

1 areas, and dental health shortage areas in which the eligible applicants desire to  
2 practice.

3 \***-0645/3.17\* SECTION 3679.** 560.183 (5) (d) of the statutes is amended to read:

4 560.183 (5) (d) An agreement under sub. (3) does not create a right of action  
5 against the state on the part of the physician, dentist, or ~~the~~ lending institution for  
6 failure to make the payments specified in the agreement.

7 \***-0645/3.18\* SECTION 3680.** 560.183 (6m) (a) (intro.) of the statutes is  
8 amended to read:

9 560.183 (6m) (a) (intro.) The department shall, by rule, establish penalties to  
10 be assessed by the department against physicians and dentists who breach ~~an~~  
11 ~~agreement~~ agreements entered into under sub. (3) ~~(a)~~. The rules shall do all of the  
12 following:

13 \***-0645/3.19\* SECTION 3681.** 560.183 (8) (b) of the statutes is amended to read:

14 560.183 (8) (b) Advise the department and rural health development council  
15 on the identification of eligible practice areas with an extremely high need for  
16 medical care and dental health shortage areas with an extremely high need for  
17 dental care.

18 \***-0645/3.20\* SECTION 3682.** 560.183 (8) (d) of the statutes is amended to read:

19 560.183 (8) (d) Assist the department to publicize the program under this  
20 section to physicians, dentists, and eligible communities.

21 \***-0645/3.21\* SECTION 3683.** 560.183 (8) (e) of the statutes is amended to read:

22 560.183 (8) (e) Assist physicians and dentists who are interested in applying  
23 for the program under this section.

24 \***-0645/3.22\* SECTION 3684.** 560.183 (8) (f) of the statutes is amended to read:

1           560.183 (8) (f) Assist communities in obtaining physicians' and dentists'  
2 services through the program under this section.

3           \***-0645/3.23\*** SECTION 3685. 560.183 (9) (intro.) of the statutes is amended to  
4 read:

5           560.183 (9) EXPANDED LOAN ASSISTANCE PROGRAM. (intro.) The department may  
6 agree to repay loans as provided under this section on behalf of a physician or dentist  
7 under an expanded physician and dentist loan assistance program that is funded  
8 through federal funds in addition to state matching funds. To be eligible for loan  
9 repayment under the expanded physician and dentist loan assistance program, a  
10 physician or dentist must fulfill all of the requirements for loan repayment under  
11 this section, as well as all of the following:

12           \***-0645/3.24\*** SECTION 3686. 560.183 (9) (a) of the statutes is amended to read:

13           560.183 (9) (a) The physician or dentist must be a U.S. citizen.

14           \***-0645/3.25\*** SECTION 3687. 560.183 (9) (b) of the statutes is amended to read:

15           560.183 (9) (b) The physician or dentist may not have a judgment lien against  
16 his or her property for a debt to the United States.

17           \***-0645/3.26\*** SECTION 3688. 560.183 (9) (c) (intro.) of the statutes is amended  
18 to read:

19           560.183 (9) (c) (intro.) The physician or dentist must agree to do all of the  
20 following:

21           \***-0645/3.27\*** SECTION 3689. 560.183 (9) (c) 2. of the statutes is amended to  
22 read:

23           560.183 (9) (c) 2. Use a sliding fee scale or a comparable method of determining  
24 payment arrangements for patients who are not eligible for medicare or medical

1 assistance and who are unable to pay the customary fee for the physician's or  
2 dentist's services.

3 \*~~0645/3.28~~\* **SECTION 3690.** 560.183 (9) (c) 3. of the statutes is amended to  
4 read:

5 560.183 (9) (c) 3. Practice at a public or private nonprofit entity in a health  
6 professional shortage area, if a physician, or in a dental health shortage area, if a  
7 dentist.

8 \*b0400/4.4\* **SECTION 3690b.** 560.184 (1) (ag) of the statutes is created to read:  
9 560.184 (1) (ag) "Dental health shortage area" has the meaning given in s.  
10 560.183 (1) (ad).

11 \*b0400/4.4\* **SECTION 3690c.** 560.184 (1) (aj) of the statutes is created to read:  
12 560.184 (1) (aj) "Dental hygienist" means an individual licensed under s.  
13 447.04 (2).

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

16 560.184 (1) (am) "Eligible practice area" means a primary care shortage area,  
17 an American Indian reservation, or trust lands of an American Indian tribe, except  
18 that with respect to a dental hygienist "eligible practice area" means a dental health  
19 shortage area.

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

21 560.184 (1) (b) "Health care provider" means a dental hygienist, physician  
22 assistant, nurse-midwife, or nurse practitioner.

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

24 560.184 (3) (a) The department shall enter into a written agreement with the  
25 health care provider. In the agreement, the health care provider shall agree to

1 practice at least 32 clinic hours per week for 3 years in one or more eligible practice  
2 areas in this state, except that a health care provider in the expanded loan assistance  
3 program under sub. (8) who is not a dental hygienist may only agree to practice at  
4 a public or private nonprofit entity in a health professional shortage area.

5 \*b0400/4.4\* SECTION 3690g. 560.184 (5) (b) 1. of the statutes is amended to  
6 read:

7 560.184 (5) (b) 1. The degree to which there is an extremely high need for  
8 medical care in the eligible practice area or health professional shortage area in  
9 which an eligible applicant who is not a dental hygienist desires to practice and the  
10 degree to which there is an extremely high need for dental care in the dental health  
11 shortage area in which an eligible applicant who is a dental hygienist desires to  
12 practice.

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

14 560.184 (7) (a) Advise the department and council on the identification of  
15 communities with an extremely high need for health care, including dental health  
16 care.

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

19 560.184 (8) (c) 2. Use a sliding fee scale or a comparable method of determining  
20 payment arrangements for patients who are not eligible for medicare or medical  
21 assistance and who are unable to pay the customary fee for the physician's health  
22 care provider's services.

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

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

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

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

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

11           \***-1735/2.5\*** **SECTION 3693.** 560.25 (5) of the statutes is repealed.

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

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

23           \***-0654/1.2\*** **SECTION 3695.** 560.42 (6) of the statutes is repealed.

24           \***-1881/4.5\*** **SECTION 3696.** 560.44 (2) of the statutes is amended to read:

1           560.44 (2) ADMINISTRATION OF BROWNFIELDS GRANT PROGRAM PROGRAMS. The  
2 center shall assist in administering the grant program under s. 560.13 and in  
3 administering grants and loans under s. 560.138 that are made for brownfields  
4 remediation projects.

5           \*~~0654/1.3~~\* SECTION 3697. 560.55 (1) of the statutes is repealed.

6           \*~~0654/1.4~~\* SECTION 3698. 560.55 (2) of the statutes is renumbered 560.55 and  
7 amended to read:

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

19           \*~~0667/5.14~~\* SECTION 3700. 560.70 (7) of the statutes is renumbered 560.70  
20 (7) (a) and amended to read:

21           560.70 (7) (a) ~~“Tax~~ Except as provided in par. (b), “tax benefits” means the  
22 development zones credit under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx), ~~except~~  
23 that in,

24           **(b)** In s. 560.795, “tax benefits” means the development zones investment credit  
25 under ss. 71.07 (2di), 71.28 (1di), and 71.47 (1di) and the development zones credit

1 under ss. 71.07 (2dx), 71.28 (1dx), and 71.47 (1dx). With respect to the development  
2 opportunity zone under s. 560.795 (1) (e), “tax benefits” also means the development  
3 zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

4 **\*-0667/5.15\* SECTION 3701.** 560.795 (1) (e) of the statutes is created to read:

5 560.795 (1) (e) An area in the city of Milwaukee, the legal description of which  
6 is provided to the department by the local governing body of the city of Milwaukee.

7 **\*-0667/5.16\* SECTION 3702.** 560.795 (2) (a) of the statutes is amended to read:

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

17 **\*-0667/5.17\* SECTION 3703.** 560.795 (2) (b) 5. of the statutes is created to read:

18 560.795 (2) (b) 5. The limit for tax benefits for the development opportunity  
19 zone under sub. (1) (e) is \$4,700,000.

20 **\*-0667/5.18\* SECTION 3704.** 560.795 (3) (a) 4. of the statutes is created to read:

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

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

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

4 560.795 (3) (c) The department shall notify the department of revenue of all  
5 corporations entitled to claim tax benefits under this ~~section~~ subsection.

6 **\*-0667/5.20\* SECTION 3706.** 560.795 (3) (d) of the statutes is amended to read:

7 560.795 (3) (d) The department annually shall verify information submitted  
8 to the department under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm), or (1dx),  
9 or 71.47 (1di), (1dm), or (1dx).

10 **\*-0667/5.21\* SECTION 3707.** 560.795 (4) (a) (intro.) of the statutes is amended  
11 to read:

12 560.795 (4) (a) (intro.) The department shall revoke the entitlement of a  
13 corporation to claim tax benefits under ~~this section~~ sub. (3) if the corporation does  
14 any of the following:

15 **\*-0667/5.22\* SECTION 3708.** 560.795 (5) of the statutes is created to read:

16 560.795 (5) CERTIFICATION BASED ON THE ACTIVITY OF ANOTHER. (a) The  
17 department may certify for tax benefits a person that is conducting economic activity  
18 in the development opportunity zone under sub. (1) (e) and that is not otherwise  
19 entitled to claim tax benefits if all of the following apply:

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

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



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

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

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

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

11           (d) The department annually shall verify information submitted to the  
12 department under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), or 71.47 (1dm) or  
13 (1dx).

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

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

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

22           \*~~0652/2.1~~\* **SECTION 3709.** 560.80 (4) (a) and (b) of the statutes are  
23 consolidated, renumbered 560.80 (4) and amended to read:

24           560.80 (4) “Eligible development project costs” means costs that, in accordance  
25 with sound business and financial practices, are appropriately incurred in

1 connection with a development project or a recycling development project.—(b)  
2 “Eligible development project costs”, but does not include entertainment expenses or  
3 expenses incurred more than 6 months before the board approves a grant or loan  
4 under s. 560.83 or 560.835.

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

6 560.80 (5) “Eligible recipient” means a person who is eligible to receive a grant  
7 under s. 560.82 (5) (a) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or  
8 560.835.

9 \***-0649/2.4\* SECTION 3711.** 560.82 (5) of the statutes is renumbered 560.82 (5)  
10 (a).

11 \***-0649/2.5\* SECTION 3712.** 560.82 (5) (b) of the statutes is created to read:

12 560.82 (5) (b) If the department awards a grant under sub. (1), the department  
13 may contract directly with and pay grant proceeds directly to any person providing  
14 technical or management assistance to the grant recipient.

15 \***-1856/6.8\* SECTION 3713.** 560.96 of the statutes is created to read:

16 **560.96 Technology zones.** (1) In this section, “tax credit” means a credit  
17 under s. 71.07 (3g), 71.28 (3g), or 71.47 (3g).

18 (2) (a) The department may designate up to 3 areas in the state as technology  
19 zones and may, with the approval of the joint committee on finance, designate up to  
20 6 more areas as technology zones. A business that is located in a technology zone and  
21 that is certified by the department under sub. (3) is eligible for a tax credit as  
22 provided in sub. (3).

23 (b) The designation of an area as a technology zone shall be in effect for 10 years  
24 from the time that the department first designates the area. However, not more than  
25 \$3,000,000 in tax credits may be claimed in a technology zone. The department may

1 change the boundaries of a technology zone during the time that its designation is  
2 in effect. A change in the boundaries of a technology zone does not affect the duration  
3 of the designation of the area or the maximum tax credit amount that may be claimed  
4 in the technology zone.

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

- 7 1. The business is located in the technology zone.
- 8 2. The business is a new or expanding business.
- 9 3. The business is a high-technology business.

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

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

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

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

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

- 10 1. A technology zone's designation.
- 11 2. A business' certification and the limit on the amount of tax credits that the  
12 business may claim.
- 13 3. The extension or revocation of a business' certification.

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

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

- 18 (a) Criteria for designating an area as a technology zone.
- 19 (b) A business' eligibility for certification, including definitions for all of the  
20 following:
  - 21 1. New or expanding business.
  - 22 2. High-technology business.
- 23 (c) Certifying a business, including use of the factors under sub. (3) (b).
- 24 (d) Standards for establishing the limit on the amount of tax credits that a  
25 business may claim.

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

5 (f) Reporting requirements for certified businesses.

6 (g) The exchange of information between the department of commerce and the  
7 department of revenue.

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

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

10 \*b0375/1.1\* SECTION 3713p. 562.057 (4m) (a) 1. of the statutes is renumbered  
11 562.057 (4m) (a) and amended to read:

12 562.057 (4m) (a) ~~For a racetrack at which \$25,000,000 or more was wagered~~  
13 during ~~During~~ the calendar year immediately preceding the year in which the  
14 applicant proposes to conduct wagering on simulcast races, at least ~~250~~ 275 race  
15 performances were conducted at the racetrack ~~during that period.~~

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

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

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

19 563.04 (14) Promulgate rules relating to the sale of equal shares of single raffle  
20 tickets to one or more purchasers under a Class A raffle license under s. 563.92 (1m).

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

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

1 conduct of a raffle in which all of the tickets for that raffle are sold on the same day  
2 as the raffle drawing.

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

4 563.93 (2) No raffle ticket may exceed \$50 \$100 in cost.

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

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

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

10 601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to  
11 655 and ss. 59.52 (11) (c), 66.0137 (4) and (4m), 120.13 (2) (b) to (g), 149.13 and  
12 149.144 and shall act as promptly as possible under the circumstances on all matters  
13 placed before the commissioner.

14 \*-0476/1.1\* SECTION 3735. 601.47 (2) of the statutes is amended to read:

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

20 \*-2389/1.5\* SECTION 3749. 614.80 of the statutes is amended to read:

21 **614.80 Tax exemption.** Every domestic and nondomestic fraternal, except  
22 those that offer a health maintenance organization as defined in s. 609.01 (2) or a  
23 limited service health organization as defined in s. 609.01 (3) is exempt from all state,  
24 county, district, municipal and school taxes or fees, except the fees required by s.

1 601.31 (2), but is required to pay all taxes and special assessments on its real estate  
2 and office equipment, except as provided in ss. 70.11 (4) and 70.1105 (1).

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

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

12 \*-1552/5.62\* SECTION 3768. 704.05 (5) (a) 2. of the statutes is amended to read:

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

1 and minus any storage charges to the department of administration for deposit in the  
2 appropriation under s. 20.505 (7) (~~gm~~) (h).

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

4 704.31 (3) This section does not apply to a lease to which a local professional  
5 baseball park district created under subch. III of ch. 229 or the Fox River  
6 Navigational System Authority is a party.

7 \*–1394/2.69\* SECTION 3774. 757.05 (1) (a) of the statutes is amended to read:

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

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

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



1 When a fine or forfeiture is suspended in whole or in part, the penalty assessment  
2 shall be reduced in proportion to the suspension.

3 **\*-1394/2.70\* SECTION 3775.** 757.05 (1) (b) of the statutes is amended to read:

4 757.05 (1) (b) If a fine or forfeiture is imposed by a court of record, after a  
5 determination by the court of the amount due, the clerk of the court shall collect and  
6 transmit ~~such~~ the amount to the county treasurer as provided in s. 59.40 (2) (m). The  
7 county treasurer shall then make payment to the state treasurer as provided in s.  
8 59.25 (3) (f) 2.

9 **\*-1394/2.71\* SECTION 3776.** 757.05 (1) (c) of the statutes is amended to read:

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

15 **\*-1394/2.72\* SECTION 3777.** 757.05 (1) (d) of the statutes is amended to read:

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

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

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

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

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

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

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

13 757.69 (8). Each court commissioner appointed under s. 48.065, 757.68, 757.72,  
14 767.13, or 938.065 shall participate in programs of continuing court commissioner  
15 education required by the supreme court. The supreme court shall charge court  
16 commissioners a fee for the costs of the continuing education programs required  
17 under this subsection. All moneys collected under this subsection shall be credited  
18 to the appropriation account under s. 20.680 (2) (ga).

19 **\*-1857/5.120\* SECTION 3781.** 758.19 (7) of the statutes is amended to read:

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

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

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

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

18 **\*-0426/4.48\* SECTION 3783.** 765.12 (1) (b) of the statutes is created to read:

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

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

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

8           \*~~0426/4.50~~\* SECTION 3785. 765.13 of the statutes is amended to read:

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

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

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

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

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

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

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

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

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

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

8           **\*b0549/1.1\* SECTION 3786f.** 767.25 (1) (a) of the statutes is amended to read:

9           767.25 (1) (a) Order either or both parents to pay an amount reasonable or  
10 necessary to fulfill a duty to support a child. The support amount ~~may~~ must be  
11 expressed as a ~~percentage of parental income or as a fixed sum, or as a combination~~  
12 ~~of both in the alternative by requiring payment of the greater or lesser of either a~~  
13 ~~percentage of parental income or a fixed sum~~ unless the parties have stipulated to  
14 expressing the amount as a percentage of the payer's income and the requirements  
15 under s. 767.10 (2) (am) 1. to 3. are satisfied.

16           **\*b0549/1.1\* SECTION 3786g.** 767.263 (1) of the statutes is amended to read:

17           767.263 (1) Each order for child support, family support, or maintenance  
18 payments shall include an order that the payer and payee notify the county child  
19 support agency under s. 59.53 (5) of any change of address within 10 business days  
20 of such change. Each order for child support, family support, or maintenance  
21 payments shall also include an order that the payer notify the county child support  
22 agency under s. 59.53 (5) and the payee, within 10 business days, of any change of  
23 employer and of any substantial change in the amount of his or her income, including  
24 receipt of bonus compensation, such that his or her ability to pay child support,  
25 family support, or maintenance is affected. The order shall also include a statement

1 that clarifies that notification of any substantial change in the amount of the payer's  
2 income will not result in a change of the order unless a revision of the order under  
3 s. 767.32 or an annual adjustment of the child or family support amount under s.  
4 767.33 is sought.

5 \***-0529/6.9\*** SECTION 3787. 767.265 (1) of the statutes is amended to read:

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

23 \***-0529/6.10\*** SECTION 3788. 767.265 (1m) of the statutes is amended to read:

24 767.265 (1m) If a party's current obligation to pay maintenance, child support,  
25 spousal support, or family support or the annual receiving and disbursing fee

1 terminates but the party has an arrearage in the payment of one or more of those  
2 payments, ~~the or in the payment of the annual receiving and disbursing fee, any~~  
3 assignment under sub. (1) shall continue in effect, in an amount up to the amount  
4 of the assignment before the party's current obligation terminated, until the  
5 arrearage is paid in full.

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

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

17 \*-0529/6.11\* SECTION 3789. 767.29 (1) (d) of the statutes is amended to read:

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



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

10 \*~~0529/6.12~~\* SECTION 3790. 767.29 (1) (dm) 1m. of the statutes is amended to  
11 read:

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

1 not deduct the amount of unpaid fees from any maintenance or child or family  
2 support, or arrearage payment.

3 \*b0549/1.3\* SECTION 3793e. 767.32 (1) (a) of the statutes is amended to read:

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

1 substantial change in the cost of living by either party or as measured by the federal  
2 bureau of labor statistics may be sufficient to justify a revision of judgment or order  
3 with respect to the amount of maintenance, except that a change in an obligor's cost  
4 of living is not in itself sufficient if payments are expressed as a percentage of income.

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

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

10 **\*b0549/1.3\* SECTION 3793g.** 767.33 of the statutes is repealed and recreated  
11 to read:

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

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

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

24 (2) If the court or family court commissioner provides for an annual  
25 adjustment, the court or family court commissioner shall make available to the

1 parties, including the state if the state is a real party in interest under s. 767.075 (1),  
2 a form approved by the court or family court commissioner for the parties to use in  
3 stipulating to an adjustment of the amount of child or family support and to  
4 modification of any applicable income–withholding order. The form shall include an  
5 order, to be signed by a judge or family court commissioner, for approval of the  
6 stipulation of the parties.

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

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

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

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

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

1 (b) If the court or family court commissioner determines after a hearing that  
2 an adjustment should be made, the court or family court commissioner shall enter  
3 an order adjusting the child or family support payments by the amount determined  
4 by the court or family court commissioner, subject to sub. (1) (b). An adjustment  
5 under this subsection may not take effect before the date on which the party  
6 responding to the motion, petition, or order to show cause received notice of the action  
7 under this subsection.

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

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

14 2. The payer was seeking an adjustment and the payee establishes that the  
15 payer voluntarily and unreasonably reduced his or her income below his or her  
16 earning capacity.

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

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

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

4 \*-0426/4.51\* SECTION 3794. 767.62 (5) (b) of the statutes is amended to read:

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

11 \*-1394/2.76\* SECTION 3795. 778.02 of the statutes is amended to read:

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

1 applicable consumer ~~information~~ protection assessment, and any applicable  
2 domestic abuse assessment. If the defendant is a nonresident of the state, an  
3 attachment may issue.

4 **\*-1394/2.77\* SECTION 3796.** 778.03 of the statutes is amended to read:

5 **778.03 Complaint to recover forfeited goods.** In an action to recover  
6 property forfeited by any statute it shall be sufficient to allege in the complaint that  
7 the property has been forfeited, specifying the statute, with a demand of judgment  
8 for the delivery of the property, or the value thereof and for payment of the penalty  
9 assessment imposed by s. 757.05, the jail assessment imposed by s. 302.46 (1), the  
10 crime laboratories and drug law enforcement assessment imposed by s. 165.755, the  
11 enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable  
12 consumer ~~information~~ protection assessment imposed by s. 100.261, and any  
13 applicable domestic abuse assessment imposed by s. 973.055 (1).

14 **\*-1394/2.78\* SECTION 3797.** 778.06 of the statutes is amended to read:

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

25 **\*-1394/2.79\* SECTION 3798.** 778.10 of the statutes is amended to read:

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

21           \***-1394/2.80\*** SECTION 3799. 778.105 of the statutes is amended to read:

22           **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by  
23 any court or any branch thereof for the violation of any municipal or county  
24 ordinance shall be paid to the municipality or county. Penalty assessment payments  
25 shall be made as provided in s. 757.05. Jail assessment payments shall be made as



1 provided in s. 302.46 (1). Crime laboratories and drug law enforcement assessment  
2 payments shall be paid as provided in s. 165.755. Domestic abuse assessments shall  
3 be made as provided in s. 973.055. Consumer ~~information~~ protection assessment  
4 payments shall be made as provided in s. 100.261.

5 **\*-1394/2.81\* SECTION 3800.** 778.13 of the statutes is amended to read:

6 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor  
7 of the state for forfeiture, except the portion to be paid to any person who sues with  
8 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the  
9 county within which the forfeiture was incurred within 20 days after its receipt. In  
10 case of any failure in the payment the county treasurer may collect the payment of  
11 the officer by action, in the name of the office and upon the official bond of the officer,  
12 with interest at the rate of 12% per year from the time when it should have been paid.  
13 Penalty assessment payments shall be made as provided in s. 757.05. Jail  
14 assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories  
15 and drug law enforcement assessment payments shall be paid as provided in s.  
16 165.755. Domestic abuse assessments shall be made as provided in s. 973.055.  
17 Enforcement assessments shall be made as provided in s. 253.06 (4) (c). Consumer  
18 ~~information~~ protection assessment payments shall be made as provided in s.  
19 100.261.

20 **\*-1394/2.82\* SECTION 3801.** 778.18 of the statutes is amended to read:

21 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her  
22 own will, dismisses any action brought before the judge under this chapter, unless  
23 by order of the district attorney or attorney general or the person joined as plaintiff  
24 with the state, or renders a less judgment therein than is prescribed by law, or  
25 releases or discharges any such judgment or part thereof without payment or

1 collection, the judge and the judge's sureties shall be liable, in an action upon the  
2 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture  
3 imposed by the judge and for the penalty assessment imposed by s. 757.05, the jail  
4 assessment imposed by s. 302.46 (1), the crime laboratories and drug law  
5 enforcement assessment imposed by s. 165.755, any applicable consumer  
6 ~~information~~ protection assessment imposed by s. 100.261, and any applicable  
7 domestic abuse assessment imposed by s. 973.055 (1), or for an amount equal to the  
8 amount in which any such judgment or any part thereof is released or discharged.  
9 If any municipal judge gives time or delay to any person against whom any such  
10 judgment is rendered by the judge, or takes any bond or security for its future  
11 payment, the judge and the judge's sureties shall also be liable for the payment of the  
12 judgment upon the judge's bond.

13 \*~~1394/2.98~~\* SECTION 3817. 800.02 (2) (a) 8. of the statutes is amended to read:

14 800.02 (2) (a) 8. Notice that, if the defendant makes a deposit and fails to  
15 appear in court at the time fixed in the citation, the defendant is deemed to have  
16 tendered a plea of no contest and submits to a forfeiture, penalty assessment, jail  
17 assessment, and crime laboratories and drug law enforcement assessment, any  
18 applicable consumer ~~information~~ protection assessment, and any applicable  
19 domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1),  
20 not to exceed the amount of the deposit. The notice shall also state that the court may  
21 decide to summon the defendant rather than accept the deposit and plea.

22 \*~~1394/2.99~~\* SECTION 3818. 800.02 (3) (a) 5. of the statutes is amended to read:

23 800.02 (3) (a) 5. A plain and concise statement of the violation identifying the  
24 event or occurrence from which the violation arose and showing that the plaintiff is  
25 entitled to relief, the ordinance, resolution or bylaw upon which the cause of action

1 is based and a demand for a forfeiture, the amount of which shall not exceed the  
2 maximum set by the statute involved, the penalty assessment, the jail assessment,  
3 the crime laboratories and drug law enforcement assessment, any applicable  
4 consumer ~~information~~ protection assessment, any applicable domestic abuse  
5 assessment, and such other relief that is sought by the plaintiff.

6 **\*-1394/2.100\* SECTION 3819.** 800.03 (3) of the statutes is amended to read:

7 800.03 (3) The amount of the deposit shall be set by the municipal judge, but  
8 shall not be effective until approved by the governing body of the municipality. The  
9 amount shall not exceed the maximum penalty for the offense, including any penalty  
10 assessment that would be applicable under s. 757.05, any jail assessment that would  
11 be applicable under s. 302.46 (1), any crime laboratories and drug law enforcement  
12 assessment that would be applicable under s. 165.755, any consumer ~~information~~  
13 protection assessment that would be applicable under s. 100.261, and any domestic  
14 abuse assessment that would be applicable under s. 973.055 (1), plus court costs,  
15 including the fee prescribed in s. 814.65 (1).

16 **\*-1394/2.101\* SECTION 3820.** 800.04 (2) (b) of the statutes is amended to read:

17 800.04 (2) (b) If the municipal judge determines that the defendant should not  
18 be released under par. (a) and the defendant is charged with a traffic or boating  
19 violation, the municipal judge shall release the defendant on a deposit in the amount  
20 established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66.  
21 For other violations, the municipal judge shall establish a deposit in an amount not  
22 to exceed the maximum penalty for the offense, including any penalty assessment  
23 that would be applicable under s. 757.05, any jail assessment that would be  
24 applicable under s. 302.46 (1), any crime laboratories and drug law enforcement  
25 assessment that would be applicable under s. 165.755, any consumer ~~information~~

1 protection assessment that would be applicable under s. 100.261, and any domestic  
2 abuse assessment that would be applicable under s. 973.055 (1). If the judge in a 1st  
3 class city determines that a defendant appearing before the judge through  
4 interactive video and audio transmission should not be released under par. (a), the  
5 judge shall inform the defendant that he or she has the right to appear personally  
6 before a judge for a determination, not prejudiced by the first appearance, as to  
7 whether he or she should be released without a deposit. On failure of the defendant  
8 to make a deposit under this paragraph, he or she may be committed to jail pending  
9 trial only if the judge finds that there is a reasonable basis to believe the person will  
10 not appear in court.

11 \***-1394/2.102\*** SECTION 3821. 800.04 (2) (c) of the statutes is amended to read:  
12 800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03  
13 and does not appear, he or she is deemed to have tendered a plea of no contest and  
14 submits to a forfeiture, a penalty assessment imposed by s. 757.05, a jail assessment  
15 imposed by s. 302.46 (1), a crime laboratories and drug law enforcement assessment  
16 imposed by s. 165.755, any applicable consumer ~~information~~ protection assessment  
17 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.  
18 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the  
19 amount of the deposit. The court may either accept the plea of no contest and enter  
20 judgment accordingly, or reject the plea and issue a summons. If the court finds that  
21 the violation meets the conditions in s. 800.093 (1), the court may summon the  
22 alleged violator into court to determine if restitution shall be ordered under s.  
23 800.093. If the defendant fails to appear in response to the summons, the court shall  
24 issue a warrant under s. 968.09. If the defendant has made a deposit but does appear,  
25 the court shall allow the defendant to withdraw the plea of no contest.

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

3           800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty it  
4 may render judgment by ordering restitution under s. 800.093 and payment of a  
5 forfeiture, the penalty assessment imposed by s. 757.05, the jail assessment imposed  
6 by s. 302.46 (1), the crime laboratories and drug law enforcement assessment  
7 imposed by s. 165.755, any applicable consumer ~~information~~ protection assessment  
8 imposed by s. 100.261, and any applicable domestic abuse assessment imposed by s.  
9 973.055 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1). The  
10 court shall apply any payment received on a judgment that includes restitution to  
11 first satisfy any payment of restitution ordered, then to pay the forfeiture,  
12 assessments, and costs. If the judgment is not paid, the court may proceed under par.  
13 (a), (b), or (c) or any combination of those paragraphs, as follows:

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

1 by this paragraph shall be printed in English and Spanish and provided to each  
2 defendant.

3 **\*-1394/2.105\* SECTION 3824.** 800.09 (2) (b) of the statutes is amended to read:

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

20 **\*-1394/2.106\* SECTION 3825.** 800.10 (2) of the statutes is amended to read:

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

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.

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.

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  
23 keeper of a jail or house of corrections or any person who is arrested or otherwise  
24 detained by a law enforcement officer. "Prisoner" does not include any of the  
25 following:

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

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

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

6           808.075 (4) (d) 3. Annual adjustment of child or family support under s. 767.33.

7           **\*-0448/3.1\* SECTION 3829.** 808.075 (4) (fn) 10. of the statutes is created to read:

8           808.075 (4) (fn) 10. Extension, under s. 938.538 (4m) (a) 2., of a placement  
9 under s. 938.538 (3) (a) 1.

10          **\*-0606/2.3\* SECTION 3830.** 813.02 (1) (c) 1. of the statutes is amended to read:

11          813.02 (1) (c) 1. The court may not issue the injunction until giving notice and  
12 an opportunity to be heard on the request for a preliminary injunction to the attorney  
13 general, if the case involves a prisoner in ~~a state correctional institution, as defined~~  
14 ~~in s. 801.02 (7) (a) 1. the custody of the department of corrections~~, or to the attorney  
15 representing the local correctional institution involved and to all other interested  
16 parties. Any injunction issued without giving notice and an opportunity to be heard  
17 is void.

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

20          813.125 (3) (a) (intro.) A judge or court commissioner may issue a temporary  
21 restraining order ordering the respondent to cease or avoid the harassment of  
22 another person, to avoid the petitioner's residence, except as provided in par. (am),  
23 or any premises temporarily occupied by the petitioner or both, or any combination  
24 of these remedies requested in the petition, if all of the following occur:

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



1           813.125 (3) (am) If the petitioner and the respondent are not married, and the  
2 respondent owns the premises where the petitioner resides, and the petitioner has  
3 no legal interest in the premises, in lieu of ordering the respondent to avoid the  
4 petitioner's residence under par. (a) the judge or court commissioner may order the  
5 respondent to avoid the premises for a reasonable time until the petitioner relocates  
6 and shall order the respondent to avoid the new residence for the duration of the  
7 order.

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

10           813.125 (4) (a) (intro.) A judge or court commissioner may grant an injunction  
11 ordering the respondent to cease or avoid the harassment of another person, to avoid  
12 the petitioner's residence, except as provided in par. (am), or any premises  
13 temporarily occupied by the petitioner or both, or any combination of these remedies  
14 requested in the petition, if all of the following occur:

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

16           813.125 (4) (am) If the petitioner and the respondent are not married, and the  
17 respondent owns the premises where the petitioner resides, and the petitioner has  
18 no legal interest in the premises, in lieu of ordering the respondent to avoid the  
19 petitioner's residence under par. (a) the judge or court commissioner may order the  
20 respondent to avoid the premises for a reasonable time until the petitioner relocates  
21 and shall order the respondent to avoid the new residence for the duration of the  
22 order.

23           **\*b0549/1.5\* SECTION 3830m.** 814.04 (intro.) of the statutes, as affected by 2001  
24 Wisconsin Act 6, is amended to read:

1           **814.04 Items of costs.** (intro.) Except as provided in ss. 93.20, 100.30 (5m),  
2           106.50 (6) (i) and (6m) (a), 115.80 (9), 281.36 (2) (b) 1., 767.33 (4) (d), 769.313, 814.025,  
3           814.245, 895.035 (4), 895.10 (3), 895.75 (3), 895.77 (2), 895.79 (3), 895.80 (3), 943.212  
4           (2) (b), 943.245 (2) (d) and 943.51 (2) (b), when allowed costs shall be as follows:

5           \***-0454/3.8\* SECTION 3832.** 814.60 (2) (ai) of the statutes is amended to read:  
6           814.60 (2) (ai) Consumer ~~information~~ protection assessment imposed by s.  
7           100.261.

8           \***b0336/2.22\* SECTION 3832m.** 814.60 (2) (eg) of the statutes is created to read:  
9           814.60 (2) (eg) Truck driver education assessment imposed by s. 349.04.

10          \***b0246/1.1\* SECTION 3832k.** 814.615 (1) (a) 3. of the statutes is amended to  
11          read:

12          814.615 (1) (a) 3. For a study under s. 767.11 (14), a fee of \$300 \$500.

13          \***b0338/1.6\* SECTION 3832m.** 814.63 (1) (c) of the statutes is amended to read:  
14          814.63 (1) (c) This subsection does not apply to an action for a violation of s.  
15          101.123 (2) (a), (am) 1., (ar) ~~or~~, (bm), or (br) or (5) or a safety belt use violation under  
16          s. 347.48 (2m).

17          \***-0454/3.9\* SECTION 3834.** 814.63 (3) (ai) of the statutes is amended to read:  
18          814.63 (3) (ai) Consumer ~~information~~ protection assessment imposed by s.  
19          100.261.

20          \***b0336/2.23\* SECTION 3834m.** 814.63 (3) (g) of the statutes is created to read:  
21          814.63 (3) (g) Truck driver education assessment imposed by s. 349.04.

22          \***b0247/3.1\* SECTION 3836d.** 814.67 (1) (b) 2. of the statutes is amended to  
23          read:

24          814.67 (1) (b) 2. For interpreters, ~~\$35 per one-half day~~ \$20 per hour.

25          \***b0703/1.2\* SECTION 3836r.** 814.69 (1) (b) of the statutes is amended to read:

1           814.69 (1) (b) For a transcript under s. 757.57 (5), a fee from the party  
2 requesting the transcript at the rate of ~~\$1.75~~ \$2.25 per 25–line page for the original  
3 and ~~60~~ 50 cents per 25–line page for each copy. If the request is by the state or any  
4 political subdivision thereof, the fees of the reporter shall be at the rates provided in  
5 par. (a).

6           **\*b0703/1.2\* SECTION 3836s.** 814.69 (1) (bm) of the statutes is created to read:

7           814.69 (1) (bm) If a party requests that a transcript under s. 757.57 (5) be  
8 prepared within 7 days after the request and the transcript is not required by  
9 supreme court rule or statute to be prepared within that 7–day period, a fee in  
10 addition to the fee under par. (b) of 75 cents per 25–line page for the original and 25  
11 cents for each copy. The fee under this paragraph does not apply to a request made  
12 by the state or a political subdivision of the state.

13           **\*-0433/4.1\* SECTION 3843.** 867.035 (1) (a) (intro.) of the statutes is amended  
14 to read:

15           867.035 (1) (a) (intro.) ~~Except as provided in~~ Subject to par. (bm), the  
16 department of health and family services may collect from the property of a decedent,  
17 including funds of a decedent that are held by the decedent immediately before death  
18 in a joint account or a P.O.D. account, by affidavit under ~~this section~~ sub. (2) or by  
19 lien under sub. (2m) an amount equal to the medical assistance that is recoverable  
20 under s. 49.496 (3) (a), the long–term community support services under s. 46.27 that  
21 is recoverable under s. 46.27 (7g) (c) 1., the family care benefit that is recoverable  
22 under rules promulgated under s. 46.286 (7), or the aid under s. 49.68, 49.683, or  
23 49.685 that is recoverable under s. 49.682 (2) (a) and that was paid on behalf of the  
24 decedent or the decedent’s spouse, if all of the following conditions are satisfied:

25           **\*-0433/4.2\* SECTION 3844.** 867.035 (1) (a) 1. of the statutes is amended to read:

1 867.035 (1) (a) 1. No person files a petition for administration or summary  
2 settlement or assignment of the decedent's estate within 20 days of death.

3 **\*-0433/4.3\* SECTION 3845.** 867.035 (1) (bm) (intro.) of the statutes is amended  
4 to read:

5 867.035 (1) (bm) (intro.) The department of health and family services ~~may not~~  
6 ~~collect by affidavit under this section from any of~~ shall reduce the amount of its  
7 recovery under par. (a) by up to the amount specified in s. 861.33 (2) if necessary to  
8 allow the decedent's heirs or beneficiaries under the decedent's will to retain the  
9 following personal property of the decedent:

10 **\*-0433/4.4\* SECTION 3846.** 867.035 (1) (bm) 1. of the statutes is repealed.

11 **\*-0433/4.5\* SECTION 3847.** 867.035 (1) (bm) 2. of the statutes is amended to  
12 read:

13 867.035 (1) (bm) 2. Wearing apparel and jewelry held for personal use.

14 **\*-0433/4.6\* SECTION 3848.** 867.035 (1) (bm) 3. of the statutes is amended to  
15 read:

16 867.035 (1) (bm) 3. Household furniture, furnishings, and appliances.

17 **\*-0433/4.7\* SECTION 3849.** 867.035 (1) (bm) 4. of the statutes is repealed and  
18 recreated to read:

19 867.035 (1) (bm) 4. Other tangible personal property not used in trade,  
20 agriculture, or other business, not exceeding in value the amount specified in s.  
21 861.33 (1) (a) 4.

22 **\*-0433/4.8\* SECTION 3850.** 867.035 (2) of the statutes is amended to read:

23 867.035 (2) A person who possesses property of a decedent shall transmit the  
24 property to the department of health and family services, if the conditions in sub. (1)  
25 (a) 1. to 4. are satisfied, upon receipt of an affidavit by a person designated by the

1 secretary of health and family services to administer this section showing that the  
2 ~~conditions in sub. (1) (a) are satisfied~~ department paid on behalf of the decedent or  
3 the decedent's spouse recoverable benefits specified in sub. (1) (a). Upon transmittal,  
4 the person is released from any obligation to other creditors or heirs of the decedent.

5 \*~~0133/4.9~~\* **SECTION 3851.** 867.035 (2m) of the statutes is created to read:

6 867.035 (2m) (a) If the conditions in sub. (1) (a) 1., 2., and 4. are satisfied, the  
7 department of health and family services shall have a lien in the amount that it may  
8 recover under sub. (1) (a) on any interest in the decedent's home, as defined in s.  
9 49.496 (1) (b), transferred under s. 867.03 (1g). The department may record the lien  
10 in the office of the register of deeds of the county in which the real property is located.  
11 The department may enforce the lien by foreclosure in the same manner as a  
12 mortgage on real property, unless any of the following is alive:

13 1. The decedent's spouse.

14 2. A child of the decedent if the child is under age 21 or disabled, as defined in  
15 s. 49.468 (1) (a) 1.

16 (b) If the conditions in sub. (1) (a) 1. to 4. are satisfied, the department of health  
17 and family services shall have a lien in the amount that it may recover under sub.  
18 (1) (a) on any interest in any real property of the decedent transferred under s. 867.03  
19 (1g). The department may record the lien in the office of the register of deeds of the  
20 county in which the real property is located and may enforce the lien by foreclosure  
21 in the same manner as a mortgage on real property.

22 \*~~0094/5.3~~\* **SECTION 3852.** 885.37 (title) of the statutes is amended to read:

23 **885.37 (title) Interpreters for persons with language difficulties or**  
24 **hearing or speaking impairments limited English proficiency.**

1           \*~~0094/5.4~~\* SECTION 3853. 885.37 (1) of the statutes is renumbered 885.37  
2 (1m), and 885.37 (1m) (b), as renumbered, is amended to read:

3           885.37 (1m) (b) If a court has notice that a person who fits any of the criteria  
4 under par. (a) has ~~a language difficulty because of the inability to speak or~~  
5 ~~understand English, has a hearing impairment, is unable to speak or has a speech~~  
6 ~~defect the court shall make a factual determination of whether the language~~  
7 ~~difficulty or the hearing or speaking impairment is sufficient to prevent the~~  
8 ~~individual from communicating with his or her attorney, reasonably understanding~~  
9 ~~the English testimony or reasonably being understood in English. If the court~~  
10 ~~determines that, limited English proficiency and that an interpreter is necessary, the~~  
11 court shall advise the person that he or she has a right to a qualified interpreter and  
12 that, if the person cannot afford one, an interpreter will be provided for him or her  
13 at the public's expense. ~~Any waiver of the right to an interpreter is effective only if~~  
14 ~~made voluntarily in person, in open court and on the record.~~

15           \*~~0094/5.5~~\* SECTION 3854. 885.37 (1g) of the statutes is created to read:

16           885.37 (1g) In this section, "limited English proficiency" means any of the  
17 following:

18           (a) The inability, because of the use of a language other than English, to  
19 adequately understand or communicate effectively in English in a court proceeding.

20           (b) The inability, due to a speech impairment, hearing loss, deafness,  
21 deaf-blindness, or other disability, to adequately hear, understand, or communicate  
22 effectively in English in a court proceeding.

23           \*~~0094/5.6~~\* SECTION 3855. 885.37 (2) of the statutes is amended to read:

24           885.37 (2) A court may authorize the use of an interpreter in actions or  
25 proceedings in addition to those specified in sub. (1) (1m).

1           \*~~0094/5.7~~\* **SECTION 3856.** 885.37 (3) (b) of the statutes is amended to read:

2           885.37 (3) (b) In any administrative contested case proceeding before a state,  
3 county, or municipal agency, if the agency conducting the proceeding has notice that  
4 a party to the proceeding has ~~a language difficulty because of the inability to speak~~  
5 ~~or understand English, has a hearing impairment, is unable to speak or has a speech~~  
6 ~~defect, the agency shall make a factual determination of whether the language~~  
7 ~~difficulty or hearing or speaking impairment is sufficient to prevent the party from~~  
8 ~~communicating with others, reasonably understanding the English testimony or~~  
9 ~~reasonably being understood in English. If the agency determines limited English~~  
10 ~~proficiency and that an interpreter is necessary, the agency shall advise the party~~  
11 ~~that he or she has a right to a qualified interpreter. After considering the party's~~  
12 ~~ability to pay and the other needs of the party, the agency may provide for an~~  
13 ~~interpreter for the party at the public's expense. Any waiver of the right to an~~  
14 ~~interpreter is effective only if made at the administrative contested case proceeding.~~

15           \*~~0094/5.8~~\* **SECTION 3857.** 885.37 (3m) of the statutes is amended to read:

16           885.37 (3m) Any agency may authorize the use of ~~an~~ a qualified interpreter in  
17 a contested case proceeding for a person who is not a party but who has a substantial  
18 interest in the proceeding.

19           \*~~0094/5.9~~\* **SECTION 3858.** 885.37 (4) (a) (intro.) of the statutes is amended to  
20 read:

21           885.37 (4) (a) (intro.) The necessary expense of furnishing ~~an~~ a qualified  
22 interpreter for an indigent person under sub. (1) ~~(1m)~~ or (2) shall be paid as follows:

23           \*~~0094/5.10~~\* **SECTION 3859.** 885.37 (4) (b) of the statutes is amended to read:

1           885.37 (4) (b) The necessary expense of furnishing ~~an~~ a qualified interpreter  
2 for an indigent party under sub. (3) shall be paid by the unit of government for which  
3 the proceeding is held.

4           \***-0094/5.11\*** SECTION 3860. 885.37 (5) (a) of the statutes is amended to read:

5           885.37 (5) (a) If a court under sub. ~~(1)~~ (1m) or (2) or an agency under sub. (3)  
6 decides to appoint an interpreter, the court or agency shall follow the applicable  
7 procedure under par. (b) or (c).

8           \***-0094/5.12\*** SECTION 3861. 885.37 (6) to (10) of the statutes are created to  
9 read:

10           885.37 (6) (a) If a person with limited English proficiency requests the  
11 assistance of the clerk of circuit courts regarding a legal proceeding, the clerk may  
12 provide the assistance of a qualified interpreter to respond to the person's inquiry.

13           (b) A qualified interpreter appointed under this section may, with the approval  
14 of the court, provide interpreter services outside the court room that are related to  
15 the court proceedings, including during court-ordered psychiatric or medical exams  
16 or mediation.

17           (7) (a) A person with limited English proficiency may waive the right to a  
18 qualified interpreter at any point in the court proceeding if the court advises the  
19 person of the nature and effect of the waiver and determines on the record that the  
20 waiver has been made knowingly, intelligently, and voluntarily.

21           (b) At any point in the court proceeding, for good cause, the person with limited  
22 English proficiency may retract his or her waiver and request that a qualified  
23 interpreter be appointed.



1 (c) Any party to a court proceeding may object to the use of any qualified  
2 interpreter for good cause. The court may remove a qualified interpreter for good  
3 cause.

4 (8) Every qualified interpreter, before commencing his or her duties in a court  
5 proceeding, shall take a sworn oath that he or she will make a true and impartial  
6 interpretation. The supreme court may approve a uniform oath for qualified  
7 interpreters.

8 (9) The delay resulting from the need to locate and appoint a qualified  
9 interpreter may constitute good cause for the court to toll the time limitations in the  
10 court proceeding.

11 \*b0218/2.1\* SECTION 3862c. 891.45 of the statutes is renumbered 891.45 (2)  
12 and amended to read:

13 891.45 (2) In any proceeding involving the application by a state, county, or  
14 municipal fire fighter or his or her beneficiary for disability or death benefits under  
15 ~~s. 66.191, 1981 stats., or s. 40.65 (2)~~ or any pension or retirement system applicable  
16 to fire fighters, where at the time of death or filing of application for disability  
17 benefits the deceased or disabled ~~municipal~~ fire fighter had served a total of 5 years  
18 as a state, county, or municipal fire fighter and a qualifying medical examination  
19 given prior to the time of his or her ~~joining the department~~ becoming a state, county,  
20 or municipal fire fighter showed no evidence of heart or respiratory impairment or  
21 disease, and where the disability or death is found to be caused by heart or  
22 respiratory impairment or disease, such finding shall be presumptive evidence that  
23 such impairment or disease was caused by such employment. ~~In this section,~~  
24 ~~“municipal fire fighter” includes any person designated as primarily a fire fighter~~

1 ~~under s. 61.66 (2) and any person under s. 61.66 whose duties as a fire fighter during~~  
2 ~~the 5-year qualifying period took up at least two-thirds of his or her working hours.~~

3 \*b0218/2.1\* SECTION 3862h. 891.45 (1) of the statutes is created to read:

4 891.45 (1) In this section:

5 (a) "County fire fighter" means any person employed by a county whose duties  
6 primarily include active fire suppression or prevention.

7 (b) "Municipal fire fighter" includes any person designated as primarily a fire  
8 fighter under s. 61.66 (2) and any person under s. 61.66 whose duties as a fire fighter  
9 during the 5-year qualifying period took up at least two-thirds of his or her working  
10 hours.

11 (c) "State fire fighter" means any person employed by the state whose duties  
12 primarily include active fire suppression or prevention and who is a protective  
13 occupation participant, as defined in s. 40.02 (48).

14 \*b0218/2.1\* SECTION 3862p. 891.455 (1) of the statutes is amended to read:

15 891.455 (1) In this section, "state, county, or municipal fire fighter" means a  
16 ~~municipal~~ fire fighter who is covered under s. 891.45 and any person under s. 61.66  
17 whose duties as a fire fighter during the 10-year qualifying period specified in sub.  
18 (2) took up at least two-thirds of his or her working hours.

19 \*b0218/2.1\* SECTION 3862t. 891.455 (2) of the statutes is amended to read:

20 891.455 (2) ~~Beginning with applications submitted by a municipal fire fighter~~  
21 ~~or his or her beneficiary on May 12, 1998, in~~ In any proceeding involving an  
22 application by a state, county, or municipal fire fighter or his or her beneficiary for  
23 disability or death benefits under s. ~~66.191, 1981 stats.,~~ or s. 40.65 (2) or any pension  
24 or retirement system applicable to fire fighters, where at the time of death or filing  
25 of application for disability benefits the deceased or disabled ~~municipal~~ fire fighter

1 had served a total of 10 years as a state, county, or municipal fire fighter and a  
2 qualifying medical examination given prior to the time of his or her ~~joining the~~  
3 ~~department~~ becoming a state, county, or municipal fire fighter showed no evidence  
4 of cancer, and where the disability or death is found to be caused by cancer, such  
5 finding shall be presumptive evidence that the cancer was caused by such  
6 employment.

7 \*b0459/2.1\* SECTION 3862m. 893.335 of the statutes is created to read:

8 **893.335 Actions concerning property development rights.** (1) In this  
9 section:

10 (a) “Nonprofit organization” means an organization defined in s. 94.10 (1) (b)  
11 that has jointly pursued or is currently pursuing the acquisition of property  
12 development rights with the state, a state agency, or a political subdivision.

13 (b) “Political subdivision” means a city, village, town, or county, or a  
14 department, division board, or other agency of a city, village, town, or county.

15 (c) “Property development rights” means the holder’s nonpossessory interest  
16 in real property imposing any limitation or affirmative obligation the purpose of  
17 which may include retaining or protecting natural, scenic, or open space values of  
18 real property, assuring the availability of real property for agricultural, forest,  
19 recreational, or open space use, protecting natural resources, maintaining or  
20 enhancing air or water quality, preserving a burial site, as defined in s. 157.70 (1) (b),  
21 or preserving the historical, architectural, archaeological, or cultural aspects of real  
22 property.

23 (d) “Value” means the amount paid for comparable property development  
24 rights in an arm’s-length sale completed within 12 months before the sale in  
25 question.

1           (2) (a) A person who sells the property development rights for a period of 30  
2 years or longer in real property or his or her heir or devisee shall bring an action  
3 within 3 years after the sale of the property development rights to recover the  
4 difference between the value of the property development rights and the sale price  
5 of those rights or be barred.

6           (b) A person may bring an action under this subsection only if all of the  
7 following conditions are met:

8           1. The purchaser is a nonprofit organization, the state, an agency of the state,  
9 or a political subdivision.

10          2. The amount paid for the property development rights was at least 5% below  
11 the value of the property development rights.

12          (c) If the transfer of the property development rights involved a gift, a person  
13 may only recover for the portion of the transfer that was not a gift.

14          (3) The person who has the right to bring an action under sub. (2) may request  
15 that the department of justice bring the action on behalf of the person.

16          (4) If the person under sub. (2) or the department of justice under sub. (3) is  
17 successful in obtaining a judgment under this section, the court shall include in the  
18 judgment compounded interest from the date that the property was sold, using the  
19 interest rate charged for delinquent property taxes by the county in which the  
20 property is located.

21          **\*b0618/1.1\* SECTION 3862q.** 893.587 of the statutes is amended to read:

22          **893.587 Incest Sexual assault of a child; limitation.** An action to recover  
23 damages for injury caused by ~~incest~~ an act that would constitute a violation of s.  
24 948.02, 948.025, 948.06, or 948.095 shall be commenced within ~~2~~ 5 years after the  
25 plaintiff discovers the fact and the probable cause, or with the exercise of reasonable

1 diligence should have discovered the fact and the probable cause, of the injury,  
2 whichever occurs first. This section does not shorten the period to commence an  
3 action provided under s. 893.16 (1).

4 \*–1528/8.30\* SECTION 3863. 895.11 of the statutes is created to read:

5 **895.11 Payments under the tobacco settlement agreement.** (1) In this  
6 section, “tobacco settlement agreement” means the Attorneys General Master  
7 Tobacco Settlement Agreement of November 23, 1998.

8 (2) The state’s participation in the tobacco settlement agreement is affirmed.

9 (3) All payments received and to be received by the state under the tobacco  
10 settlement agreement are the property of the state, to be used as provided by law,  
11 including a sale, assignment, or transfer of the right to receive the payments under  
12 s. 16.63. No political subdivision of the state, and no officer or agent of any political  
13 subdivision of the state, shall have or seek to maintain any claim related to the  
14 tobacco settlement agreement or any claim against any party that was released from  
15 liability by the state under the tobacco settlement agreement.

16 \*–0549/1.19\* SECTION 3864. 895.483 (title) of the statutes is amended to read:

17 **895.483 (title) Civil liability exemption; regional and county local**  
18 **emergency response teams and their sponsoring agencies.**

19 \*–0549/1.20\* SECTION 3865. 895.483 (2) of the statutes is amended to read:

20 895.483 (2) A county local emergency response team, a member of such a team  
21 and the county, city, village, or town that contracts to provide the emergency response  
22 team to the county are immune from civil liability for acts or omissions related to  
23 carrying out responsibilities pursuant to a designation under s. 166.21 (2m) (e).

24 \*–0094/5.13\* SECTION 3872. 905.015 of the statutes is amended to read:

1           **905.015 Interpreters for persons with language difficulties, limited**  
2           **English proficiency, or hearing or speaking impairments.** If an interpreter  
3           for a person with a language difficulty, limited English proficiency, as defined in s.  
4           885.37 (1g), or a hearing or speaking impairment interprets as an aid to a  
5           communication which is privileged by statute, rules adopted by the supreme court,  
6           or the U.S. or state constitution, the interpreter may be prevented from disclosing  
7           the communication by any person who has a right to claim the privilege. The  
8           interpreter may claim the privilege but only on behalf of the person who has the  
9           right. The authority of the interpreter to do so is presumed in the absence of evidence  
10          to the contrary.

11           \*~~1855/2.31~~\* **SECTION 3873.** 908.08 (1) of the statutes is amended to read:

12           908.08 (1) In any criminal trial or hearing, juvenile fact-finding hearing under  
13           s. 48.31 or 938.31 or revocation hearing under s. 302.113 (9) (am), 302.114 (9) (am),  
14           304.06 (3), or 973.10 (2), the court or hearing examiner may admit into evidence the  
15           videotaped oral statement of a child who is available to testify, as provided in this  
16           section.

17           \*~~0447/3.7~~\* **SECTION 3879.** 938.183 (3) of the statutes is amended to read:

18           938.183 (3) Except as provided in s. 973.013 (3m), the department shall place  
19           a juvenile under 15 years of age who is subject to a criminal penalty under sub. (1m)  
20           or (2) in a secured correctional facility or a secured child caring institution. When  
21           a juvenile who is subject to a criminal penalty under sub. (1m) or (2) attains the age  
22           of ~~17~~ 15 years, the department may place the juvenile in a state prison named in s.  
23           302.01. ~~If a juvenile who is subject to a criminal penalty under sub. (1m) or (2) is 15~~  
24           ~~years of age or over, the department may transfer the juvenile to the Racine youthful~~  
25           ~~offender correctional facility named in s. 302.01 as provided in s. 938.357 (4) (d). A~~

1 juvenile who is subject to a criminal penalty under sub. (1m) or (2) for an act  
2 committed before December 31, 1999, is eligible for parole under s. 304.06.

3 **\*-0448/3.2\* SECTION 3880.** 938.185 (2) of the statutes is amended to read:

4 938.185 (2) Venue for any proceeding under s. 938.363 ~~or~~, 938.365, or 938.538  
5 (4m) (a) 2. shall be in the county where the dispositional order was issued, unless the  
6 juvenile's county of residence has changed, or the parent of the juvenile has resided  
7 in a different county of this state for 6 months. In either case, the court may, upon  
8 a motion and for good cause shown, transfer the case, along with all appropriate  
9 records, to the county of residence of the juvenile or parent.

10 **\*-0446/2.1\* SECTION 3881.** 938.19 (1) (d) 6. of the statutes is amended to read:

11 938.19 (1) (d) 6. The juvenile has violated ~~the terms~~ a condition of  
12 court-ordered supervision or aftercare supervision administered by the department  
13 or a county department, a condition of the juvenile's placement in a Type 2 secured  
14 correctional facility or a Type 2 child caring institution, or a condition of the juvenile's  
15 participation in the intensive supervision program under s. 938.534.

16 **\*-0446/2.2\* SECTION 3882.** 938.20 (2) (cm) of the statutes is amended to read:

17 938.20 (2) (cm) If the juvenile has violated ~~the terms~~ a condition of aftercare  
18 supervision administered by the department or a county department, a condition of  
19 the juvenile's placement in a Type 2 secured correctional facility or a Type 2 child  
20 caring institution, or a condition of the juvenile's participation in the intensive  
21 supervision program under s. 938.534, the person who took the juvenile into custody  
22 may release the juvenile to the department or county department, whichever has  
23 aftercare supervision over the juvenile.

24 **\*-0446/2.3\* SECTION 3883.** 938.20 (7) (c) 1m. of the statutes is amended to read:

1           938.20 (7) (c) 1m. In the case of a juvenile who has violated ~~the terms a~~  
2 condition of aftercare supervision administered by the department or a county  
3 department, a condition of the juvenile's placement in a Type 2 secured correctional  
4 facility or a Type 2 child caring institution, or a condition of the juvenile's  
5 participation in the intensive supervision program under s. 938.534, to the  
6 department or county department, whichever has ~~aftercare~~ supervision of the  
7 juvenile.

8           \*~~0446/2.4~~\* SECTION 3884. 938.20 (8) of the statutes is amended to read:

9           938.20 (8) If a juvenile is held in custody, the intake worker shall notify the  
10 juvenile's parent, guardian, and legal custodian of the reasons for holding the  
11 juvenile in custody and of the juvenile's whereabouts unless there is reason to believe  
12 that notice would present imminent danger to the juvenile. If a juvenile who has  
13 violated ~~the terms a condition~~ of aftercare supervision administered by the  
14 department or a county department, a condition of the juvenile's placement in a Type  
15 2 secured correctional facility or a Type 2 child caring institution, or a condition of  
16 the juvenile's participation in the intensive supervision program under s. 938.534 is  
17 held in custody, the intake worker shall also notify the department or county  
18 department, whichever has supervision over the juvenile, of the reasons for holding  
19 the juvenile in custody, of the juvenile's whereabouts, and of the time and place of the  
20 detention hearing required under s. 938.21. The parent, guardian, and legal  
21 custodian shall also be notified of the time and place of the detention hearing  
22 required under s. 938.21, the nature and possible consequences of that hearing, and  
23 the right to present and cross-examine witnesses at the hearing. If the parent,  
24 guardian, or legal custodian is not immediately available, the intake worker or  
25 another person designated by the court shall provide notice as soon as possible.



1 When the juvenile is alleged to have committed a delinquent act, the juvenile shall  
2 receive the same notice about the detention hearing as the parent, guardian, or legal  
3 custodian. The intake worker shall notify both the juvenile and the juvenile's parent,  
4 guardian, or legal custodian.

5 \*~~0446/2.5~~\* SECTION 3885. 938.205 (1) (c) of the statutes is amended to read:

6 938.205 (1) (c) That the juvenile will run away or be taken away so as to be  
7 unavailable for proceedings of the court or its officers ~~or~~, proceedings of the division  
8 of hearings and appeals in the department of administration for revocation of  
9 aftercare supervision, or action by the department or county department relating to  
10 a violation of a condition of the juvenile's placement in a Type 2 secured correctional  
11 facility or a Type 2 child caring institution or a condition of the juvenile's  
12 participation in the intensive supervision program under s. 938.534.

13 \*~~0446/2.6~~\* SECTION 3886. 938.208 (1) (intro.) of the statutes is amended to  
14 read:

15 938.208 (1) (intro.) Probable cause exists to believe that the juvenile has  
16 committed a delinquent act and either presents a substantial risk of physical harm  
17 to another person or a substantial risk of running away so as to be unavailable for  
18 a court hearing ~~or~~, a revocation hearing for juveniles ~~on~~ of aftercare supervision  
19 hearing, or action by the department or county department relating to a violation of  
20 a condition of the juvenile's placement in a Type 2 secured correctional facility or a  
21 Type 2 child caring institution or a condition of the juvenile's participation in the  
22 intensive supervision program under s. 938.534. For juveniles who have been  
23 adjudged delinquent, the delinquent act referred to in this section may be the act for  
24 which the juvenile was adjudged delinquent. If the intake worker determines that

1 any of the following conditions applies, the juvenile is considered to present a  
2 substantial risk of physical harm to another person:

3 **\*-0094/5.14\* SECTION 3890.** 938.315 (1) (h) of the statutes is created to read:

4 938.315 (1) (h) Any period of delay resulting from the need to appoint a  
5 qualified interpreter.

6 **\*-0446/2.7\* SECTION 3898.** 938.355 (6d) (a) 4. of the statutes is created to read:

7 938.355 (6d) (a) 4. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile  
8 who has been adjudged delinquent and who has violated a condition specified in sub.  
9 (2) (b) 7. from being taken into and held in custody under ss. 938.19 to 938.21.

10 **\*-0446/2.8\* SECTION 3899.** 938.355 (6d) (b) 4. of the statutes is created to read:

11 938.355 (6d) (b) 4. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile  
12 who has violated a condition of aftercare supervision administered by a county  
13 department from being taken into and held in custody under ss. 938.19 to 938.21.

14 **\*-0446/2.9\* SECTION 3900.** 938.355 (6d) (c) 4. of the statutes is created to read:

15 938.355 (6d) (c) 4. Subject to par. (d), subds. 1. and 2. do not preclude a juvenile  
16 who has been found to be in need of protection or services and who has violated a  
17 condition specified in sub. (2) (b) 7. from being taken into and held in custody under  
18 ss. 938.19 to 938.21.

19 **\*-0449/4.6\* SECTION 3902.** 938.357 (4) (b) 2. of the statutes is amended to read:

20 938.357 (4) (b) 2. If a juvenile whom the court has placed in a Type 2 child  
21 caring institution under s. 938.34 (4d) violates a condition of his or her placement in  
22 the Type 2 child caring institution, the child welfare agency operating the Type 2  
23 child caring institution shall notify the county department that has supervision over  
24 the juvenile and, if the county department agrees to a change in placement under this  
25 subdivision, the child welfare agency shall notify the department and the

1 department, after consulting with the child welfare agency, may place the juvenile  
2 in a Type 1 secured correctional facility under the supervision of the department,  
3 without a hearing under sub. (1), for not more than 10 days. If a juvenile is placed  
4 in a Type 1 secured correctional facility under this subdivision, the county  
5 department that has supervision over the juvenile shall reimburse the child welfare  
6 agency operating the Type 2 child caring institution in which the juvenile was placed  
7 at the rate established under s. 46.037, and that child welfare agency shall reimburse  
8 the department at the rate specified in s. 301.26 (4) (d) 2., ~~3. or 4.~~ or 3., whichever is  
9 applicable, for the cost of the juvenile's care while placed in a Type 1 secured  
10 correctional facility.

11 **\*-0447/3.8\* SECTION 3903.** 938.357 (4) (d) of the statutes is repealed.

12 **\*-2174/2.6\* SECTION 3910.** 938.532 (1) of the statutes is amended to read:

13 938.532 (1) PROGRAM. From the ~~appropriations~~ appropriation under s. 20.410  
14 (3) ~~(bb)~~ and (hm), the department shall provide a juvenile boot camp program for  
15 juveniles who have been placed under the supervision of the department under s.  
16 938.183, 938.34 (4h) or (4m), or 938.357 (4).

17 **\*-0452/1.1\* SECTION 3914.** 938.533 (2) of the statutes is amended to read:

18 938.533 (2) CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s.  
19 20.410 (3) (hr), the department shall provide a corrective sanctions program to serve  
20 an average daily population of 136 juveniles, or an average daily population of more  
21 than 136 juveniles if the appropriation under s. 20.410 (3) (hr) is supplemented  
22 under s. 13.101 or 16.515 and the positions for the program are increased under s.  
23 13.101 or 16.505 (2) or if funding and positions to serve more than that average daily  
24 population are otherwise available, in not less than 3 counties, including Milwaukee  
25 County. The office of juvenile offender review in the department shall evaluate and

1 select for participation in the program juveniles who have been placed under the  
2 supervision of the department under s. 938.183, 938.34 (4h) or (4m), or 938.357 (4).  
3 The department shall place a program participant in the community, provide  
4 intensive surveillance of that participant, and provide an average of not more than  
5 \$3,000 per year per slot to purchase community-based treatment services for each  
6 participant. The department shall make the intensive surveillance required under  
7 this subsection available 24 hours a day, 7 days a week, and may purchase or provide  
8 electronic monitoring for the intensive surveillance of program participants. The  
9 department shall provide a report center in Milwaukee County to provide on-site  
10 programming after school and in the evening for juveniles from Milwaukee County  
11 who are placed in the corrective sanctions program. A contact worker providing  
12 services under the program shall have a case load of approximately 10 juveniles and,  
13 during the initial phase of placement in the community under the program of a  
14 juvenile who is assigned to that contact worker, shall have not less than one  
15 face-to-face contact per day with that juvenile. Case management services under  
16 the program shall be provided by a corrective sanctions agent who shall have a case  
17 load of approximately 15 juveniles. The department shall promulgate rules to  
18 implement the program.

19 \*~~0446/2.10~~\* SECTION 3915. 938.533 (3) (a) of the statutes is amended to read:

20 938.533 (3) (a) A participant in the corrective sanctions program remains  
21 under the supervision of the department, remains subject to the rules and discipline  
22 of that department, and is considered to be in custody, as defined in s. 946.42 (1) (a).  
23 Notwithstanding ss. 938.19 to 938.21, if a juvenile violates a condition of that  
24 juvenile's participation in the corrective sanctions program the department may,  
25 without a hearing, take the juvenile into custody and place the juvenile in a secured