) and that is not otherwise
2 entitled to claim tax benefits if all of the following apply:

3 1. The person's economic activity is instrumental in enabling another person
4 to conduct economic activity in the development opportunity zone under sub. (1) (e).

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

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

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

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

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

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

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

23 1. Supplies false or misleading information to obtain the tax benefits.

24 2. Ceases operations in the development opportunity zone under sub. (1) (e).

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1 3. Does not pass the benefits through to the other person conducting the
2 economic activity under par. (a) 1., as determined by the department.

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

5 ***-0652/2.1*** **SECTION 3709.** 560.80 (4) (a) and (b) of the statutes are
6 consolidated, renumbered 560.80 (4) and amended to read:

7 560.80 (4) “Eligible development project costs” means costs that, in accordance
8 with sound business and financial practices, are appropriately incurred in
9 connection with a development project or a recycling development project.—(b)
10 ~~“Eligible development project costs”, but~~ does not include entertainment expenses or
11 expenses incurred more than 6 months before the board approves a grant or loan
12 under s. 560.83 or 560.835.

13 ***-0649/2.3*** **SECTION 3710.** 560.80 (5) of the statutes is amended to read:

14 560.80 (5) “Eligible recipient” means a person who is eligible to receive a grant
15 under s. 560.82 (5) (a) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or
16 560.835.

17 ***-0649/2.4*** **SECTION 3711.** 560.82 (5) of the statutes is renumbered 560.82 (5)
18 (a).

19 ***-0649/2.5*** **SECTION 3712.** 560.82 (5) (b) of the statutes is created to read:

20 560.82 (5) (b) If the department awards a grant under sub. (1), the department
21 may contract directly with and pay grant proceeds directly to any person providing
22 technical or management assistance to the grant recipient.

23 ***-1856/6.8*** **SECTION 3713.** 560.96 of the statutes is created to read:

24 **560.96 Technology zones. (1)** In this section, “tax credit” means a credit
25 under s. 71.07 (3g), 71.28 (3g), or 71.47 (3g).

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1 (2) (a) The department shall designate as technology zones up to 7 areas in the
2 state in fiscal year 2001–02, up to 7 areas in the state in fiscal year 2002–03, and up
3 to 6 areas in the state in fiscal year 2003–04. A business that is located in a
4 technology zone and that is certified by the department under sub. (3) is eligible for
5 a tax credit as provided in sub. (3).

6 (b) The designation of an area as a technology zone shall be in effect for 10 years
7 from the time that the department first designates the area. However, not more than
8 \$5,000,000 in tax credits may be claimed in a technology zone. The department may
9 change the boundaries of a technology zone during the time that its designation is
10 in effect. A change in the boundaries of a technology zone does not affect the duration
11 of the designation of the area or the maximum tax credit amount that may be claimed
12 in the technology zone.

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

- 15 1. The business is located in the technology zone.
- 16 2. The business is a new or expanding business.
- 17 3. The business is a high–technology business.

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

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

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

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

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

17 1. A technology zone's designation.

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

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

21 (b) The department shall annually verify information submitted to the
22 department under ss. 71.07 (3g) (b), 71.28 (3g) (b), and 71.47 (3g) (b).

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

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

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

3 1. New or expanding business.

4 2. High-technology business.

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

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

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

12 (f) Reporting requirements for certified businesses.

13 (g) The exchange of information between the department of commerce and the
14 department of revenue.

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

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

17 ***-0610/3.1* SECTION 3714.** 565.30 (1) of the statutes is renumbered 565.30 (1)

18 (a) and amended to read:

19 565.30 (1) (a) The Except as provided in sub. (2g) (c), the administrator shall
20 direct the payment of a prize, in the form elected under s. 565.28, if applicable, to the
21 holder of the winning lottery ticket or lottery share or, to a person designated under
22 sub. (2), except that a prize may be paid to another person under a court order or to
23 a person under the terms of a court order other than an order issued under sub. (2g).

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1 (b) Notwithstanding par. (a), the administrator may direct the payment of a
2 prize, in the form elected under s. 565.28, if applicable, to the estate of a deceased
3 prize winner.

4 (c) The department, administrator, state and any contractor for materials,
5 equipment or services of the game in which the prize is won are discharged of all
6 liability upon payment of the prize to ~~the holder of a winning lottery ticket or lottery~~
7 share a person under par. (a) or (b) or sub. (2g).

8 ***-0610/3.2* SECTION 3715.** 565.30 (2g) of the statutes is created to read:

9 565.30 (2g) MULTIPLE PAYEES OF A PRIZE. (a) If the holder of a single winning
10 lottery ticket or lottery share is more than one person and the total amount of the
11 lottery prize is equal to or greater than \$1,000, those persons shall petition a circuit
12 court for an order declaring each person's interest in the lottery prize.

13 (b) An order issued under par. (a) shall include all of the following:

14 1. The name and social security number of each person whom the court
15 determines has an interest in the lottery prize.

16 2. The amount of each person's share of the lottery prize.

17 (c) After a court order has been issued under this subsection, the administrator
18 shall pay to each person whom the court has determined has an interest in the lottery
19 prize, in the form elected under s. 565.28, if applicable, his or her share of the lottery
20 prize as specified in the court order.

21 ***-0610/3.3* SECTION 3716.** 565.30 (5) of the statutes is renumbered 565.30 (5)

22 (a) and amended to read:

23 565.30 (5) (a) ~~The~~ Except as provided in par. (b), the administrator shall report
24 the name, address and social security number or federal income tax number of each
25 winner ~~of person to whom~~ a lottery prize equal to or greater than \$1,000 ~~and the~~

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1 ~~name, address and social security number or federal income tax number of each will~~
2 ~~be paid under sub. (1), person to whom a lottery prize equal to or greater than \$1,000~~
3 ~~has been assigned, and person to whom a share of a lottery prize will be paid under~~
4 ~~sub. (2g) to the department of revenue to determine whether the payee or assignee~~
5 ~~of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78~~
6 ~~or 139 or, if applicable, in the court-ordered payment of child support or has a debt~~
7 ~~owing to the state.~~

8 (b) Upon receipt of a report under ~~this subsection par. (a)~~, the department of
9 revenue shall first ascertain based on certifications by the department of workforce
10 development or its designee under s. 49.855 (1) whether any person named in the
11 report is currently delinquent in court-ordered payment of child support and shall
12 next certify to the administrator whether any person named in the report is
13 delinquent in court-ordered payment of child support or payment of state taxes
14 under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by the department of
15 revenue or upon court order the administrator shall withhold the certified amount
16 and send it to the department of revenue for remittance to the appropriate agency
17 or person. At the time of remittance, the department of revenue shall charge its
18 administrative expenses to the state agency that has received the remittance. The
19 administrative expenses received by the department of revenue shall be credited to
20 the appropriation under s. 20.566 (1) (h). In instances in which the payee or assignee
21 of the prize is delinquent both in payments for state taxes and in court-ordered
22 payments of child support, or is delinquent in one or both of these payments and has
23 a debt owing to the state, the amount remitted to the appropriate agency or person
24 shall be in proportion to the prize amount as is the delinquency or debt owed by the
25 payee or assignee.

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1 *~~0610/3.4~~* **SECTION 3717.** 565.30 (5m) (a) of the statutes is amended to read:

2 565.30 (5m) (a) The administrator shall report to the department of workforce
3 development the name, address and social security number of each ~~winner of person~~
4 to whom a lottery prize that is payable in instalments will be paid under sub. (1) or
5 (2g) and the name, address and social security number or federal income tax number
6 of the of each person who has been assigned a lottery prize that is payable in
7 instalments. Upon receipt of the report, the department of workforce development
8 shall certify to the administrator whether any payee or assignee named in the report
9 is obligated to provide child support, spousal support, maintenance or family support
10 under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25, 767.26, 767.261, 767.458 (3),
11 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) or 948.22 (7) or ch. 769 and the amount
12 required to be withheld from the lottery prize under s. 767.265. Subject to par. (b),
13 the administrator shall withhold the certified amount from each payment made to
14 the winner or assignee and remit the certified amount to the department of workforce
15 development.

16 *~~0610/3.5~~* **SECTION 3718.** 565.30 (5r) (a) of the statutes is amended to read:

17 565.30 (5r) (a) Annually, the administrator shall provide each clerk of circuit
18 court in the state with a list of the ~~winners~~ persons to whom a lottery prize that is
19 payable in installments will be paid under sub. (1) or (2g) or assignees of persons to
20 whom a lottery prize that is payable in instalments has been assigned. The list shall
21 include each ~~winner~~ person to whom a lottery prize that is payable in installments
22 will be paid under sub. (1) or (2g) or assignee since the date of the previous list.

23 *~~0878/2.19~~* **SECTION 3719.** 600.01 (1) (b) 8. of the statutes is amended to read:

24 600.01 (1) (b) 8. Guarantees of the Wisconsin Housing and Economic
25 Development Authority under s. 234.68, 1995 stats., s. 234.69, 1995 stats., s.

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1 234.765, 1995 stats., s. 234.82, 1995 stats., s. 234.87, 1995 stats., and ss. 234.67,
2 234.83, 234.84, 234.90, ~~234.905~~, 234.907, and 234.91.

3 ***-0472/1.6* SECTION 3720.** 601.04 (4) of the statutes is amended to read:

4 601.04 (4) FEES. Every insurer or plan obtaining or renewing its certificate
5 shall pay the fee required by s. 601.31 (1) (b) or (c) or a rule promulgated under s.
6 601.31 (4) with respect to s. 601.31 (1) (b) or (c).

7 ***-0472/1.7* SECTION 3721.** 601.31 (1) (intro.) of the statutes is amended to
8 read:

9 601.31 (1) (intro.) The following fees, unless revised by the commissioner as
10 provided in s. 601.32, or unless the commissioner specifies a different amount by
11 rule, shall be paid to the commissioner:

12 ***-0472/1.8* SECTION 3722.** 601.31 (1) (L) (intro.) of the statutes is renumbered
13 601.31 (1) (L) and amended to read:

14 601.31 (1) (L) For issuing or enlarging the scope of a corporation, limited
15 liability company, or partnership intermediary's license or a license to place business
16 under s. 618.41, amounts to be set by the commissioner by rule ~~but not to exceed:~~

17 ***-0472/1.9* SECTION 3723.** 601.31 (1) (L) 2. of the statutes is repealed.

18 *** 0472/1.10* SECTION 3724.** 601.31 (1) (L) 3. of the statutes is repealed.

19 ***-0472/1.11* SECTION 3725.** 601.31 (1) (mc) of the statutes is amended to read:

20 601.31 (1) (mc) For regulating a holder of a license to place business under s.
21 618.41, annually after the year in which the initial license is issued, an amount to
22 be set by the commissioner by rule and paid at times and under procedures set by the
23 commissioner, ~~but not to exceed \$100.~~

24 ***-0472/1.12* SECTION 3726.** 601.31 (1) (n) of the statutes is amended to read:

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1 601.31 (1) (n) For listing, or renewing a listing of, an agent under s. 628.11, a
2 fee to be set by the commissioner by rule ~~but not to exceed \$8 annually for resident~~
3 ~~agents or \$24 annually for nonresident agents.~~

4 *~~0472/1.13~~* SECTION 3727. 601.31 (1) (x) 1. of the statutes is amended to read:

5 601.31 (1) (x) 1. For issuing approval to an organization to offer prelicensing
6 or continuing education courses or programs for intermediaries under s. 628.04 (3),
7 a fee to be set by the commissioner by rule, ~~but not to exceed \$500.~~

8 *~~0472/1.14~~* SECTION 3728. 601.31 (1) (x) 2. of the statutes is amended to read:

9 601.31 (1) (x) 2. ~~By organizations approved under subd. 1., for~~ For renewing
10 the approval of ~~such organizations~~ an organization approved under subd. 1.,
11 annually after the year in which the approval under subd. 1. is issued, an amount
12 to be set and paid at times and under procedure set by the commissioner by rule, ~~but~~
13 ~~not to exceed \$100.~~

14 *~~0472/1.15~~* SECTION 3729. 601.31 (1) (x) 3. of the statutes is amended to read:

15 601.31 (1) (x) 3. ~~By organizations approved under subd. 1., for~~ For submitting
16 by an organization approved under subd. 1., for initial approval or approval of any
17 subsequent modification, each course for prelicensing or continuing education, a fee
18 to be set by the commissioner by rule, ~~but not to exceed \$25 per credit hour.~~

19 *~~0472/1.16~~* SECTION 3730. 601.31 (2) of the statutes is amended to read:

20 601.31 (2) Town mutuals and insurers operating under subch. I of ch. 616 are
21 exempt from all provisions of this section except ~~sub.~~ subs. (1) (b), (c), and (q) and (4)
22 with respect to fees under sub. (1) (b), (c), and (q).

23 *~~0472/1.17~~* SECTION 3731. 601.31 (4) of the statutes is created to read:

24 601.31 (4) Except as provided in sub. (1) (L), (m), (mc), (n), (o), and (x) 1., 2., and
25 3., and subject to sub. (3), the commissioner may by rule specify a fee amount that

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1 is different from an amount specified under sub. (1). Subject to sub. (3), a rule
2 promulgated for a fee required under sub. (1) may provide for a maximum fee
3 amount, and the commissioner may charge a lesser amount than the maximum fee
4 amount specified in the rule.

5 ***-0472/1.18* SECTION 3732.** 601.32 (1) of the statutes is amended to read:

6 601.32 (1) If Notwithstanding that a rule promulgated under s. 601.31 (4) may
7 provide for a maximum fee amount, if the moneys credited to s. 20.145 (1) (g) under
8 other sections of the statutes prove inadequate for the officc's supervision of
9 insurance industry program, the commissioner may increase any or all of the fees
10 imposed fee amounts specified by s. 601.31 or a rule under s. 601.31, or may in any
11 year levy a special assessment on all domestic insurers, or both, for the general
12 operation of that program.

13 ***-0472/1.19* SECTION 3733.** 601.33 of the statutes is amended to read:

14 **601.33 Exemption from taxation.** Municipal insurance mutuals organized
15 under s. 611.11 (4) are not subject to any taxes or fees except those imposed by under
16 ss. 601.31 and 601.32.

17 ***-0911/4.5* SECTION 3734.** 601.415 (13) of the statutes is created to read:

18 601.415 (13) **SUBSTANTIALLY SIMILAR HEALTH CARE BENEFITS COVERAGE RULES.** The
19 commissioner shall promulgate the rules required under s. 111.70 (4) (cm) 8s. b. and
20 (o), setting out a standardized summary of benefits provided under health care
21 coverage policies and plans for use in determining benefit similarities and
22 differences among policies and plans.

23 ***-0476/1.1* SECTION 3735.** 601.47 (2) of the statutes is amended to read:

24 601.47 (2) **ANNUAL REPORT.** The commissioner shall determine the form for and
25 ~~have printed~~ the report required in s. 601.46 (3), ~~in number sufficient~~ and shall have

SENATE BILL 55**SECTION 3735**

1 the report published in sufficient quantity to meet all requests for copies. The
2 commissioner shall distribute copies upon request to any person who pays the
3 reasonable price thereof determined for the report under sub. (1).

4 ***-0472/1.20* SECTION 3736.** 601.51 (1) of the statutes is amended to read:

5 601.51 (1) CERTIFIED COPIES. On request of any insurer authorized to do a surety
6 business and its payment of the fee under s. 601.31 (~~1~~), the commissioner shall mail
7 a certified copy of its certificate of authority to any designated public officer in this
8 state who requires such a certificate before accepting a bond. That public officer shall
9 file it. Whenever a certified copy has been furnished to a public officer it is
10 unnecessary, while the certificate remains effective, to attach a copy of it to any
11 instrument of suretyship filed.

12 ***-0472/1.21* SECTION 3737.** 601.72 (4) of the statutes is amended to read:

13 601.72 (4) FEES. Litigants serving process on the commissioner under this
14 section shall pay the fees specified in s. 601.31 (1) (p) or a rule promulgated under
15 s. 601.31 (4) with respect to s. 601.31 (1) (p).

16 ***-0676/2.15* SECTION 3738.** 601.93 (2) of the statutes is amended to read:

17 601.93 (2) Every insurer doing a fire insurance business in this state shall,
18 before March 1 ~~in~~ of each year, file with the commissioner a statement, showing the
19 amount of premiums upon fire insurance due for the preceding calendar year.
20 Return premiums may be deducted in determining the premium on which the fire
21 department dues are computed. Payments of quarterly ~~instalments~~ installments of
22 the total estimated payment for the then current calendar year under this subsection
23 are due on or before April 15, June 15, September 15, and December 15. On March
24 1, the insurer shall pay any additional amounts due for the preceding calendar year.
25 Overpayments will be credited on the amount due April 15. The commissioner shall,

SENATE BILL 55**SECTION 3738**

1 ~~prior to~~ before May 1 of each year, report to the department of commerce the amount
2 of dues paid under this subsection and to be paid under s. ~~101.573 (1)~~ 604.04 (3) (b).

3 ***-0676/2.46* SECTION 3739.** 604.04 (3) of the statutes is renumbered 604.04
4 (3) (a).

5 ***-0676/2.47* SECTION 3740.** 604.04 (3) (b) of the statutes is created to read:
6 604.04 (3) (b) Before May 1 of each year, the local government property
7 insurance fund shall be charged fire department dues equal to 2% of the amount of
8 all premiums that, during the preceding calendar year, have been paid into the state
9 treasury for the benefit of the local government property insurance fund.

10 ***-0676/2.48* SECTION 3741.** 607.21 (intro.) of the statutes is amended to read:
11 **607.21 Payments from life fund.** (intro.) In addition to the payments under
12 s. 604.04 (3) (a), and the payments which become due under its policies, the life fund
13 shall pay:

14 ***-1740/1.1* SECTION 3742.** 611.67 (1) (intro.) and (c) of the statutes are
15 consolidated, renumbered 611.67 (1) and amended to read:

16 611.67 (1) In this section: ~~(e) “Management,~~ “management authority” means
17 the authority to exercise any management control of the corporation or of its
18 underwriting, loss adjustment, investment, general servicing, or production
19 function or other major corporate function.

20 ***-1740/1.2* SECTION 3743.** 611.67 (1) (a) of the statutes is repealed.

21 ***-1740/1.3* SECTION 3744.** 611.67 (1) (b) of the statutes is repealed.

22 ***-1740/1.4* SECTION 3745.** 611.67 (1) (d) of the statutes is repealed.

23 ***-1740/1.5* SECTION 3746.** 611.67 (2) of the statutes is amended to read:

SENATE BILL 55**SECTION 3746**

1 611.67 (2) ~~Except as provided in sub. (3), a~~ A corporation may not be a party
2 to a contract ~~which~~ that has the effect of delegating management authority to a
3 person to the substantial exclusion of the board.

4 *–1740/1.6* **SECTION 3747.** 611.67 (3) of the statutes is repealed.

5 *–1740/1.7* **SECTION 3748.** 611.67 (4) of the statutes is repealed.

6 *–2389/1.5* **SECTION 3749.** 614.80 of the statutes is amended to read:

7 **614.80 Tax exemption.** Every domestic and nondomestic fraternal, except
8 those that offer a health maintenance organization as defined in s. 609.01 (2) or a
9 limited service health organization as defined in s. 609.01 (3) is exempt from all state,
10 county, district, municipal and school taxes or fees, except the fees required by s.
11 601.31 (2), but is required to pay all taxes and special assessments on its real estate
12 and office equipment, except as provided in ss. 70.11 (4) and 70.1105 (1).

13 *–0472/1.22* **SECTION 3750.** 616.20 (5) of the statutes is amended to read:

14 616.20 (5) **FEEES.** A new corporation formed under this section is not subject to
15 the fees under s. 601.31 (1) ~~or (2)~~.

16 *–0472/1.23* **SECTION 3751.** 616.74 (2) of the statutes is amended to read:

17 616.74 (2) No certificate of authority shall be issued by the commissioner until
18 the company has paid to the commissioner the fee required by s. 601.31 (1) (b) or a
19 rule promulgated under s. 601.31 (4) with respect to s. 601.31 (1) (b).

20 *–1740/1.8* **SECTION 3752.** 618.22 (1) of the statutes is amended to read:

21 618.22 (1) **FILING OF CONTRACT.** No nondomestic insurer may be a party to any
22 exclusive agency contract or management contract as defined described in ss. 611.66
23 and 611.67, respectively, unless the contract is filed with the commissioner and not
24 disapproved under this section within 30 days after filing, or such reasonable
25 extended period as the commissioner may specify by notice given within the 30 days.

SENATE BILL 55**SECTION 3753**

1 *~~1740/1.9~~* **SECTION 3753.** 618.22 (2) (intro.) of the statutes is amended to
2 read:

3 618.22 (2) DISAPPROVAL. (intro.) The commissioner shall disapprove a contract
4 ~~under specified in sub. (1) or s. 611.67~~ if he or she finds that:

5 *~~0472/1.24~~* **SECTION 3754.** 618.41 (7) (b) of the statutes is amended to read:

6 618.41 (7) (b) The fee for issuance of a surplus lines license is the fee required
7 by under s. 601.31 (1) (L) 3.

8 *~~0472/1.25~~* **SECTION 3755.** 626.09 (4) of the statutes is amended to read:

9 626.09 (4) FEES. ~~Section~~ Sections 601.31 (1) (c) 2. applies and (4) and 601.32
10 apply to the bureau.

11 *~~0472/1.26~~* **SECTION 3756.** 632.68 (2) (b) (intro.) of the statutes is amended
12 to read:

13 632.68 (2) (b) (intro.) A person may apply to the commissioner for a viatical
14 settlement provider license on a form prescribed by the commissioner for that
15 purpose. The application form shall require the applicant to provide the applicant's
16 social security number, if the applicant is a natural person unless the applicant does
17 not have a social security number, or the applicant's federal employer identification
18 number, if the applicant is not a natural person. The fee specified in s. 601.31 (1)
19 (mm) or a rule promulgated under s. 601.31 (4) with respect to s. 601.31 (1) (mm) shall
20 accompany the application. After any investigation of the applicant that the
21 commissioner determines is sufficient, the commissioner shall issue a viatical
22 settlement provider license to an applicant that satisfies all of the following:

23 *~~0472/1.27~~* **SECTION 3757.** 632.68 (2) (e) of the statutes is amended to read:

24 632.68 (2) (e) Except as provided in sub. (3), a license issued under this
25 subsection shall be renewed annually on the anniversary date upon payment of the

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1 fee specified in s. 601.31 (1) (mp) or a rule promulgated under s. 601.31 (4) with
2 respect to s. 601.31 (1) (mp) and upon providing the licensee's social security number,
3 unless the licensee does not have a social security number, or federal employer
4 identification number, as applicable, if not previously provided on the application for
5 the license or at a previous renewal of the license. If the licensee is a natural person
6 who does not have a social security number, the license shall be renewed annually
7 on the anniversary date upon payment of the fee specified in s. 601.31 (1) (mp) or a
8 rule promulgated under s. 601.31 (4) with respect to s. 601.31 (1) (mp) and upon
9 providing to the commissioner a statement made or subscribed under oath or
10 affirmation, on a form prescribed by the department of workforce development, that
11 the licensee does not have a social security number.

12 *~~0472/1.28~~* **SECTION 3758.** 632.68 (4) (b) of the statutes is amended to read:

13 632.68 (4) (b) A person may apply to the commissioner for a viatical settlement
14 broker license on a form prescribed by the commissioner for that purpose. The
15 application form shall require the applicant to provide the applicant's social security
16 number, if the applicant is a natural person unless the applicant does not have a
17 social security number, or the applicant's federal employer identification number, if
18 the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) or a rule
19 promulgated under s. 601.31 (4) with respect to s. 601.31 (1) (mr) shall accompany
20 the application. The commissioner may not issue a license under this subsection
21 unless the applicant provides his or her social security number, unless the applicant
22 does not have a social security number, or its federal employer identification number,
23 whichever is applicable. If the applicant is a natural person who does not have a
24 social security number, the commissioner may not issue a license under this
25 subsection unless the applicant provides, on a form prescribed by the department of

SENATE BILL 55**SECTION 3758**

1 workforce development, a statement made or subscribed under oath or affirmation
2 that the applicant does not have a social security number.

3 *–0472/1.29* **SECTION 3759.** 632.68 (4) (c) of the statutes is amended to read:
4 632.68 (4) (c) Except as provided in sub. (5), a license issued under this
5 subsection shall be renewed annually on the anniversary date upon payment of the
6 fee specified in s. 601.31 (1) (ms) or a rule promulgated under s. 601.31 (4) with
7 respect to s. 601.31 (1) (ms) and upon providing the licensee’s social security number,
8 unless the licensee does not have a social security number, or federal employer
9 identification number, as applicable, if not previously provided on the application for
10 the license or at a previous renewal of the license. If the licensee is a natural person
11 who does not have a social security number, the license shall be renewed annually,
12 except as provided in sub. (5), on the anniversary date upon payment of the fee
13 specified in s. 601.31 (1) (ms) or a rule promulgated under s. 601.31 (4) with respect
14 to s. 601.31 (1) (ms) and upon providing to the commissioner a statement made or
15 subscribed under oath or affirmation, on a form prescribed by the department of
16 workforce development, that the licensee does not have a social security number.

17 *–0472/1.30* **SECTION 3760.** 632.835 (4) (b) of the statutes is amended to read:
18 632.835 (4) (b) An organization applying for certification or recertification as
19 an independent review organization shall pay the applicable fee under s. 601.31 (1)
20 (Lp) or (Lr) or a rule promulgated under s. 601.31 (4) with respect to s. 601.31 (1) (Lp)
21 or (Lr). Every organization certified or recertified as an independent review
22 organization shall file a report with the commissioner in accordance with rules
23 promulgated under sub. (5) (a) 4.

24 *–1686/4.99* **SECTION 3761.** 632.89 (1) (e) 1. of the statutes is amended to read:

SENATE BILL 55**SECTION 3761**

1 632.89 (1) (e) 1. A program in an outpatient treatment facility, if both are
2 approved by the department of health and family services, the program is
3 established and maintained according to rules promulgated under s. 51.42 (7) (b) and
4 the facility is approved and certified under s. 51.04.

5 ***-0827/1.15*** **SECTION 3762.** 632.895 (12) (b) 2. of the statutes is renumbered
6 632.895 (12) (b) 2. (intro.) and amended to read:

7 632.895 (12) (b) 2. (intro.) The individual has a chronic disability that meets
8 all of the following conditions under s. 230.04 ~~(9r) (a) 2. a., b. and c.;~~

9 ***-0827/1.16*** **SECTION 3763.** 632.895 (12) (b) 2. a. to c. of the statutes are
10 created to read:

11 632.895 (12) (b) 2. a. The chronic disability is attributable to a mental or
12 physical impairment or combination of mental and physical impairments.

13 b. The chronic disability is likely to continue indefinitely.

14 c. The chronic disability results in substantial functional limitations in one or
15 more of the following areas of major life activity: self-care; receptive and expressive
16 language; learning; mobility; capacity for independent living; and economic
17 self-sufficiency.

18 ***-0472/1.31*** **SECTION 3764.** 633.14 (1) (a) of the statutes is amended to read:
19 633.14 (1) (a) Pays the fee under s. 601.31 (1) (w) or a rule promulgated under
20 s. 601.31 (4) with respect to s. 601.31 (1) (w).

21 ***-0472/1.32*** **SECTION 3765.** 633.14 (2) (a) of the statutes is amended to read:
22 633.14 (2) (a) Pays the fee under s. 601.31 (1) (w) or a rule promulgated under
23 s. 601.31 (4) with respect to s. 601.31 (1) (w).

24 ***-0472/1.33*** **SECTION 3766.** 633.15 (1) (a) of the statutes is amended to read:

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1 633.15 (1) (a) *Payment*. An administrator shall pay the annual renewal fee
2 under s. 601.31 (1) (w) or a rule promulgated under s. 601.31 (4) with respect to s.
3 601.31 (1) (w) for each annual renewal of a license by the date specified by a schedule
4 established under par. (b).

5 *–0472/1.34* **SECTION 3767.** 647.04 (1) of the statutes is amended to read:

6 647.04 (1) Submit to the commissioner the fees required under s. 601.31 (1).

7 *–1552/5.62* **SECTION 3768.** 704.05 (5) (a) 2. of the statutes is amended to read:

8 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
9 addressed to the tenant's last-known address, of the landlord's intent to dispose of
10 the ~~personalty~~ personal property by sale or other appropriate means if the property
11 is not repossessed by the tenant. If the tenant fails to repossess the property within
12 30 days after the date of personal service or the date of the mailing of the notice, the
13 landlord may dispose of the property by private or public sale or any other
14 appropriate means. The landlord may deduct from the proceeds of sale any costs of
15 sale and any storage charges if the landlord has first stored the personalty under
16 subd. 1. If the proceeds minus the costs of sale and minus any storage charges are
17 not claimed within 60 days after the date of the sale of the personalty, the landlord
18 is not accountable to the tenant for any of the proceeds of the sale or the value of the
19 property. The landlord shall send the proceeds of the sale minus the costs of the sale
20 and minus any storage charges to the department of administration for deposit in the
21 appropriation under s. 20.505 (7) (~~gm~~) (h).

22 *–1335/7.65* **SECTION 3769.** 704.31 (3) of the statutes is amended to read:

23 704.31 (3) This section does not apply to a lease to which a local professional
24 baseball park district created under subch. III of ch. 229 or the Fox River
25 Navigational System Authority is a party.

SENATE BILL 55**SECTION 3770**

1 *~~2156/4.13~~* **SECTION 3770.** 704.90 (10) (c) of the statutes is amended to read:

2 704.90 (10) (c) Forfeitures under par. (a) shall be enforced by action on behalf
3 of the state by the department of justice agriculture, trade and consumer protection
4 or by the district attorney of the county where the violation occurs.

5 *~~0404/3.3~~* **SECTION 3771.** 710.02 (4) (a) of the statutes is renumbered 710.02
6 (4).

7 *~~0404/3.4~~* **SECTION 3772.** 710.02 (4) (b) of the statutes is repealed.

8 *~~0404/3.5~~* **SECTION 3773.** 710.02 (7) of the statutes is amended to read:

9 710.02 (7) PENALTY FOR FAILURE TO REPORT. Any person violating sub. (4) ~~(a)~~
10 shall forfeit not less than \$500 nor more than \$5,000.

11 *~~1394/2.69~~* **SECTION 3774.** 757.05 (1) (a) of the statutes is amended to read:

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

21 *~~1394/2.70~~* **SECTION 3775.** 757.05 (1) (b) of the statutes is amended to read:

22 757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a
23 determination by the court of the amount due, the clerk of the court shall collect and
24 transmit ~~such the~~ amount to the county treasurer as provided in s. 59.40 (2) (m). The

SENATE BILL 55**SECTION 3775**

1 county treasurer shall then make payment to the state treasurer as provided in s.
2 59.25 (3) (f) 2.

3 ***-1394/2.71* SECTION 3776.** 757.05 (1) (c) of the statutes is amended to read:

4 757.05 (1) (c) If a fine or forfeiture is imposed by a municipal court, after a
5 determination by the court of the amount due, the court shall collect and transmit
6 such the amount to the treasurer of the county, city, town, or village, and that
7 treasurer shall make payment to the state treasurer as provided in s. 66.0114 (1) (b)
8 (bm).

9 ***-1394/2.72* SECTION 3777.** 757.05 (1) (d) of the statutes is amended to read:

10 757.05 (1) (d) If any deposit of bail is made for a noncriminal offense to which
11 this ~~section~~ subsection applies, the person making the deposit shall also deposit a
12 sufficient amount to include the assessment prescribed in this ~~section~~ subsection for
13 forfeited bail. If bail is forfeited, the amount of the assessment shall be transmitted
14 monthly to the state treasurer under this ~~section~~ subsection. If bail is returned, the
15 assessment shall also be returned.

16 ***-1394/2.73* SECTION 3778.** 757.05 (2) (title) of the statutes is repealed.

17 ***-1394/2.74* SECTION 3779.** 757.05 (2) (a) of the statutes is renumbered 165.87
18 (2) and amended to read:

19 165.87 (2) ~~LAW ENFORCEMENT TRAINING FUND~~ USE OF ASSESSMENT MONEYS.
20 ~~Twenty-seven fifty-fifths of all~~ All moneys collected from ~~penalty law enforcement~~
21 training fund assessments under sub. (1) shall be credited to the appropriation
22 account under s. 20.455 (2) (i) and utilized in accordance with ss. 20.455 (2) and
23 165.85 (5). The moneys credited to the appropriation account under s. 20.455 (2) (i),
24 except for the moneys transferred to s. 20.455 (2) (jb), constitute the law enforcement
25 training fund.

SENATE BILL 55**SECTION 3780**

1 *~~1394/2.75~~* **SECTION 3780.** 757.05 (2) (b) of the statutes is renumbered 757.05
2 (2) and amended to read:

3 757.05 (2) ~~OTHER PURPOSES~~ USE OF PENALTY ASSESSMENT MONEYS. The moneys
4 collected from penalty assessments under sub. (1) ~~that remain after crediting the~~
5 ~~appropriation account specified in par. (a)~~ shall be credited to the appropriation
6 account under s. 20.505 (6) (j) and transferred as provided under s. 20.505 (6) (j).

7 *~~1857/5.120~~* **SECTION 3781.** 758.19 (7) of the statutes is amended to read:

8 758.19 (7) The director of state courts shall adopt, revise biennially and submit
9 to the cochairpersons of the joint committee on information policy and technology, the
10 governor and the ~~secretary of administration~~ department of electronic government,
11 no later than September 15 of each even-numbered year, a strategic plan for the
12 utilization of information technology to carry out the functions of the courts and
13 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the
14 business needs of the courts and judicial branch agencies and shall identify all
15 resources relating to information technology which the courts and judicial branch
16 agencies desire to acquire, contingent upon funding availability, the priority for such
17 acquisitions and the justification for such acquisitions. The plan shall also identify
18 any changes in the functioning of the courts and judicial branch agencies under the
19 plan.

20 *~~0426/4.47~~* **SECTION 3782.** 765.12 (1) of the statutes is renumbered 765.12
21 (1) (a) and amended to read:

22 765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and
23 if there is no prohibition against or legal objection to the marriage, the county clerk
24 shall issue a marriage license. With each marriage license the county clerk shall
25 provide a pamphlet describing the causes and effects of fetal alcohol syndrome. ~~After~~

SENATE BILL 55**SECTION 3782**

1 ~~the application for the marriage license the clerk shall, upon the sworn statement~~
2 ~~of either of the applicants, correct any erroneous, false or insufficient statement in~~
3 ~~the marriage license or in the application therefor which shall come to the clerk's~~
4 ~~attention prior to the marriage and shall show the corrected statement as soon as~~
5 ~~reasonably possible to the other applicant.~~

6 ***-0426/4.48* SECTION 3783.** 765.12 (1) (b) of the statutes is created to read:

7 765.12 (1) (b) If, after completion of the marriage license application, one of the
8 applicants notifies the clerk in writing that any of the information provided by that
9 applicant for the license is erroneous, the clerk shall notify the other applicant of the
10 correction as soon as reasonably possible. If the marriage license has not been
11 issued, the clerk shall prepare a new license with the correct information entered.
12 If the marriage license has been issued, the clerk shall immediately send a letter of
13 correction to the state registrar to amend the erroneous information.

14 ***-0426/4.49* SECTION 3784.** 765.12 (1) (c) of the statutes is created to read:

15 765.12 (1) (c) If, after completion of the marriage license application, the clerk
16 discovers that correct information has been entered erroneously, the clerk shall, if
17 the marriage license has not been issued, prepare a new license with the correct
18 information correctly entered. If the marriage license has been issued, the clerk shall
19 immediately send a letter of correction to the state registrar to amend the erroneous
20 information.

21 ***-0426/4.50* SECTION 3785.** 765.13 of the statutes is amended to read:

22 **765.13 Form of marriage document.** The marriage document shall contain
23 ~~the social security number of each party, as well as any other informational items~~
24 ~~that the department of health and family services determines are necessary and~~
25 ~~shall agree in the main with the standard form recommended by the federal agency~~

SENATE BILL 55**SECTION 3785**

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

14 *~~0441/6.44~~* **SECTION 3786.** 767.078 (1) (a) 2. of the statutes is amended to
15 read:

16 767.078 (1) (a) 2. The child's right to support is assigned to the state under s.
17 ~~46.261~~, 48.57 (3m) (b) 2. or (3n) (b) 2., or 49.19 (4) (h) 1. b.

18 *~~0529/6.9~~* **SECTION 3787.** 767.265 (1) of the statutes is amended to read:

19 767.265 (1) Each order for child support under this chapter, for maintenance
20 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
21 ordered under s. 767.51 (3) or 767.62 (4), for support by a spouse under s. 767.02 (1)
22 (f), or for maintenance payments under s. 767.02 (1) (g) ~~or for, each order for or~~
23 ~~obligation to pay~~ the annual receiving and disbursing fee under s. 767.29 (1) (d), each
24 order for a revision in a judgment or order with respect to child support,
25 maintenance, or family support payments under s. 767.32, each stipulation

SENATE BILL 55**SECTION 3787**

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

11 ***-0529/6.10*** SECTION 3788. 767.265 (1m) of the statutes is amended to read:

12 767.265 (1m) If a party's current obligation to pay maintenance, child support,
13 spousal support, or family support ~~or the annual receiving and disbursing fee~~
14 terminates but the party has an arrearage in the payment of one or more of those
15 payments, ~~the~~ or in the payment of the annual receiving and disbursing fee, any
16 assignment under sub. (1) shall continue in effect, in an amount up to the amount
17 of the assignment before the party's current obligation terminated, until the
18 arrearage is paid in full.

19 ***-0529/6.11*** SECTION 3789. 767.29 (1) (d) of the statutes is amended to read:

20 767.29 (1) (d) For receiving and disbursing maintenance, child support, or
21 family support payments, including arrears in any of those payments, and for
22 maintaining the records required under par. (c), the department or its designee shall
23 collect an annual fee of ~~\$25~~ \$35. The court or family court commissioner shall order
24 each party ordered to make payments to pay the annual fee under this paragraph in
25 each year for which payments are ordered or in which an arrearage in any of those

SENATE BILL 55**SECTION 3789**

1 payments is owed. In directing the manner of payment of the annual fee, the court
2 or family court commissioner shall order that the annual fee be withheld from income
3 and sent to the department or its designee, as provided under s. 767.265. All fees
4 collected under this paragraph shall be deposited in the appropriation account under
5 s. 20.445 (3) (ja). At the time of ordering the payment of an annual fee under this
6 paragraph, the court or family court commissioner shall notify each party ordered
7 to make payments of the requirement to pay the annual fee and of the amount of the
8 annual fee. If the annual fee under this paragraph is not paid when due, the
9 department or its designee may not deduct the annual fee from ~~the~~ any maintenance
10 ~~or~~ child or family support, or arrearage payment, but may move the court for a
11 remedial sanction under ch. 785.

12 ***-0529/6.12*** **SECTION 3790.** 767.29 (1) (dm) 1m. of the statutes is amended to
13 read:

14 767.29 (1) (dm) 1m. The department or its designee may collect any unpaid fees
15 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated
16 payment and collection system on December 31, 1998, and shall deposit all fees
17 collected under this subdivision in the appropriation account under s. 20.445 (3) (ja).
18 The department or its designee may collect unpaid fees under this subdivision
19 through income withholding under s. 767.265 (2m). If the department or its designee
20 determines that income withholding is inapplicable, ineffective, or insufficient for
21 the collection of any unpaid fees under this subdivision, the department or its
22 designee may move the court for a remedial sanction under ch. 785. The department
23 or its designee may contract with or employ a collection agency or other person for
24 the collection of any unpaid fees under this subdivision and, notwithstanding s.
25 20.930, may contract with or employ an attorney to appear in any action in state or

SENATE BILL 55**SECTION 3790**

1 federal court to enforce the payment obligation. The department or its designee may
2 not deduct the amount of unpaid fees from any maintenance ~~or~~ child or family
3 support, or arrearage payment.

4 ***-0441/6.45* SECTION 3791.** 767.29 (1m) (c) of the statutes is amended to read:

5 767.29 (1m) (c) The party entitled to the support or maintenance money or a
6 minor child of the party has applied for or is receiving aid to families with dependent
7 ~~children~~ aid under s. 46.261 or public assistance under ch. 49 and there is an
8 assignment to the state under s. 46.261 or 49.19 (4) (h) 1. b. of the party's right to the
9 support or maintenance money.

10 ***-0441/6.46* SECTION 3792.** 767.29 (2) of the statutes is amended to read:

11 767.29 (2) If any party entitled to maintenance payments or support money,
12 or both, is receiving public assistance under ch. 49, the party may assign the party's
13 right thereto to the county department under s. 46.215, 46.22, or 46.23 granting such
14 assistance. Such assignment shall be approved by order of the court granting the
15 maintenance payments or support money, and may be terminated in like manner;
16 except that it shall not be terminated in cases where there is any delinquency in the
17 amount of maintenance payments and support money previously ordered or
18 adjudged to be paid to the assignee without the written consent of the assignee or
19 upon notice to the assignee and hearing. When an assignment of maintenance
20 payments or support money, or both, has been approved by the order, the assignee
21 shall be deemed a real party in interest within s. 803.01 but solely for the purpose
22 of securing payment of unpaid maintenance payments or support money adjudged
23 or ordered to be paid, by participating in proceedings to secure the payment thereof.
24 Notwithstanding assignment under this subsection, and without further order of the
25 court, the department or its designee, upon receiving notice that a party or a minor

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1 child of the parties is receiving aid under s. 46.261 or public assistance under ch. 49
2 or that a kinship care relative or long-term kinship care relative of the minor child
3 is receiving kinship care payments or long-term kinship care payments for the minor
4 child, shall forward all support assigned under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b)
5 2., 49.19 (4) (h) 1., or 49.45 (19) to the assignee under s. 46.261, 48.57 (3m) (b) 2. or
6 (3n) (b) 2., 49.19 (4) (h) 1., or 49.45 (19).

7 ***-0441/6.47* SECTION 3793.** 767.29 (4) of the statutes is amended to read:

8 767.29 (4) If an order or judgment providing for the support of one or more
9 children not receiving aid under s. 46.261, 48.57 (3m) or (3n), or 49.19 includes
10 support for a minor who is the beneficiary of aid under s. 46.261, 48.57 (3m) or (3n),
11 or 49.19, any support payment made under the order or judgment is assigned to the
12 state under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., or 49.19 (4) (h) 1. b. in the amount
13 that is the proportionate share of the minor receiving aid under s. 46.261, 48.57 (3m)
14 or (3n), or 49.19, except as otherwise ordered by the court on the motion of a party.

15 ***-0426/4.51* SECTION 3794.** 767.62 (5) (b) of the statutes is amended to read:

16 767.62 (5) (b) If a court in a proceeding under par. (a) determines that the man
17 is not the father of the child, the court shall vacate any order entered under sub. (4)
18 with respect to the man. The court or the county child support agency under s. 59.53
19 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove
20 the man's name as the father of the child from the child's birth certificate. No
21 paternity action may thereafter be brought against the man with respect to the child.

22 ***-1394/2.76* SECTION 3795.** 778.02 of the statutes is amended to read:

23 **778.02 Action in name of state; complaint; attachment.** Every such
24 forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to
25 allege in the complaint that the defendant is indebted to the plaintiff in the amount

SENATE BILL 55**SECTION 3795**

1 of the forfeiture claimed, according to the provisions of the statute that imposes it,
2 specifying the statute and for the penalty assessment imposed by s. 757.05, the law
3 enforcement training fund assessment imposed by s. 165.87 (1), the jail assessment
4 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement
5 assessment imposed by s. 165.755, the enforcement assessment imposed under s.
6 253.06 (4) (c) or (5) (c), any applicable consumer ~~information~~ protection assessment
7 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.
8 973.055 (1). If the statute imposes a forfeiture for several offenses or delinquencies
9 the complaint shall specify the particular offense or delinquency for which the action
10 is brought, with a demand for judgment for the amount of the forfeiture, penalty
11 assessment, law enforcement training fund assessment, jail assessment, crime
12 laboratories and drug law enforcement assessment, any applicable enforcement
13 assessment, any applicable consumer ~~information~~ protection assessment, and any
14 applicable domestic abuse assessment. If the defendant is a nonresident of the state,
15 an attachment may issue.

****NOTE: This is reconciled s. 778.02. This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

16 ***-1394/2.77* SECTION 3796.** 778.03 of the statutes is amended to read:

17 **778.03 Complaint to recover forfeited goods.** In an action to recover
18 property forfeited by any statute it shall be sufficient to allege in the complaint that
19 the property has been forfeited, specifying the statute, with a demand of judgment
20 for the delivery of the property, or the value thereof and for payment of the penalty
21 assessment imposed by s. 757.05, the law enforcement training fund assessment
22 imposed by s. 165.87 (1), the jail assessment imposed by s. 302.46 (1), the crime
23 laboratories and drug law enforcement assessment imposed by s. 165.755, the

SENATE BILL 55**SECTION 3796**

1 enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable
2 consumer ~~information~~ protection assessment imposed by s. 100.261, and any
3 applicable domestic abuse assessment imposed by s. 973.055 (1).

****NOTE: This is reconciled s. 778.03. This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

4 ***-1394/2.78* SECTION 3797.** 778.06 of the statutes is amended to read:

5 **778.06 Action for what sum.** When a forfeiture is imposed, not exceeding a
6 specific sum or when it is not less than one sum or more than another, the action may
7 be brought for the highest sum specified and for the penalty assessment imposed by
8 s. 757.05, the law enforcement training fund assessment imposed by s. 165.87 (1), the
9 jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law
10 enforcement assessment imposed by s. 165.755, the enforcement assessment
11 imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer ~~information~~
12 protection assessment imposed by s. 100.261, and any applicable domestic abuse
13 assessment imposed by s. 973.055 (1); and judgment may be rendered for such sum
14 as the court or jury shall assess or determine to be proportionate to the offense.

****NOTE: This is reconciled s. 778.06. This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

15 ***-1394/2.79* SECTION 3798.** 778.10 of the statutes is amended to read:

16 **778.10 Municipal forfeitures, how recovered.** All forfeitures imposed by
17 any ordinance or regulation of any county, town, city, or village, or of any other
18 domestic corporation may be sued for and recovered, under this chapter, in the name
19 of the county, town, city, village, or corporation. It is sufficient to allege in the
20 complaint that the defendant is indebted to the plaintiff in the amount of the
21 forfeiture claimed, specifying the ordinance or regulation that imposes it and of the
22 penalty assessment imposed by s. 757.05, the law enforcement training fund

SENATE BILL 55**SECTION 3798**

1 assessment imposed by s. 165.87 (1), the jail assessment imposed by s. 302.46 (1), the
2 crime laboratories and drug law enforcement assessment imposed by s. 165.755, any
3 applicable consumer ~~information~~ protection assessment imposed by s. 100.261, and
4 any applicable domestic abuse assessment imposed by s. 973.055 (1). If the
5 ordinance or regulation imposes a penalty or forfeiture for several offenses or
6 delinquencies the complaint shall specify the particular offenses or delinquency for
7 which the action is brought, with a demand for judgment for the amount of the
8 forfeiture, the penalty assessment imposed by s. 757.05, the law enforcement
9 training fund assessment imposed by s. 165.87 (1), the jail assessment imposed by
10 s. 302.46 (1), the crime laboratories and drug law enforcement assessment imposed
11 by s. 165.755, any applicable consumer ~~information~~ protection assessment imposed
12 by s. 100.261, and any applicable domestic abuse assessment imposed by s. 973.055
13 (1). All moneys collected on the judgment shall be paid to the treasurer of the county,
14 town, city, village, or corporation, except that all jail assessments shall be paid to the
15 county treasurer.

****NOTE: This is reconciled s. 778.10. This SECTION has been affected by drafts with the following LRB numbers: –0454 and –1394.

16 ***–1394/2.80* SECTION 3799.** 778.105 of the statutes is amended to read:

17 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by
18 any court or any branch thereof for the violation of any municipal or county
19 ordinance shall be paid to the municipality or county. Penalty assessment payments
20 shall be made as provided in s. 757.05. Law enforcement training fund assessment
21 payments shall be made as provided in s. 165.87 (1). Jail assessment payments shall
22 be made as provided in s. 302.46 (1). Crime laboratories and drug law enforcement
23 assessment payments shall be paid as provided in s. 165.755. Domestic abuse

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1 assessments shall be made as provided in s. 973.055. Consumer information
2 protection assessment payments shall be made as provided in s. 100.261.

****NOTE: This is reconciled s. 778.105. This SECTION has been affected by drafts
with the following LRB numbers: –0454 and –1394.

3 ***–1394/2.81* SECTION 3800.** 778.13 of the statutes is amended to read:

4 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor
5 of the state for forfeiture, except the portion to be paid to any person who sues with
6 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the
7 county within which the forfeiture was incurred within 20 days after its receipt. In
8 case of any failure in the payment the county treasurer may collect the payment of
9 the officer by action, in the name of the office and upon the official bond of the officer,
10 with interest at the rate of 12% per year from the time when it should have been paid.
11 Penalty assessment payments shall be made as provided in s. 757.05. Law
12 enforcement training fund assessment payments shall be made as provided in s.
13 165.87 (1). Jail assessment payments shall be made as provided in s. 302.46 (1).
14 Crime laboratories and drug law enforcement assessment payments shall be paid as
15 provided in s. 165.755. Domestic abuse assessments shall be made as provided in s.
16 973.055. Enforcement assessments shall be made as provided in s. 253.06 (4) (c).
17 Consumer ~~information~~ protection assessment payments shall be made as provided
18 in s. 100.261.

****NOTE: This is reconciled s. 778.13. This SECTION has been affected by drafts
with the following LRB numbers: –0454 and –1394.

19 ***–1394/2.82* SECTION 3801.** 778.18 of the statutes is amended to read:

20 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her
21 own will, dismisses any action brought before the judge under this chapter, unless
22 by order of the district attorney or attorney general or the person joined as plaintiff

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1 with the state, or renders a less judgment therein than is prescribed by law, or
2 releases or discharges any such judgment or part thereof without payment or
3 collection, the judge and the judge's sureties shall be liable, in an action upon the
4 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture
5 imposed by the judge and for the penalty assessment imposed by s. 757.05, the law
6 enforcement training fund assessment imposed by s. 165.87 (1), the jail assessment
7 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement
8 assessment imposed by s. 165.755, any applicable consumer ~~information~~ protection
9 assessment imposed by s. 100.261, and any applicable domestic abuse assessment
10 imposed by s. 973.055 (1), or for an amount equal to the amount in which any such
11 judgment or any part thereof is released or discharged. If any municipal judge gives
12 time or delay to any person against whom any such judgment is rendered by the
13 judge, or takes any bond or security for its future payment, the judge and the judge's
14 sureties shall also be liable for the payment of the judgment upon the judge's bond.

****NOTE: This is reconciled s. 778.18. This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

15 ***-1394/2.83* SECTION 3802.** 778.25 (2) (g) of the statutes is amended to read:
16 778.25 (2) (g) Notice that, if the defendant makes a deposit and fails to appear
17 in court at the time fixed in the citation, the failure to appear will be considered
18 tender of a plea of no contest and submission to a forfeiture, penalty assessment, law
19 enforcement training fund assessment, jail assessment, and crime laboratories and
20 drug law enforcement assessment plus costs, including any applicable fees
21 prescribed in ch. 814, not to exceed the amount of the deposit. The notice shall also
22 state that the court may decide to summon the defendant or, if the defendant is an

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1 adult, issue an arrest warrant for the defendant rather than accept the deposit and
2 plea.

3 ***-1394/2.84* SECTION 3803.** 778.25 (3) of the statutes is amended to read:

4 778.25 (3) If a person is issued a citation under this section the person may
5 deposit the amount of money the issuing agent or officer directs by mailing or
6 delivering the deposit and a copy of the citation to the clerk of court of the county
7 where the violation occurred or the office or headquarters of the agent or officer who
8 issued the citation prior to the court appearance date. The basic amount of the
9 deposit shall be determined under a deposit schedule established by the judicial
10 conference. The judicial conference shall annually review and revise the schedule.
11 In addition to the basic amount determined by the schedule the deposit shall include
12 costs, including any applicable fees prescribed in ch. 814, penalty assessment, law
13 enforcement training fund assessment, jail assessment, and crime laboratories and
14 drug law enforcement assessment.

15 ***-1394/2.85* SECTION 3804.** 778.25 (5) of the statutes is amended to read:

16 778.25 (5) A person receiving a deposit shall prepare a receipt in triplicate
17 showing the purpose for which the deposit is made, stating that the defendant may
18 inquire at the office of the clerk of court regarding the disposition of the deposit, and
19 notifying the defendant that if he or she fails to appear in court at the time fixed in
20 the citation he or she will be deemed to have tendered a plea of no contest and
21 submitted to a forfeiture, penalty assessment, law enforcement training fund
22 assessment, jail assessment, and crime laboratories and drug law enforcement
23 assessment plus costs, including any applicable fees prescribed in ch. 814, not to
24 exceed the amount of the deposit which the court may accept. The original of the

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1 receipt shall be delivered to the defendant in person or by mail. If the defendant pays
2 by check, the check is the receipt.

3 ***-1394/2.86* SECTION 3805.** 778.25 (8) (b) of the statutes is amended to read:

4 778.25 (8) (b) If the defendant has made a deposit, the citation may serve as
5 the initial pleading and the defendant shall be considered to have tendered a plea
6 of no contest and submitted to a forfeiture, penalty assessment, law enforcement
7 training fund assessment, jail assessment, and crime laboratories and drug law
8 enforcement assessment plus costs, including any applicable fees prescribed in ch.
9 814, not exceeding the amount of the deposit. The court may either accept the plea
10 of no contest and enter judgment accordingly, or reject the plea and issue a summons
11 or arrest warrant, except if the defendant is a minor the court shall proceed under
12 s. 938.28. Chapter 938 governs taking and holding a minor in custody. If the court
13 accepts the plea of no contest, the defendant may move within 90 days after the date
14 set for appearance to withdraw the plea of no contest, open the judgment, and enter
15 a plea of not guilty if the defendant shows to the satisfaction of the court that failure
16 to appear was due to mistake, inadvertence, surprise, or excusable neglect. If a party
17 is relieved from the plea of no contest, the court or judge may order a written
18 complaint or petition to be filed. If on reopening the defendant is found not guilty,
19 the court shall delete the record of conviction and shall order the defendant's deposit
20 returned.

21 ***-1394/2.87* SECTION 3806.** 778.25 (10) of the statutes is amended to read:

22 778.25 (10) An officer collecting moneys for a forfeiture, penalty assessment,
23 law enforcement training fund assessment, jail assessment, crime laboratories and
24 drug law enforcement assessment, and costs under this section shall pay the same
25 to the appropriate municipal or county treasurer within 20 days after its receipt by

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1 the officer, except that all jail assessments shall be paid to the county treasurer. If
2 the officer fails to make timely payment, the municipal or county treasurer may
3 collect the payment from the officer by an action in the treasurer's name of office and
4 upon the official bond of the officer, with interest at the rate of 12% per year from the
5 time when it should have been paid.

6 ***-1394/2.88* SECTION 3807.** 778.26 (2) (e) of the statutes is amended to read:

7 778.26 (2) (e) The maximum forfeiture, penalty assessment, law enforcement
8 training fund assessment, jail assessment, and crime laboratories and drug law
9 enforcement assessment for which the defendant is liable.

10 ***-1394/2.89* SECTION 3808.** 778.26 (2) (g) of the statutes is amended to read:

11 778.26 (2) (g) Notice that, if the defendant makes a deposit and fails to appear
12 in court at the time specified in the citation, the failure to appear will be considered
13 tender of a plea of no contest and submission to a forfeiture, penalty assessment, law
14 enforcement training fund assessment, jail assessment, and crime laboratories and
15 drug law enforcement assessment plus costs not to exceed the amount of the deposit.
16 The notice shall also state that the court, instead of accepting the deposit and plea,
17 may decide to summon the defendant or may issue an arrest warrant for the
18 defendant upon failure to respond to a summons.

19 ***-1394/2.90* SECTION 3809.** 778.26 (2) (h) of the statutes is amended to read:

20 778.26 (2) (h) Notice that, if the defendant makes a deposit and signs the
21 stipulation, the stipulation will be treated as a plea of no contest and submission to
22 a forfeiture, penalty assessment, law enforcement training fund assessment, jail
23 assessment, and crime laboratories and drug law enforcement assessment plus costs
24 not to exceed the amount of the deposit. The notice shall also state that the court,
25 instead of accepting the deposit and stipulation, may decide to summon the

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1 defendant or issue an arrest warrant for the defendant upon failure to respond to a
2 summons, and that the defendant may, at any time prior to or at the time of the court
3 appearance date, move the court for relief from the effect of the stipulation.

4 ***-1394/2.91* SECTION 3810.** 778.26 (3) of the statutes is amended to read:

5 778.26 (3) A defendant issued a citation under this section may deposit the
6 amount of money the issuing officer directs by mailing or delivering the deposit and
7 a copy of the citation prior to the court appearance date to the clerk of the circuit court
8 in the county where the violation occurred or to the sheriff's office or police
9 headquarters of the officer who issued the citation. The basic amount of the deposit
10 shall be determined under a deposit schedule established by the judicial conference.
11 The judicial conference shall annually review and revise the schedule. In addition
12 to the basic amount determined by the schedule the deposit shall include the penalty
13 assessment, law enforcement training fund assessment, jail assessment, crime
14 laboratories and drug law enforcement assessment, and costs.

15 ***-1394/2.92* SECTION 3811.** 778.26 (4) of the statutes is amended to read:

16 778.26 (4) A defendant may make a stipulation of no contest by submitting a
17 deposit and a stipulation in the manner provided by sub. (3) prior to the court
18 appearance date. The signed stipulation is a plea of no contest and submission to a
19 forfeiture plus the penalty assessment, law enforcement training fund assessment,
20 jail assessment, crime laboratories and drug law enforcement assessment, and costs
21 not to exceed the amount of the deposit.

22 ***-1394/2.93* SECTION 3812.** 778.26 (5) of the statutes is amended to read:

23 778.26 (5) Except as provided by sub. (6), a person receiving a deposit shall
24 prepare a receipt in triplicate showing the purpose for which the deposit is made,
25 stating that the defendant may inquire at the office of the clerk of the circuit court

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1 regarding the disposition of the deposit, and notifying the defendant that if he or she
2 fails to appear in court at the time specified in the citation he or she shall be
3 considered to have tendered a plea of no contest and submitted to a forfeiture,
4 penalty assessment, law enforcement training fund assessment, jail assessment,
5 and crime laboratories and drug law enforcement assessment plus costs not to exceed
6 the amount of the deposit and that the court may accept the plea. The original of the
7 receipt shall be delivered to the defendant in person or by mail. If the defendant pays
8 by check, the canceled check is the receipt.

9 ***-1394/2.94* SECTION 3813.** 778.26 (6) of the statutes is amended to read:

10 778.26 (6) The person receiving a deposit and stipulation of no contest shall
11 prepare a receipt in triplicate showing the purpose for which the deposit is made,
12 stating that the defendant may inquire at the office of the clerk of the circuit court
13 regarding the disposition of the deposit, and notifying the defendant that if the
14 stipulation of no contest is accepted by the court the defendant will be considered to
15 have submitted to a forfeiture, penalty assessment, law enforcement training fund
16 assessment, jail assessment, and crime laboratories and drug law enforcement
17 assessment plus costs not to exceed the amount of the deposit. Delivery of the receipt
18 shall be made in the same manner as provided in sub. (5).

19 ***-1394/2.95* SECTION 3814.** 778.26 (7) (b) of the statutes is amended to read:

20 778.26 (7) (b) If the defendant has made a deposit, the citation may serve as
21 the initial pleading and the defendant shall be considered to have tendered a plea
22 of no contest and submitted to a forfeiture, penalty assessment, law enforcement
23 training fund assessment, jail assessment, and crime laboratories and drug law
24 enforcement assessment plus costs not to exceed the amount of the deposit. The court
25 may either accept the plea of no contest and enter judgment accordingly, or reject the

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1 plea and issue a summons. If the defendant fails to appear in response to the
2 summons, the court shall issue an arrest warrant. If the court accepts the plea of no
3 contest, the defendant may, within 90 days after the date set for appearance, move
4 to withdraw the plea of no contest, open the judgment, and enter a plea of not guilty
5 if the defendant shows to the satisfaction of the court that failure to appear was due
6 to mistake, inadvertence, surprise, or excusable neglect. If a defendant is relieved
7 from the plea of no contest, the court may order a written complaint or petition to be
8 filed. If on reopening the defendant is found not guilty, the court shall delete the
9 record of conviction and shall order the defendant's deposit returned.

10 ***-1394/2.96* SECTION 3815.** 778.26 (7) (c) of the statutes is amended to read:

11 778.26 (7) (c) If the defendant has made a deposit and stipulation of no contest,
12 the citation serves as the initial pleading and the defendant shall be considered to
13 have tendered a plea of no contest and submitted to a forfeiture, penalty assessment,
14 law enforcement training fund assessment, jail assessment, and crime laboratories
15 and drug law enforcement assessment plus costs not to exceed the amount of the
16 deposit. The court may either accept the plea of no contest and enter judgment
17 accordingly, or reject the plea and issue a summons or an arrest warrant. After
18 signing a stipulation of no contest, the defendant may, at any time prior to or at the
19 time of the court appearance date, move the court for relief from the effect of the
20 stipulation. The court may act on the motion, with or without notice, for cause shown
21 by affidavit and upon just terms, and relieve the defendant from the stipulation and
22 the effects of the stipulation.

23 ***-1394/2.97* SECTION 3816.** 778.26 (9) of the statutes is amended to read:

24 778.26 (9) An officer who collects a forfeiture, penalty assessment, law
25 enforcement training fund assessment, jail assessment, and crime laboratories and