

SENATE BILL 55**SECTION 3642**

1 ***-0650/6.14*** **SECTION 3642.** 560.138 (5) of the statutes is amended to read:

2 560.138 (5) The department shall deposit into the appropriation account under
3 s. 20.143 (1) ~~(id)~~ (ig) all moneys received in repayment of loans made under this
4 section.

5 ***-1864/6.2*** **SECTION 3643.** 560.139 (1) (a) of the statutes is renumbered
6 560.139 (1) (a) 1. and amended to read:

7 560.139 (1) (a) 1. Subject to ~~par. (b)~~ subd. 2., from the appropriation under s.
8 20.143 (1) (kj) ~~or (km) or from both appropriations~~, the department shall make grants
9 to the city of Milwaukee to fund a program to be administered by the Milwaukee
10 Economic Development Corporation. Under the program, the Milwaukee Economic
11 Development Corporation shall provide grants to persons for remediation and
12 economic redevelopment projects in the Menomonee valley. A person may not receive
13 a grant unless the person provides matching funds for at least 50% of the cost of the
14 project.

 ****NOTE: This is reconciled s. 560.139 (1) (a) 1. This SECTION has been affected by
drafts with the following LRB numbers: LRB-0650/4 and LRB-1864/5.

15 ***-1864/6.3*** **SECTION 3644.** 560.139 (1) (b) of the statutes is renumbered
16 560.139 (1) (a) 2. and amended to read:

17 560.139 (1) (a) 2. The department may not expend more than \$900,000 in
18 grants to the city of Milwaukee under this subsection paragraph.

19 ***-1864/6.4*** **SECTION 3645.** 560.139 (1) (c) of the statutes is created to read:

20 560.139 (1) (c) 1. From the appropriation under section 20.143 (1) (qm) of the
21 statutes, the department shall make a grant of \$375,000 in fiscal year 2001-02 and
22 a grant of \$375,000 in fiscal year 2002-03 to the Milwaukee Economic Development
23 Corporation and a grant of \$375,000 in fiscal year 2001-02 and a grant of \$375,000

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1 in fiscal year 2002-03 to the Menomonee Valley Partners, Inc. The grants in fiscal
2 year 2001-02 shall be made no later than 120 days after the effective date of this
3 subdivision [revisor inserts date], and the grants in fiscal year 2002-03 shall be
4 made no later than October 1, 2002.

5 2. The proceeds of the grants under subd. 1. must be used to fund projects that
6 are selected for funding on the basis of the degree of blight and underused economic
7 potential in the area, the area's potential for redevelopment, and the project's
8 compatibility with the Menomonee Valley land use plan. The grant proceeds may be
9 used to fund the cost of acquisitions, demolition, environmental assessments,
10 removal of underground storage tanks and abandoned containers, site
11 investigations, cleanup, and monitoring, and other costs associated with such
12 activities.

13 3. A person may not receive for a project a grant from the Milwaukee Economic
14 Development Corporation or the Menomonee Valley Partners, Inc., that is funded
15 with the proceeds of a grant under subd. 1. unless the person provides matching
16 funds at least equal to the amount of the grant received by the person.

17 *-0650/6.15* SECTION 3646. 560.139 (2) (a) of the statutes is amended to read:

18 560.139 (2) (a) From the appropriation under s. 20.143 (1) (kj) ~~or (km) or from~~
19 ~~both appropriations~~, the department shall make grants to the Northwest Regional
20 Planning Commission to match federal or private funds for the purpose of
21 establishing a community-based venture fund. Subject to par. (b), the department
22 shall provide grants in an amount that equals 50% of the total amount that the
23 Northwest Regional Planning Commission receives in the year from federal or
24 private sources for the community-based venture fund.

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***-1736/2.3* SECTION 3649.** 560.155 (1) (intro.) of the statutes is amended to

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read:

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560.155 (1) (intro.) Subject to sub. (2), from the appropriation under s. 20.143

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(1) (kp) the department may award a grant to a business if all of the following apply:

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***b0673/1.2* SECTION 3650m.** 560.165 of the statutes is repealed and recreated

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to read:

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560.165 International services; assessments. The department may assess

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a state agency on a premium basis for the cost of services that are provided by the

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department's international liaison and that are requested by the state agency. Any

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premium charged by the department under this ~~section~~ section must be agreed to by the

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state agency paying the premium. The department shall credit all moneys received

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from state agencies under this section to the appropriation account under s. 20.143

14

(1) (k).

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***-0653/1.1* SECTION 3653.** 560.167 (1) (a) of the statutes is amended to read:

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560.167 (1) (a) "Eligible business" means a business operating in this state that

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manufactures a product or performs a service, or both, with a potential to be exported

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and that, together with all of its affiliates and subsidiaries ~~and its parent company,~~

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had gross annual sales of \$25,000,000 or less in the calendar year preceding the year

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in which it applies for a reimbursement under this section.

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***-0653/1.2* SECTION 3654.** 560.167 (1) (d) of the statutes is created to read:

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560.167 (1) (d) "United States trade show" means a trade event held in the

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United States that brings prospective foreign buyers to a central location and that

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is certified or coordinated by the U.S. department of commerce or the department.

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1 ***-0653/1.3*** **SECTION 3655.** 560.167 (2) (intro.) of the statutes is amended to
2 read:

3 560.167 (2) (intro.) Subject to ~~sub.~~ subs. (2m) and (5), the department may
4 make reimbursements totaling no more than \$100,000 in a fiscal year from the
5 appropriations under s. 20.143 (1) (c) and (ie) to eligible businesses for any of the
6 following:

7 ***-0653/1.4*** **SECTION 3656.** 560.167 (2) (a) of the statutes is amended to read:

8 560.167 (2) (a) Fees for participation in a trade show, U.S. trade show, or
9 matchmaker trade delegation event.

10 ***-0653/1.5*** **SECTION 3657.** 560.167 (2) (b) of the statutes is amended to read:

11 560.167 (2) (b) Costs associated with shipping displays, sample products,
12 catalogs, or advertising material to a trade show, U.S. trade show, or matchmaker
13 trade delegation event.

14 ***-0653/1.6*** **SECTION 3658.** 560.167 (2) (c) of the statutes is amended to read:

15 560.167 (2) (c) Costs incurred at a trade show, U.S. trade show, or matchmaker
16 trade delegation event for utilities, booth construction, or necessary modifications or
17 repairs.

18 ***-0653/1.7*** **SECTION 3659.** 560.167 (2) (d) of the statutes is amended to read:

19 560.167 (2) (d) Costs associated with foreign language translation of brochures
20 or product information or with the use of translation services at a trade show, U.S.
21 trade show, or matchmaker trade delegation event.

22 ***-0653/1.8*** **SECTION 3660.** 560.167 (2m) of the statutes is created to read:

23 560.167 (2m) The department may reimburse the fees and costs under sub. (2)
24 that are related to participation in a U.S. trade show only if the eligible business

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1 seeking reimbursement for its participation has developed a high-technology
2 product with worldwide application.

3 ***-0653/1.9* SECTION 3661.** 560.167 (5) (b) of the statutes is amended to read:

4 560.167 (5) (b) Reimburse an eligible business more than \$5,000 for
5 participation in a trade show, U.S. trade show, or matchmaker trade delegation
6 event.

7 ***-0653/1.10* SECTION 3662.** 560.167 (5) (c) of the statutes is amended to read:

8 560.167 (5) (c) Reimburse an eligible business for participating more than one
9 time in the same trade show, U.S. trade show, or matchmaker trade delegation event
10 held at different times or in different locations.

11 ***-0653/1.11* SECTION 3663.** 560.167 (6) of the statutes is amended to read:

12 560.167 (6) An eligible business that is approved for a reimbursement under
13 sub. (4) shall provide to the department, within 90 days after the trade show, U.S.
14 trade show, or matchmaker trade delegation event for which the reimbursement is
15 sought, documentation detailing the costs for which the reimbursement is sought.

16 ***-0649/2.1* SECTION 3664.** 560.17 (7) (e) of the statutes is created to read:

17 560.17 (7) (e) If the board awards, and the department makes, a grant under
18 sub. (3) or (5c), the department may contract directly with and pay grant proceeds
19 directly to any person providing technical or management assistance to the grant
20 recipient.

21 ***-0649/2.2* SECTION 3665.** 560.175 (7) of the statutes is created to read:

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

25 ***-0645/3.5* SECTION 3667.** 560.183 (title) of the statutes is amended to read:

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1 **560.183** (title) **Physician and dentist loan assistance program.**

2 ***-0645/3.6*** **SECTION 3668.** 560.183 (1) (ad) of the statutes is created to read:

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

6 ***-0645/3.7*** **SECTION 3669.** 560.183 (1) (ae) of the statutes is created to read:

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

9 ***-0645/3.8*** **SECTION 3670.** 560.183 (2) (a) of the statutes is amended to read:

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

14 ***-0645/3.9*** **SECTION 3671.** 560.183 (2) (b) of the statutes is amended to read:

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

19 ***-0645/3.10*** **SECTION 3672.** 560.183 (3) (a) of the statutes is amended to read:

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

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1 at a public or private nonprofit entity in a health professional shortage area. The
2 physician shall also agree to care for patients who are insured or for whom health
3 benefits are payable under medicare, medical assistance, or any other governmental
4 program.

5 ***-0645/3.11* SECTION 3673.** 560.183 (3) (am) of the statutes is created to read:

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

11 ***-0645/3.12* SECTION 3674.** 560.183 (5) (b) 1. of the statutes is amended to
12 read:

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

18 ***-0645/3.13* SECTION 3675.** 560.183 (5) (b) 2. of the statutes is amended to
19 read:

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

24 ***-0645/3.14* SECTION 3676.** 560.183 (5) (b) 3. of the statutes is amended to
25 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 ***b0400/4.4* SECTION 3690b.** 560.184 (1) (ag) of the statutes is created to read:
24 560.184 (1) (ag) "Dental health shortage area" has the meaning given in s.
25 560.183 (1) (ad).

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SECTION 3690c

1 ***b0400/4.4* SECTION 3690c.** 560.184 (1) (aj) of the statutes is created to read:
2 560.184 (1) (aj) “Dental hygienist” means an individual licensed under s.
3 447.04 (2).

4 ***b0400/4.4* SECTION 3690d.** 560.184 (1) (am) of the statutes is amended to
5 read:

6 560.184 (1) (am) “Eligible practice area” means a primary care shortage area,
7 an American Indian reservation, or trust lands of an American Indian tribe, except
8 that with respect to a dental hygienist “eligible practice area” means a dental health
9 shortage area.

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

11 560.184 (1) (b) “Health care provider” means a dental hygienist, physician
12 assistant, nurse–midwife, or nurse practitioner.

13 ***b0400/4.4* SECTION 3690f.** 560.184 (3) (a) of the statutes is amended to read:

14 560.184 (3) (a) The department shall enter into a written agreement with the
15 health care provider. In the agreement, the health care provider shall agree to
16 practice at least 32 clinic hours per week for 3 years in one or more eligible practice
17 areas in this state, except that a health care provider in the expanded loan assistance
18 program under sub. (8) who is not a dental hygienist may only agree to practice at
19 a public or private nonprofit entity in a health professional shortage area.

20 ***b0400/4.4* SECTION 3690g.** 560.184 (5) (b) 1. of the statutes is amended to
21 read:
22 20 X-SPC

23 560.184 (5) (b) 1. The degree to which there is an extremely high need for
24 medical care in the eligible practice area or health professional shortage area in
25 which an eligible applicant who is not a dental hygienist desires to practice and the

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1 degree to which there is an extremely high need for dental care in the dental health
2 shortage area in which an eligible applicant who is a dental hygienist desires to
3 practice.

4 *b0400/4.4* **SECTION 3690h.** 560.184 (7) (a) of the statutes is amended to read:

5 560.184 (7) (a) Advise the department and council on the identification of
6 communities with an extremely high need for health care, including dental health
7 care.

8 *b0400/4.4* **SECTION 3690i.** 560.184 (8) (c) 2. and 3. of the statutes are
9 amended to read:

10 560.184 (8) (c) 2. Use a sliding fee scale or a comparable method of determining
11 payment arrangements for patients who are not eligible for medicare or medical
12 assistance and who are unable to pay the customary fee for the physician's health
13 care provider's services.

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

17 *–0645/3.29* **SECTION 3691.** 560.185 (1) of the statutes is amended to read:

18 560.185 (1) Advise the department on matters related to the physician and
19 dentist loan assistance program under s. 560.183 and the health care provider loan
20 assistance program under s. 560.184.

21 *–1735/2.4* **SECTION 3692.** 560.25 (2) (intro.) of the statutes is amended to
22 read:

23 560.25 (2) GRANTS. (intro.) Subject to subs. sub. (4) and ~~(5)~~, the department
24 may make a grant from the appropriation under s. 20.143 (1) ~~(ie)~~ (ko) to a

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SECTION 3692

1 technology-based nonprofit organization to provide support for a manufacturing
2 extension center if all of the following apply:

3 ***-1735/2.5* SECTION 3693.** 560.25 (5) of the statutes is repealed.

4 ***-0654/1.1* SECTION 3694.** 560.42 (5) of the statutes is repealed and recreated
5 to read:

6 560.42 (5) REPORT. Beginning in 2003 and biennially thereafter, the center
7 shall prepare a report describing its activities under this section since the period
8 covered in the previous report. The department shall submit the report with the
9 report required under s. 560.55. The report may include recommendations for the
10 legislature, governor, public records board, and regulatory agencies on simplifying
11 the process of applying for permits, of reviewing and making determinations on
12 permit applications, and of issuing permits, and shall include information on the
13 number of requests for assistance, the types of assistance provided, and the center's
14 success in resolving conflicts in permit application and review processes.

15 ***-0654/1.2* SECTION 3695.** 560.42 (6) of the statutes is repealed.

16 ***-1881/4.5* SECTION 3696.** 560.44 (2) of the statutes is amended to read:

17 560.44 (2) ADMINISTRATION OF BROWNFIELDS GRANT PROGRAM PROGRAMS. The
18 center shall assist in administering the grant program under s. 560.13 and in
19 administering grants and loans under s. 560.138 that are made for brownfields
20 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.

21 ***-0654/1.3* SECTION 3697.** 560.55 (1) of the statutes is repealed.

22 ***-0654/1.4* SECTION 3698.** 560.55 (2) of the statutes is renumbered 560.55 and
23 amended to read:

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

12 *~~0667/5.14~~* **SECTION 3700.** 560.70 (7) of the statutes is renumbered 560.70
13 (7) (a) and amended to read:

14 560.70 (7) (a) ~~“Tax~~ Except as provided in par. (b), “tax benefits” means the
15 development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx), ~~except~~
16 ~~that in.~~

17 (b) In s. 560.795, “tax benefits” means the development zones investment credit
18 under ss. 71.07 (2di), 71.28 (1di), and 71.47 (1di) and the development zones credit
19 under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx). With respect to the development
20 opportunity zone under s. 560.795 (1) (e), “tax benefits” also means the development
21 zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

22 *~~0667/5.15~~* **SECTION 3701.** 560.795 (1) (e) of the statutes is created to read:
23 560.795 (1) (e) An area in the city of Milwaukee, the legal description of which
24 is provided to the department by the local governing body of the city of Milwaukee.

25 *~~0667/5.16~~* **SECTION 3702.** 560.795 (2) (a) of the statutes is amended to read:

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

10 ***-0667/5.17*** **SECTION 3703.** 560.795 (2) (b) 5. of the statutes is created to read:
11 560.795 (2) (b) 5. The limit for tax benefits for the development opportunity
12 zone under sub. (1) (e) is \$4,700,000.

13 ***-0667/5.18*** **SECTION 3704.** 560.795 (3) (a) 4. of the statutes is created to read:
14 560.795 (3) (a) 4. Any corporation that is conducting or that intends to conduct
15 economic activity in a development opportunity zone under sub. (1) (e) and that, in
16 conjunction with the local governing body of the city in which the development
17 opportunity zone is located, submits a project plan as described in par. (b) to the
18 department shall be entitled to claim tax benefits while the area is designated as a
19 development opportunity zone.

20 ***-0667/5.19*** **SECTION 3705.** 560.795 (3) (c) of the statutes is amended to read:
21 560.795 (3) (c) The department shall notify the department of revenue of all
22 corporations entitled to claim tax benefits under this ~~section~~ subsection.

23 ***-0667/5.20*** **SECTION 3706.** 560.795 (3) (d) of the statutes is amended to read:

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

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

6 560.795 (4) (a) (intro.) The department shall revoke the entitlement of a
7 corporation to claim tax benefits under ~~this section sub. (3)~~ if the corporation does
8 any of the following:

9 ***-0667/5.22*** **SECTION 3708.** 560.795 (5) of the statutes is created to read:

10 560.795 (5) **CERTIFICATION BASED ON THE ACTIVITY OF ANOTHER.** (a) The
11 department may certify for tax benefits a person that is conducting economic activity
12 in the development opportunity zone under sub. (1) (e) and that is not otherwise
13 entitled to claim tax benefits if all of the following apply:

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

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

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

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

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

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

6 (d) The department annually shall verify information submitted to the
7 department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), or 71.47 (1dm) or
8 (1dx).

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

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

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

17 ***-0652/2.1* SECTION 3709.** 560.80 (4) (a) and (b) of the statutes are
18 consolidated, renumbered 560.80 (4) and amended to read:

19 560.80 (4) “Eligible development project costs” means costs that, in accordance
20 with sound business and financial practices, are appropriately incurred in
21 connection with a development project or a recycling development project.—(b)
22 “Eligible development project costs”, but does not include entertainment expenses or
23 expenses incurred more than 6 months before the board approves a grant or loan
24 under s. 560.83 or 560.835.

25 ***-0649/2.3* SECTION 3710.** 560.80 (5) of the statutes is amended to read:

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1 560.80 (5) "Eligible recipient" means a person who is eligible to receive a grant
2 under s. 560.82 (5) (a) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or
3 560.835.

4 *~~0649/2.4~~* SECTION 3711. 560.82 (5) of the statutes is renumbered 560.82 (5)
5 (a).

6 *~~0649/2.5~~* SECTION 3712. 560.82 (5) (b) of the statutes is created to read:
7 560.82 (5) (b) If the department awards a grant under sub. (1), the department
8 may contract directly with and pay grant proceeds directly to any person providing
9 technical or management assistance to the grant recipient.

10 *~~1856/6.8~~* SECTION 3713. 560.96 of the statutes is created to read:

11 **560.96 Technology zones. (1)** In this section, "tax credit" means a credit
12 under s. 71.07 (3g), 71.28 (3g), or 71.47 (3g).

13 (2) (a) The department may designate up to 3 areas in the state as technology
14 zones and may, with the approval of the joint committee on finance, designate up to
15 6 more areas as technology zones. ^{please check spc} A business that is located in a technology zone
16 and that is certified by the department under sub. (3) is eligible for a tax credit as
17 provided in sub. (3).

18 (b) The designation of an area as a technology zone shall be in effect for 10 years
19 from the time that the department first designates the area. However, not more than
20 \$3,000,000 in tax credits may be claimed in a technology zone. The department may
21 change the boundaries of a technology zone during the time that its designation is
22 in effect. A change in the boundaries of a technology zone does not affect the duration
23 of the designation of the area or the maximum tax credit amount that may be claimed
24 in the technology zone.

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

- 3 1. The business is located in the technology zone.
- 4 2. The business is a new or expanding business.
- 5 3. The business is a high–technology business.

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

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

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

21 (d) The department shall enter into an agreement with a business that is
22 certified under this subsection. The agreement shall specify the limit on the amount
23 of tax credits that the business may claim, the extent and type of growth, which shall
24 be specific to the business, that the business must experience to extend its eligibility
25 for a tax credit, the business' baseline against which that growth will be measured,

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1 any other conditions that the business must satisfy to extend its eligibility for a tax
2 credit, and reporting requirements with which the business must comply.

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

5 1. A technology zone's designation.

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

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

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

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

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

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

16 1. New or expanding business.

17 2. High-technology business.

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

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

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

25 (f) Reporting requirements for certified businesses.

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1 (g) The exchange of information between the department of commerce and the
2 department of revenue.

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

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

5 ***b0375/1.1* SECTION 3713p.** 562.057 (4m) (a) 1. of the statutes is renumbered
6 562.057 (4m) (a) and amended to read:

7 562.057 (4m) (a) ~~For a racetrack at which \$25,000,000 or more was wagered~~
8 during ~~During~~ the calendar year immediately preceding the year in which the
9 applicant proposes to conduct wagering on simulcast races, at least ~~250~~ 275 race
10 performances were conducted at the racetrack ~~during that period.~~

11 ***b0375/1.1* SECTION 3713q.** 562.057 (4m) (a) 2. of the statutes is repealed.

12 ***b0375/1.1* SECTION 3713r.** 562.057 (4m) (b) of the statutes is repealed.

13 ***b0376/1.1* SECTION 3713k.** 563.04 (14) of the statutes is created to read:

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

16 ***b0376/1.1* SECTION 3713kg.** 563.92 (1m) of the statutes is amended to read:

17 563.92 (1m) The department may issue a Class A license for the conduct of a
18 raffle in which some or all of the tickets for that raffle are sold on days other than the
19 same day as the raffle drawing and in which equal shares of a single ticket may be
20 sold to one or more purchasers. The department may issue a Class B license for the
21 conduct of a raffle in which all of the tickets for that raffle are sold on the same day
22 as the raffle drawing.

23 ***b0376/1.1* SECTION 3713km.** 563.93 (2) of the statutes is amended to read:

24 563.93 (2) No raffle ticket may exceed ~~\$50~~ \$100 in cost.

25 ***b0376/1.1* SECTION 3713kp.** 563.93 (9) of the statutes is created to read:

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1 563.93 (9) If a person who holds a Class A license sells equal shares of a single
2 ticket to one or more purchasers, the person shall, prior to the raffle drawing for
3 which the shares were sold, purchase any shares of the ticket that have not been sold.

4

X-gpc

5 ***b0624/1.5* SECTION 3733r.** 601.41 (1) of the statutes is amended to read:

6 601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to
7 655 and ss. 59.52 (11) (c), 66.0137 (4) and (4m), 120.13 (2) (b) to (g), 149.13 and
8 149.144 and shall act as promptly as possible under the circumstances on all matters
9 placed before the commissioner.

10 ***-0476/1.1* SECTION 3735.** 601.47 (2) of the statutes is amended to read:

11 601.47 (2) ANNUAL REPORT. The commissioner shall determine the form for ~~and~~
12 ~~have printed~~ the report required in s. 601.46 (3), in number sufficient and shall have
13 the report published in sufficient quantity to meet all requests for copies. The
14 commissioner shall distribute copies upon request to any person who pays the
15 reasonable price thereof determined for the report under sub. (1).

16

X-gpc

17 ***-2389/1.5* SECTION 3749.** 614.80 of the statutes is amended to read:

18 **614.80 Tax exemption.** Every domestic and nondomestic fraternal, except
19 those that offer a health maintenance organization as defined in s. 609.01 (2) or a
20 limited service health organization as defined in s. 609.01 (3) is exempt from all state,
21 county, district, municipal and school taxes or fees, except the fees required by s.
22 601.31 (2), but is required to pay all taxes and special assessments on its real estate
23 and office equipment, except as provided in ss. 70.11 (4) and 70.1105 (1).

24

X-gpc

25 ***b0624/1.6* SECTION 3761r.** 632.895 (10) (a) of the statutes is amended to read:

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1 632.895 (10) (a) Except as provided in par. (b), every disability insurance policy
2 and every health care benefits plan provided on a self-insured basis by a county
3 board under s. 59.52 (11), by a city or village under s. 66.0137 (4), by a political
4 subdivision under s. 66.0137 (4m), by a town under s. 60.23 (25), or by a school district
5 under s. 120.13 (2) shall provide coverage for blood lead tests for children under 6
6 years of age, which shall be conducted in accordance with any recommended lead
7 screening methods and intervals contained in any rules promulgated by the
8 department of health and family services under s. 254.158.

9 *~~1552/5.62~~* **SECTION 3768.** 704.05 (5) (a) 2. of the statutes is amended to read:
10 704.05 (5) (a) 2. Give the tenant notice, personally or by ordinary mail
11 addressed to the tenant's last-known address, of the landlord's intent to dispose of
12 the ~~personalty~~ personal property by sale or other appropriate means if the property
13 is not repossessed by the tenant. If the tenant fails to repossess the property within
14 30 days after the date of personal service or the date of the mailing of the notice, the
15 landlord may dispose of the property by private or public sale or any other
16 appropriate means. The landlord may deduct from the proceeds of sale any costs of
17 sale and any storage charges if the landlord has first stored the personalty under
18 subd. 1. If the proceeds minus the costs of sale and minus any storage charges are
19 not claimed within 60 days after the date of the sale of the personalty, the landlord
20 is not accountable to the tenant for any of the proceeds of the sale or the value of the
21 property. The landlord shall send the proceeds of the sale minus the costs of the sale
22 and minus any storage charges to the department of administration for deposit in the
23 appropriation under s. 20.505 (7) (~~gm~~) (h).

24 *~~1335/7.65~~* **SECTION 3769.** 704.31 (3) of the statutes is amended to read:

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1 704.31 (3) This section does not apply to a lease to which a local professional
2 baseball park district created under subch. III of ch. 229 or the Fox River
3 Navigational System Authority is a party.

4 *~~1394/2.69~~* SECTION 3774. 757.05 (1) (a) of the statutes is amended to read:

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

14 *~~b0338/1.5~~* SECTION 3774c. 757.05 (1) (a) of the statutes, as affected by 2001
15 Wisconsin Act (this act), is amended to read:

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

25 *~~1394/2.70~~* SECTION 3775. 757.05 (1) (b) of the statutes is amended to read:

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

6 *~~1394/2.71~~* SECTION 3776. 757.05 (1) (c) of the statutes is amended to read:

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

12 *~~1394/2.72~~* SECTION 3777. 757.05 (1) (d) of the statutes is amended to read:

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

19 *~~b0627/2.28~~* SECTION 3777n. 757.05 (2) (a) of the statutes is amended to read:

20 757.05 (2) (a) *Law enforcement training fund.* ~~Twenty-seven fifty-fifths~~
21 Eleven twenty-fourths of all moneys collected from penalty assessments under sub.
22 (1) shall be credited to the appropriation account under s. 20.455 (2) (i) and utilized
23 in accordance with ss. 20.455 (2) and 165.85 (5). The moneys credited to the
24

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1 appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s.
2 20.455 (2) (jb), constitute the law enforcement training fund.

3 ***b0244/1.2* SECTION 3780q.** 757.69 (8) of the statutes is created to read:

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

10 ***b0703/1.1* SECTION 3780g.** 757.57 (5) of the statutes is amended to read:

11 757.57 (5) Except as provided in SCR 71.04 (4), every reporter, upon the request
12 of any party to an action or proceeding, shall make a typewritten transcript, and as
13 many copies thereof as the party requests, of the testimony and proceedings reported
14 by him or her in the action or proceeding, or any part thereof specified by the party,
15 the transcript and each copy thereof to be duly certified by him or her to be a correct
16 transcript thereof. For the transcripts the reporter is entitled to receive the fees
17 prescribed in s. 814.69 (1) (b) and (bm).

18 ***-1857/5.120* SECTION 3781.** 758.19 (7) of the statutes is amended to read:

19 758.19 (7) The director of state courts shall adopt, revise biennially and submit
20 to the cochairpersons of the joint committee on information policy and technology, the
21 governor and the ~~secretary of administration~~ department of electronic government,
22 no later than September 15 of each even-numbered year, a strategic plan for the
23 utilization of information technology to carry out the functions of the courts and
24 judicial branch agencies, as defined in s. 16.70 (5). The plan shall address the
25 business needs of the courts and judicial branch agencies and shall identify all

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1 resources relating to information technology which the courts and judicial branch
2 agencies desire to acquire, contingent upon funding availability, the priority for such
3 acquisitions and the justification for such acquisitions. The plan shall also identify
4 any changes in the functioning of the courts and judicial branch agencies under the
5 plan.

6 ***-0426/4.47* SECTION 3782.** 765.12 (1) of the statutes is renumbered 765.12
7 (1) (a) and amended to read:

8 765.12 (1) (a) If ss. 765.02, 765.05, 765.08, and 765.09 are complied with, and
9 if there is no prohibition against or legal objection to the marriage, the county clerk
10 shall issue a marriage license. With each marriage license the county clerk shall
11 provide a pamphlet describing the causes and effects of fetal alcohol syndrome. After
12 the application for the marriage license the clerk shall, upon the sworn statement
13 of either of the applicants, correct any erroneous, false or insufficient statement in
14 the marriage license or in the application therefor which shall come to the clerk's
15 attention prior to the marriage and shall show the corrected statement as soon as
16 reasonably possible to the other applicant.

17 ***-0426/4.48* SECTION 3783.** 765.12 (1) (b) of the statutes is created to read:

18 765.12 (1) (b) If, after completion of the marriage license application, one of the
19 applicants notifies the clerk in writing that any of the information provided by that
20 applicant for the license is erroneous, the clerk shall notify the other applicant of the
21 correction as soon as reasonably possible. If the marriage license has not been
22 issued, the clerk shall prepare a new license with the correct information entered.
23 If the marriage license has been issued, the clerk shall immediately send a letter of
24 correction to the state registrar to amend the erroneous information.

25 ***-0426/4.49* SECTION 3784.** 765.12 (1) (c) of the statutes is created to read:

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1 765.12 (1) (c) If, after completion of the marriage license application, the clerk
2 discovers that correct information has been entered erroneously, the clerk shall, if
3 the marriage license has not been issued, prepare a new license with the correct
4 information correctly entered. If the marriage license has been issued, the clerk shall
5 immediately send a letter of correction to the state registrar to amend the erroneous
6 information.

7 *~~0426/4.50~~* SECTION 3785. 765.13 of the statutes is amended to read:

8 **765.13 Form of marriage document.** The marriage document shall contain
9 the social security number of each party, as well as any other informational items
10 that the department of health and family services determines are necessary and
11 shall agree in the main with the standard form recommended by the federal agency
12 responsible for national vital statistics. It consist of the marriage license and the
13 marriage license worksheet. The marriage license shall contain a notification of the
14 time limits of the authorization to marry, a notation that the issue of the marriage
15 license shall not be deemed to remove or dispense with any legal disability,
16 impediment or prohibition rendering marriage between the parties illegal, and the
17 signature of the county clerk, who shall acquire the information for the marriage
18 document and enter it in its proper place when the marriage license is issued. The
19 marriage license worksheet shall contain the social security number of each party,
20 as well as any other information items that the department of health and family
21 services determines are necessary and shall agree in the main with the standard
22 form recommended by the federal agency responsible for national vital statistics.
23 The county clerk shall transmit the marriage license worksheet to the state registrar
24 within 5 days after the date of issuance of the marriage license.

25 *b0549/1.1* SECTION 3786c. 767.08 (2) (b) of the statutes is amended to read:

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1 767.08 (2) (b) The court in the action shall, as provided under s. 767.25 or
2 767.26, determine and adjudge the amount, if any, the person should reasonably
3 contribute to the support and maintenance of the spouse or child and how the sum
4 should be paid. This amount ~~may~~ must be expressed as a percentage of the person's
5 income or as a fixed sum, ~~or as a combination of both in the alternative by requiring~~
6 ~~payment of the greater or lesser of either a percentage of the person's income or a~~
7 ~~fixed sum~~ unless the parties have stipulated to expressing the amount as a
8 percentage of the payer's income and the requirements under s. 767.10 (2) (am) 1. to
9 3. are satisfied. The amount so ordered to be paid may be changed or modified by the
10 court upon notice of motion or order to show cause by either party upon sufficient
11 evidence.

12 ***b0549/1.1* SECTION 3786d.** 767.10 (2) (am) of the statutes is created to read:

13 767.10 (2) (am) A court may not approve a stipulation for expressing child
14 support or family support as a percentage of the payer's income unless all of the
15 following apply:

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

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

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

23 ***b0549/1.1* SECTION 3786e.** 767.23 (1) (c) of the statutes is amended to read:

24 767.23 (1) (c) Subject to s. 767.477, requiring either party or both parties to
25 make payments for the support of minor children, which payment amounts ~~may~~

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

6 *b0549/1.1* **SECTION 3786f.** 767.25 (1) (a) of the statutes is amended to read:
7 767.25 (1) (a) Order either or both parents to pay an amount reasonable or
8 necessary to fulfill a duty to support a child. The support amount may must be
9 expressed as a percentage of parental income or as a fixed sum, or as a combination
10 of both in the alternative by requiring payment of the greater or lesser of either a
11 percentage of parental income or a fixed sum unless the parties have stipulated to
12 expressing the amount as a percentage of the payer's income and the requirements
13 under s. 767.10 (2) (am) 1. to 3. are satisfied.

14 *b0549/1.1* **SECTION 3786g.** 767.263 (1) of the statutes is amended to read:
15 767.263 (1) Each order for child support, family support, or maintenance
16 payments shall include an order that the payer and payee notify the county child
17 support agency under s. 59.53 (5) of any change of address within 10 business days
18 of such change. Each order for child support, family support, or maintenance
19 payments shall also include an order that the payer notify the county child support
20 agency under s. 59.53 (5) and the payee, within 10 business days, of any change of
21 employer and of any substantial change in the amount of his or her income, including
22 receipt of bonus compensation, such that his or her ability to pay child support,
23 family support, or maintenance is affected. The order shall also include a statement
24 that clarifies that notification of any substantial change in the amount of the payer's
25 income will not result in a change of the order unless a revision of the order under

SENATE BILL 55**SECTION 3786g**

1 s. 767.32 or an annual adjustment of the child or family support amount under s.
2 767.33 is sought.

3 *–0529/6.9* **SECTION 3787.** 767.265 (1) of the statutes is amended to read:

4 767.265 (1) Each order for child support under this chapter, for maintenance
5 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
6 ordered under s. 767.51 (3) or 767.62 (4), for support by a spouse under s. 767.02 (1)
7 (f), or for maintenance payments under s. 767.02 (1) (g) or for, each order for or
8 obligation to pay the annual receiving and disbursing fee under s. 767.29 (1) (d), each
9 order for a revision in a judgment or order with respect to child support,
10 maintenance, or family support payments under s. 767.32, each stipulation
11 approved by the court or the family court commissioner for child support under this
12 chapter, and each order for child or spousal support entered under s. 948.22 (7)
13 constitutes an assignment of all commissions, earnings, salaries, wages, pension
14 benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments,
15 and other money due or to be due in the future to the department or its designee. The
16 assignment shall be for an amount sufficient to ensure payment under the order,
17 obligation, or stipulation and to pay any arrearages due at a periodic rate not to
18 exceed 50% of the amount of support due under the order, obligation, or stipulation
19 so long as the addition of the amount toward arrearages does not leave the party at
20 an income below the poverty line established under 42 USC 9902 (2).

21 *–0529/6.10* **SECTION 3788.** 767.265 (1m) of the statutes is amended to read:

22 767.265 (1m) If a party's current obligation to pay maintenance, child support,
23 spousal support, or family support ~~or the annual receiving and disbursing fee~~
24 terminates but the party has an arrearage in the payment of one or more of those
25 payments, ~~the~~ or in the payment of the annual receiving and disbursing fee, any

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1 assignment under sub. (1) shall continue in effect, in an amount up to the amount
2 of the assignment before the party's current obligation terminated, until the
3 arrearage is paid in full.

4 *b0549/1.2* SECTION 3788g. 767.265 (3m) of the statutes is amended to read:

5 767.265 (3m) Benefits under ch. 108 may be assigned and withheld only in the
6 manner provided in s. 108.13 (4). Any order to withhold benefits under ch. 108 ~~may~~
7 shall be for a percentage of benefits payable or for a fixed sum, or for a combination
8 of both in the alternative by requiring the withholding of the greater or lesser of
9 either a percentage of benefits payable or a fixed sum unless the court-ordered
10 obligation on which the withholding order is based is expressed in the court order as
11 a percentage of the payer's income, in which case an order to withhold benefits under
12 ch. 108 shall be for a percentage of benefits payable. When money is to be withheld
13 from these benefits, no fee may be deducted from the amount withheld and no fine
14 may be levied for failure to withhold the money.

15 *-0529/6.11* SECTION 3789. 767.29 (1) (d) of the statutes is amended to read:

16 767.29 (1) (d) For receiving and disbursing maintenance, child support, or
17 family support payments, including arrears in any of those payments, and for
18 maintaining the records required under par. (c), the department or its designee shall
19 collect an annual fee of ~~\$25~~ \$35. The court or family court commissioner shall order
20 each party ordered to make payments to pay the annual fee under this paragraph in
21 each year for which payments are ordered or in which an arrearage in any of those
22 payments is owed. In directing the manner of payment of the annual fee, the court
23 or family court commissioner shall order that the annual fee be withheld from income
24 and sent to the department or its designee, as provided under s. 767.265. All fees
25 collected under this paragraph shall be deposited in the appropriation account under

1 s. 20.445 (3) (ja). At the time of ordering the payment of an annual fee under this
2 paragraph, the court or family court commissioner shall notify each party ordered
3 to make payments of the requirement to pay the annual fee and of the amount of the
4 annual fee. If the annual fee under this paragraph is not paid when due, the
5 department or its designee may not deduct the annual fee from ~~the~~ any maintenance
6 or, child or family support, or arrearage payment, but may move the court for a
7 remedial sanction under ch. 785.

8 ***-0529/6.12*** SECTION 3790. 767.29 (1) (dm) 1m. of the statutes is amended to
9 read:

10 767.29 (1) (dm) 1m. The department or its designee may collect any unpaid fees
11 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated
12 payment and collection system on December 31, 1998, and shall deposit all fees
13 collected under this subdivision in the appropriation account under s. 20.445 (3) (ja).
14 The department or its designee may collect unpaid fees under this subdivision
15 through income withholding under s. 767.265 (2m). If the department or its designee
16 determines that income withholding is inapplicable, ineffective, or insufficient for
17 the collection of any unpaid fees under this subdivision, the department or its
18 designee may move the court for a remedial sanction under ch. 785. The department
19 or its designee may contract with or employ a collection agency or other person for
20 the collection of any unpaid fees under this subdivision and, notwithstanding s.
21 20.930, may contract with or employ an attorney to appear in any action in state or
22 federal court to enforce the payment obligation. The department or its designee may
23 not deduct the amount of unpaid fees from any maintenance or, child or family
24 support, or arrearage payment.

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1 ***b0549/1.3* SECTION 3793e.** 767.32 (1) (a) of the statutes is amended to read:
2 767.32 (1) (a) After a judgment or order providing for child support under this
3 chapter or s. 48.355 (2) (b) 4., 48.357 (5m) (a), 48.363 (2), 938.183 (4), 938.355 (2) (b)
4 4., 938.357 (5m) (a), 938.363 (2), or 948.22 (7), maintenance payments under s.
5 767.26, or family support payments under this chapter, or for the appointment of
6 trustees under s. 767.31, the court may, from time to time, on the petition, motion,
7 or order to show cause of either of the parties, or upon the petition, motion, or order
8 to show cause of the department, a county department under s. 46.215, 46.22, or
9 46.23, or a county child support agency under s. 59.53 (5) if an assignment has been
10 made under s. 46.261, 48.57 (3m) (b) 2. or (3n) (b) 2., 49.19 (4) (h), or 49.45 (19) or if
11 either party or their minor children receive aid under s. 48.57 (3m) or (3n) or ch. 49,
12 and upon notice to the family court commissioner, revise and alter such judgment or
13 order respecting the amount of such maintenance or child support and the payment
14 thereof, and also respecting the appropriation and payment of the principal and
15 income of the property so held in trust, and may make any judgment or order
16 respecting any of the matters that such court might have made in the original action,
17 except that a judgment or order that waives maintenance payments for either party
18 shall not thereafter be revised or altered in that respect nor shall the provisions of
19 a judgment or order with respect to final division of property be subject to revision
20 or modification. ~~A~~ Except as provided in par. (d), a revision, under this section, of
21 a judgment or order with respect to an amount of child or family support may be made
22 only upon a finding of a substantial change in circumstances. In any action under
23 this section to revise a judgment or order with respect to maintenance payments, a
24 substantial change in the cost of living by either party or as measured by the federal
25 bureau of labor statistics may be sufficient to justify a revision of judgment or order

SENATE BILL 55**SECTION 3793e**

1 with respect to the amount of maintenance, except that a change in an obligor's cost
2 of living is not in itself sufficient if payments are expressed as a percentage of income.

3 ***b0549/1.3* SECTION 3793f.** 767.32 (1) (d) of the statutes is created to read:

4 767.32 (1) (d) In an action under this section to revise a judgment or order with
5 respect to child or family support, the court is not required to make a finding of a
6 substantial change in circumstances to change to a fixed sum the manner in which
7 the amount of child or family support is expressed in the judgment or order.

8 ***b0549/1.3* SECTION 3793g.** 767.33 of the statutes is repealed and recreated
9 to read:

10 **767.33 Annual adjustments in support orders.** (1) (a) An order for child
11 or family support under this chapter may provide for an annual adjustment in the
12 amount to be paid based on a change in the payer's income if the amount of child or
13 family support is expressed in the order as a fixed sum and based on the percentage
14 standard established by the department under s. 49.22 (9). No adjustment may be
15 made under this section unless the order provides for the adjustment.

16 (b) An adjustment under this section may not be made more than once in a year
17 and shall be determined on the basis of the percentage standard established by the
18 department under s. 49.22 (9).

19 (c) In the order the court or family court commissioner shall specify what
20 information the parties must exchange to determine whether the payer's income has
21 changed, and shall specify the manner and timing of the information exchange.

22 (2) If the court or family court commissioner provides for an annual
23 adjustment, the court or family court commissioner shall make available to the
24 parties, including the state if the state is a real party in interest under s. 767.075 (1),
25 a form approved by the court or family court commissioner for the parties to use in

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1 stipulating to an adjustment of the amount of child or family support and to
2 modification of any applicable income-withholding order. The form shall include an
3 order, to be signed by a judge or family court commissioner, for approval of the
4 stipulation of the parties.

5 (3) (a) If the payer's income changes from the amount found by the court or
6 family court commissioner or stipulated to by the parties for the current child or
7 family support order, the parties may implement an adjustment under this section
8 by stipulating, on the form under sub. (2), to the changed income amount and the
9 adjusted child or family support amount, subject to sub. (1) (b).

10 (b) The stipulation form must be signed by all parties, including the state if the
11 state is a real party in interest under s. 767.075 (1), and filed with the court. If the
12 stipulation is approved, the order shall be signed by a judge or family court
13 commissioner and implemented in the same manner as an order for a revision under
14 s. 767.32. An adjustment under this subsection shall be effective as of the date on
15 which the order is signed by the judge or family court commissioner.

16 (4) (a) Any party, including the state if the state is a real party in interest under
17 s. 767.075 (1), may file a motion, petition, or order to show cause for implementation
18 of an annual adjustment under this section if any of the following applies:

19 1. A party refuses to provide the information required by the court under sub.
20 (1) (c).

21 2. The payer's income changes, but a party refuses to sign the stipulation for
22 an adjustment in the amount of child or family support.

23 (b) If the court or family court commissioner determines after a hearing that
24 an adjustment should be made, the court or family court commissioner shall enter
25 an order adjusting the child or family support payments by the amount determined

SENATE BILL 55**SECTION 3793g**

1 by the court or family court commissioner, subject to sub. (1) (b). An adjustment
2 under this subsection may not take effect before the date on which the party
3 responding to the motion, petition, or order to show cause received notice of the action
4 under this subsection.

5 (c) Notwithstanding par. (b), the court or family court commissioner may direct
6 that all or part of the adjustment not take effect until such time as the court or family
7 court commissioner directs, if any of the following applies:

8 1. The payee was seeking an adjustment and the payer establishes that
9 extraordinary circumstances beyond his or her control prevent fulfillment of the
10 adjusted child or family support obligation.

11 2. The payer was seeking an adjustment and the payee establishes that the
12 payer voluntarily and unreasonably reduced his or her income below his or her
13 earning capacity.

14 3. The payer was seeking an adjustment and the payee establishes that the
15 adjustment would be unfair to the child.

16 (d) If in an action under this subsection the court or family court commissioner
17 determines that a party has unreasonably failed to provide the information required
18 under sub. (1) (c) or to provide the information on a timely basis, or unreasonably
19 failed or refused to sign a stipulation for an annual adjustment, the court or family
20 court commissioner may award to the aggrieved party actual costs, including service
21 costs, any costs attributable to time missed from employment, the cost of travel to
22 and from court, and reasonable attorney fees.

23 (5) Nothing in this section affects a party's right to file at any time a motion,
24 petition, or order to show cause under s. 767.32 for revision of a judgment or order
25 with respect to an amount of child or family support.

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1 *~~0426/4.51~~* **SECTION 3794.** 767.62 (5) (b) of the statutes is amended to read:

2 767.62 (5) (b) If a court in a proceeding under par. (a) determines that the man
3 is not the father of the child, the court shall vacate any order entered under sub. (4)
4 with respect to the man. The court or the county child support agency under s. 59.53
5 (5) shall notify the state registrar, in the manner provided in s. 69.15 (1) (b), to remove
6 the man's name as the father of the child from the child's birth certificate. No
7 paternity action may thereafter be brought against the man with respect to the child.

8 *~~1394/2.76~~* **SECTION 3795.** 778.02 of the statutes is amended to read:

9 **778.02 Action in name of state; complaint; attachment.** Every such
10 forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to
11 allege in the complaint that the defendant is indebted to the plaintiff in the amount
12 of the forfeiture claimed, according to the provisions of the statute that imposes it,
13 specifying the statute and for the penalty assessment imposed by s. 757.05, ^Δthe jail
14 assessment imposed by s. 302.46 (1), the crime laboratories and drug law
15 enforcement assessment imposed by s. 165.755, the enforcement assessment
16 imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer ~~information~~
17 protection assessment imposed by s. 100.261, and any applicable domestic abuse
18 assessment imposed by s. 973.055 (1). If the statute imposes a forfeiture for several
19 offenses or delinquencies the complaint shall specify the particular offense or
20 delinquency for which the action is brought, with a demand for judgment for the
21 amount of the forfeiture, penalty assessment, ^Δjail assessment, crime laboratories
22 and drug law enforcement assessment, any applicable enforcement assessment, any
23 applicable consumer ~~information~~ protection assessment, and any applicable
24 domestic abuse assessment. If the defendant is a nonresident of the state, an
25 attachment may issue.

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

1 ***-1394/2.77*** SECTION 3796. 778.03 of the statutes is amended to read:

2 **778.03 Complaint to recover forfeited goods.** In an action to recover
3 property forfeited by any statute it shall be sufficient to allege in the complaint that
4 the property has been forfeited, specifying the statute, with a demand of judgment
5 for the delivery of the property, or the value thereof and for payment of the penalty
6 assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the
7 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the
8 enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable
9 consumer ~~information~~ protection assessment imposed by s. 100.261, and any
10 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.

11 ***-1394/2.78*** SECTION 3797. 778.06 of the statutes is amended to read:

12 **778.06 Action for what sum.** When a forfeiture is imposed, not exceeding a
13 specific sum or when it is not less than one sum or more than another, the action may
14 be brought for the highest sum specified and for the penalty assessment imposed by
15 ~~s. 757.05,~~ ^{plain} the jail assessment imposed by s. 302.46 (1), the crime laboratories and
16 drug law enforcement assessment imposed by s. 165.755, the enforcement
17 assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer
18 ~~information~~ protection assessment imposed by s. 100.261, and any applicable
19 domestic abuse assessment imposed by s. 973.055 (1); and judgment may be
20 rendered for such sum as the court or jury shall assess or determine to be
21 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.

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1 ***-1394/2.79*** **SECTION 3798.** 778.10 of the statutes is amended to read:

2 **778.10 Municipal forfeitures, how recovered.** All forfeitures imposed by
3 any ordinance or regulation of any county, town, city, or village, or of any other
4 domestic corporation may be sued for and recovered, under this chapter, in the name
5 of the county, town, city, village, or corporation. It is sufficient to allege in the
6 complaint that the defendant is indebted to the plaintiff in the amount of the
7 forfeiture claimed, specifying the ordinance or regulation that imposes it and of the
8 penalty assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46
9 (1), the crime laboratories and drug law enforcement assessment imposed by s.
10 165.755, any applicable consumer information protection assessment imposed by s.
11 100.261, and any applicable domestic abuse assessment imposed by s. 973.055 (1).
12 If the ordinance or regulation imposes a penalty or forfeiture for several offenses or
13 delinquencies the complaint shall specify the particular offenses or delinquency for
14 which the action is brought, with a demand for judgment for the amount of the
15 forfeiture, the penalty assessment imposed by s. 757.05, the jail assessment imposed
16 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
17 imposed by s. 165.755, any applicable consumer information protection assessment
18 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.
19 973.055 (1). All moneys collected on the judgment shall be paid to the treasurer of
20 the county, town, city, village, or corporation, except that all jail assessments shall
21 be paid to the county treasurer.

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

22 ***-1394/2.80*** **SECTION 3799.** 778.105 of the statutes is amended to read:

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SECTION 3799

1 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by
2 any court or any branch thereof for the violation of any municipal or county
3 ordinance shall be paid to the municipality or county. Penalty assessment payments
4 shall be made as provided in s. 757.05. Jail assessment payments shall be made as
5 provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment
6 payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall
7 be made as provided in s. 973.055. Consumer ~~information~~ protection assessment
8 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.

9 *-1394/2.81* SECTION 3800. 778.13 of the statutes is amended to read:

10 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor
11 of the state for forfeiture, except the portion to be paid to any person who sues with
12 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the
13 county within which the forfeiture was incurred within 20 days after its receipt. In
14 case of any failure in the payment the county treasurer may collect the payment of
15 the officer by action, in the name of the office and upon the official bond of the officer,
16 with interest at the rate of 12% per year from the time when it should have been paid.
17 Penalty assessment payments shall be made as provided in s. 757.05. Jail
18 assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories
19 and drug law enforcement assessment payments shall be paid as provided in s.
20 165.755. Domestic abuse assessments shall be made as provided in s. 973.055.
21 Enforcement assessments shall be made as provided in s. 253.06 (4) (c). Consumer
22 ~~information~~ protection assessment payments shall be made as provided in s.
23 100.261.

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

1. *-1394/2.82* SECTION 3801. 778.18 of the statutes is amended to read:

2 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her
3 own will, dismisses any action brought before the judge under this chapter, unless
4 by order of the district attorney or attorney general or the person joined as plaintiff
5 with the state, or renders a less judgment therein than is prescribed by law, or
6 releases or discharges any such judgment or part thereof without payment or
7 collection, the judge and the judge's sureties shall be liable, in an action upon the
8 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture
9 imposed by the judge and for the penalty assessment imposed by s. 757.05, the jail
10 assessment imposed by s. 302.46 (1), the crime laboratories and drug law
11 enforcement assessment imposed by s. 165.755, any applicable consumer
12 information protection assessment imposed by s. 100.261, and any applicable
13 domestic abuse assessment imposed by s. 973.055 (1), or for an amount equal to the
14 amount in which any such judgment or any part thereof is released or discharged.
15 If any municipal judge gives time or delay to any person against whom any such
16 judgment is rendered by the judge, or takes any bond or security for its future
17 payment, the judge and the judge's sureties shall also be liable for the payment of the
18 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.

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21 *-1394/2.98* SECTION 3817. 800.02 (2) (a) 8. of the statutes is amended to read:

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SECTION 3817

1 800.02 (2) (a) 8. Notice that, if the defendant makes a deposit and fails to
2 appear in court at the time fixed in the citation, the defendant is deemed to have
3 tendered a plea of no contest and submits to a forfeiture, penalty assessment, jail
4 assessment, and crime laboratories and drug law enforcement assessment, any
5 applicable consumer ~~information~~ protection assessment, and any applicable
6 domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1),
7 not to exceed the amount of the deposit. The notice shall also state that the court may
8 decide to summon the defendant rather than accept the deposit and plea.

****NOTE: This is reconciled s. 800.02 (2) (a) 8. This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

9 *-1394/2.99* SECTION 3818. 800.02 (3) (a) 5. of the statutes is amended to read:

10 800.02 (3) (a) 5. A plain and concise statement of the violation identifying the
11 event or occurrence from which the violation arose and showing that the plaintiff is
12 entitled to relief, the ordinance, resolution or bylaw upon which the cause of action
13 is based and a demand for a forfeiture, the amount of which shall not exceed the
14 maximum set by the statute involved, the penalty assessment, the jail assessment,
15 the crime laboratories and drug law enforcement assessment, any applicable
16 consumer ~~information~~ protection assessment, any applicable domestic abuse
17 assessment, and such other relief that is sought by the plaintiff.

****NOTE: This is reconciled s. 800.02 (3) (a) 5. This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

18 *-1394/2.100* SECTION 3819. 800.03 (3) of the statutes is amended to read:

19 800.03 (3) The amount of the deposit shall be set by the municipal judge, but
20 shall not be effective until approved by the governing body of the municipality. The
21 amount shall not exceed the maximum penalty for the offense, including any penalty
22 assessment that would be applicable under s. 757.05, any jail assessment that would

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1 be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
2 assessment that would be applicable under s. 165.755, any consumer ~~information~~
3 protection assessment that would be applicable under s. 100.261, and any domestic
4 abuse assessment that would be applicable under s. 973.055 (1), plus court costs,
5 including the fee prescribed in s. 814.65 (1).

****NOTE: This is reconciled s. 800.03 (3). This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

6 ***-1394/2.101* SECTION 3820.** 800.04 (2) (b) of the statutes is amended to read:
7 800.04 (2) (b) If the municipal judge determines that the defendant should not
8 be released under par. (a) and the defendant is charged with a traffic or boating
9 violation, the municipal judge shall release the defendant on a deposit in the amount
10 established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66.
11 For other violations, the municipal judge shall establish a deposit in an amount not
12 to exceed the maximum penalty for the offense, including any penalty assessment
13 that would be applicable under s. 757.05, any jail assessment that would be
14 applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
15 assessment that would be applicable under s. 165.755, any consumer ~~information~~
16 protection assessment that would be applicable under s. 100.261, and any domestic
17 abuse assessment that would be applicable under s. 973.055 (1). If the judge in a 1st
18 class city determines that a defendant appearing before the judge through
19 interactive video and audio transmission should not be released under par. (a), the
20 judge shall inform the defendant that he or she has the right to appear personally
21 before a judge for a determination, not prejudiced by the first appearance, as to
22 whether he or she should be released without a deposit. On failure of the defendant
23 to make a deposit under this paragraph, he or she may be committed to jail pending

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1 trial only if the judge finds that there is a reasonable basis to believe the person will
2 not appear in court.

****NOTE: This is reconciled s. 800.04 (2) (b). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

3 ***-1394/2.102* SECTION 3821.** 800.04 (2) (c) of the statutes is amended to read:

4 800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03
5 and does not appear, he or she is deemed to have tendered a plea of no contest and
6 submits to a forfeiture, a penalty assessment imposed by s. 757.05, a jail assessment
7 imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment
8 imposed by s. 165.755, any applicable consumer information protection assessment
9 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.
10 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the
11 amount of the deposit. The court may either accept the plea of no contest and enter
12 judgment accordingly, or reject the plea and issue a summons. If the court finds that
13 the violation meets the conditions in s. 800.093 (1), the court may summon the
14 alleged violator into court to determine if restitution shall be ordered under s.
15 800.093. If the defendant fails to appear in response to the summons, the court shall
16 issue a warrant under s. 968.09. If the defendant has made a deposit but does appear,
17 the court shall allow the defendant to withdraw the plea of no contest.

****NOTE: This is reconciled s. 800.04 (2) (c). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

18 ***-1394/2.103* SECTION 3822.** 800.09 (1) (intro.) of the statutes is amended to
19 read:

20 800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty it
21 may render judgment by ordering restitution under s. 800.093 and payment of a
22 forfeiture, the penalty assessment imposed by s. 757.05, the jail assessment imposed

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1 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment
2 imposed by s. 165.755, any applicable consumer ~~information~~ protection assessment
3 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.
4 973.055 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1). The
5 court shall apply any payment received on a judgment that includes restitution to
6 first satisfy any payment of restitution ordered, then to pay the forfeiture,
7 assessments, and costs. If the judgment is not paid, the court may proceed under par.
8 (a), (b), or (c) or any combination of those paragraphs, as follows:

****NOTE: This is reconciled s. 800.09 (1) (intro.). This SECTION has been affected
by drafts with the following LRB numbers: -0454 and -1394.

9 ***-1394/2.104* SECTION 3823.** 800.09 (1) (a) of the statutes is amended to read:
10 800.09 (1) (a) The court may defer payment of any judgment or provide for
11 instalment payments. At the time the judgment is rendered, the court shall inform
12 the defendant, orally and in writing, of the date by which restitution and the
13 payment of the forfeiture, the penalty assessment, ^{AV} the jail assessment, the crime
14 laboratories and drug law enforcement assessment, any applicable consumer
15 ~~information~~ protection assessment, and any applicable domestic abuse assessment
16 plus costs must be made, and of the possible consequences of failure to do so in timely
17 fashion, including imprisonment, as provided in s. 800.095, or suspension of the
18 defendant's motor vehicle operating privilege, as provided in par. (c), if applicable.
19 If the defendant is not present, the court shall ensure that the information is sent
20 to the defendant by mail. In 1st class cities, all of the written information required
21 by this paragraph shall be printed in English and Spanish and provided to each
22 defendant.

****NOTE: This is reconciled s. 800.09 (1) (a). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

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SECTION 3824

1 ***-1394/2.105*** SECTION 3824. 800.09 (2) (b) of the statutes is amended to read:

2 800.09 (2) (b) If the person charged fails to appear personally or by an attorney
3 at the time fixed for hearing of the case, the defendant may be deemed to have
4 entered a plea of no contest and the money deposited, if any, or such portion thereof
5 as the court determines to be an adequate penalty, plus the penalty assessment, ^{the}
6 jail assessment, the crime laboratories and drug law enforcement assessment, any
7 applicable consumer ~~information~~ protection assessment, and any applicable
8 domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1),
9 may be declared forfeited by the court or may be ordered applied upon the payment
10 of any penalty which may be imposed, together with the penalty assessment, the jail
11 assessment, the crime laboratories and drug law enforcement assessment, any
12 applicable consumer ~~information~~ protection assessment, and any applicable
13 domestic abuse assessment plus costs. If the court finds that the violation meets the
14 conditions in s. 800.093 (1), the court may summon the alleged violator into court to
15 determine if restitution shall be ordered under s. 800.093. Any money remaining
16 after payment of any penalties, assessments, costs, and restitution shall be refunded
17 to the person who made the deposit.

****NOTE: This is reconciled s. 800.09 (2) (b). This SECTION has been affected by
drafts with the following LRB numbers: -0454 and -1394.

18 ***-1394/2.106*** SECTION 3825. 800.10 (2) of the statutes is amended to read:

19 800.10 (2) All forfeitures, fees, penalty assessments, ^{crime laboratories and}
20 drug law enforcement assessments, consumer ~~information~~ protection assessments,
21 domestic abuse assessments, and costs paid to a municipal court under a judgment
22 before a municipal judge shall be paid to the municipal treasurer within 7 days after
23 receipt of the money by a municipal judge or other court personnel. At the time of

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1 the payment, the municipal judge shall report to the municipal treasurer the title of
2 the action, the offense for which a forfeiture was imposed and the total amount of the
3 forfeiture, fees, penalty assessments, crime laboratories and drug law enforcement
4 assessments, consumer information protection assessments, domestic abuse
5 assessments, and costs, if any. The treasurer shall disburse the fees as provided in
6 s. 814.65 (1). All jail assessments paid to a municipal court under a judgment before
7 a municipal judge shall be paid to the county treasurer within 7 days after receipt
8 of the money by a municipal judge or other court personnel.

****NOTE: This is reconciled s. 800.10 (2). This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

9 *-1394/2.107* SECTION 3826. 800.12 (2) of the statutes is amended to read:

10 800.12 (2) A municipality may by ordinance provide that a municipal judge
11 may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50
12 or, upon nonpayment of the forfeiture, penalty assessment under s. 757.05, jail
13 assessment under s. 302.46, crime laboratories and drug law enforcement
14 assessment under s. 165.755, any applicable consumer information protection
15 assessment under s. 100.261, and any applicable domestic abuse assessment under
16 s. 973.055 (1), a jail sentence not to exceed 7 days.

****NOTE: This is reconciled s. 800.12 (2). This SECTION has been affected by drafts
with the following LRB numbers: -0454 and -1394.

17 *-0606/2.1* SECTION 3827. 801.02 (7) (a) 1. of the statutes is repealed.

18 *-0606/2.2* SECTION 3828. 801.02 (7) (a) 2. (intro.) of the statutes is amended
19 to read:

20 801.02 (7) (a) 2. (intro.) "Prisoner" means any person who is incarcerated,
21 imprisoned, or otherwise detained ~~in a correctional institution or~~ and who is in the
22 custody of the department of corrections or of the sheriff, superintendent, or other

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SECTION 3828

1 keeper of a jail or house of corrections or any person who is arrested or otherwise
2 detained by a law enforcement officer. “Prisoner” does not include any of the
3 following:

4 ***b0428/1.2* SECTION 3828p.** 808.04 (2) of the statutes is amended to read:

5 808.04 (2) An appeal under s. 9.10 (4) (c), 227.60, or 799.445 shall be initiated
6 within 15 days after entry of the judgment or order appealed from.

7 ***b0549/1.4* SECTION 3828r.** 808.075 (4) (d) 3. of the statutes is amended to
8 read:

9 808.075 (4) (d) 3. Annual adjustment of child or family support under s. 767.33.

10 ***-0448/3.1* SECTION 3829.** 808.075 (4) (fn) 10. of the statutes is created to read:

11 808.075 (4) (fn) 10. Extension, under s. 938.538 (4m) (a) 2., of a placement
12 under s. 938.538 (3) (a) 1.

13 ***-0606/2.3* SECTION 3830.** 813.02 (1) (c) 1. of the statutes is amended to read:

14 813.02 (1) (c) 1. The court may not issue the injunction until giving notice and
15 an opportunity to be heard on the request for a preliminary injunction to the attorney
16 general, if the case involves a prisoner in ~~a state correctional institution, as defined~~
17 ~~in s. 801.02 (7) (a) 1.~~ the custody of the department of corrections, or to the attorney
18 representing the local correctional institution involved and to all other interested
19 parties. Any injunction issued without giving notice and an opportunity to be heard
20 is void.

21 ***b0458/2.1* SECTION 3830d.** 813.125 (3) (a) (intro.) of the statutes is amended
22 to read:

23 813.125 (3) (a) (intro.) A judge or court commissioner may issue a temporary
24 restraining order ordering the respondent to cease or avoid the harassment of
25 another person, to avoid the petitioner’s residence, except as provided in par. (am).

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1 or any premises temporarily occupied by the petitioner or both, or any combination
2 of these remedies requested in the petition, if all of the following occur:

3 ***b0458/2.1* SECTION 3830f.** 813.125 (3) (am) of the statutes is created to read:

4 813.125 (3) (am) If the petitioner and the respondent are not married, and the
5 respondent owns the premises where the petitioner resides, and the petitioner has
6 no legal interest in the premises, in lieu of ordering the respondent to avoid the
7 petitioner's residence under par. (a) the judge or court commissioner may order the
8 respondent to avoid the premises for a reasonable time until the petitioner relocates
9 and shall order the respondent to avoid the new residence for the duration of the
10 order.

11 ***b0458/2.1* SECTION 3830h.** 813.125 (4) (a) (intro.) of the statutes is amended
12 to read:

13 813.125 (4) (a) (intro.) A judge or court commissioner may grant an injunction
14 ordering the respondent to cease or avoid the harassment of another person, to avoid
15 the petitioner's residence, except as provided in par. (am), or any premises
16 temporarily occupied by the petitioner or both, or any combination of these remedies
17 requested in the petition, if all of the following occur:

18 ***b0458/2.1* SECTION 3830j.** 813.125 (4) (am) of the statutes is created to read:

19 813.125 (4) (am) If the petitioner and the respondent are not married, and the
20 respondent owns the premises where the petitioner resides, and the petitioner has
21 no legal interest in the premises, in lieu of ordering the respondent to avoid the
22 petitioner's residence under par. (a) the judge or court commissioner may order the
23 respondent to avoid the premises for a reasonable time until the petitioner relocates
24 and shall order the respondent to avoid the new residence for the duration of the
25 order.